

The Hindu Important News Articles & Editorial For UPSC CSE

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Edition: International | Table of Contents

18 November Syllabus : Prelims Fact	India conducts 'historic' flight test of hypersonic missile with a range of 1,500 km
18 November Syllabus : GS 3 : Environment	New infectious diseases among bees threaten world's economies
Page 01 Syllabus : GS : 3 – Environment	As Delhi chokes, SC orders all curbs to stay till it lifts them, takes CAQM to task for delayed action
Page 03 Syllabus : GS 2 : Social Justice : Health	As Chikungunya cases rise in Telangana, U.S. issues travel advisory
Page 07 Syllabus : GS 3 : Environment	How sustainable is India's path to net-zero with 45 years left
Page 11 Syllabus : GS : 3 : Environment	How can design help a building be more climate-resilient
18 November : Page 08 : Editorial Analysis: Syllabus : GS 2 : Indian Polity – Judiciary	Two cheers for the top court's 'bulldozer' judgment
Page 08 : Editorial Analysis: Syllabus : GS 2 : Indian Polity	Manipur as a case for imposing Article 356

Prelims Fact

India successfully tested its first long-range hypersonic missile with a 1,500 km range, developed by the DRDO.

India conducts 'historic' flight test of hypersonic missile with a range of 1,500 km

Dinakar Peri
NEW DELHI

India on Sunday announced the successful flight test of its maiden long-range hypersonic missile with a range of 1,500 km. The Defence Research and Development Organisation (DRDO) conducted the flight test late on Saturday from Dr. A.P.J. Abdul Kalam Island, off Odisha coast, the latest in a series of missile tests in the past two months.

"The missile is designed to carry various payloads for ranges greater than 1,500 km for all the services of Indian armed forces," the DRDO said in a statement. "The missile was tracked by various range systems, deployed in multiple domains. The flight data obtained from down-



High aims: Flight trial of the hypersonic missile being done off the coast of Odisha. PTI

range ship stations confirmed the successful terminal manoeuvres and impact with high degree of accuracy."

Congratulating the DRDO, Defence Minister Rajnath Singh said on X, "India has achieved a major milestone by successfully conducting flight trial of long range hypersonic

missile... This is a historic moment and this significant achievement has put our country in the group of select nations having capabilities of such critical and advanced military technologies."

This missile has been indigenously developed by the DRDO.

Hypersonic weapons are manoeuvrable weapons that can fly at speeds of at least Mach 5, five times the speed of sound. They travel within the atmosphere and can perform manoeuvres midway which combined with their high speeds makes their detection and interception extremely difficult.

This means that radars and air defences cannot detect them till they are very close and get little time to react.

- ➡ This milestone places India among select nations with advanced hypersonic missile capabilities, enhancing the country's defence technology and military strength.

Analysis of the news:

- ➡ The flight test was conducted by the Defence Research and Development Organisation (DRDO) from Dr. A.P.J. Abdul Kalam Island, Odisha.
- ➡ The missile is designed to carry various payloads for all branches of the Indian armed forces.

Daily News Analysis

- ➡ DRDO tracked the missile using multiple range systems, confirming its successful terminal manoeuvres and impact with high accuracy.
- ➡ Hypersonic weapons travel at speeds of Mach 5 (five times the speed of sound) and are highly manoeuvrable, making them hard to detect and intercept.

What is a hypersonic missile?

- ➡ **Definition:** A hypersonic missile is a type of missile that travels at speeds greater than Mach 5 (five times the speed of sound), typically exceeding 6,174 km/h, making it extremely difficult to intercept due to its speed and manoeuvrability.
- ➡ **Advantages:**
 - **Speed:** Hypersonic missiles can strike targets quickly, reducing reaction time for defence systems.
 - **Evasion:** Their high speed and ability to manoeuvre at various altitudes make them harder to detect and intercept.
 - **Penetration:** They can bypass current missile defence systems, providing strategic superiority.
 - **Precision:** Hypersonic missiles can deliver highly accurate strikes on critical targets.
 - **Surprise Element:** Their rapid strike capability leaves little time for opponents to respond, enhancing tactical advantage.
 - **Global Reach:** They can cover vast distances in a short time, enabling global strike capabilities.
 - **Versatility:** Useful for both conventional and nuclear strikes.

GS 3 : Environment

Insect pollinators are vital for global agricultural productivity, with over 75% of crops depending on them.

New infectious diseases among bees threaten world's economies

Research has uncovered the transmission of pathogens between managed honey bees and wild pollinators, a process called pathogen spillover and spillback. Western honey bees are often viral reservoirs and can infect wild species when they share habitats. The emerging diseases also threaten the wider pollinator community

Rupsy Khurana
BENGALURU

A significant chunk of the world's agricultural productivity and nutritional security relies on small insect pollinators. More than 75% of food crops, fruits, and flowering plants need bees, wasps, beetles, flies, moths, and butterflies to yield successful harvests.

This is why threats to insect pollinators, including pesticides, pollution, and climate change, endanger the economies of entire countries. A new actor on this list is infectious diseases made worse by habitat loss.

While the declining populations of pollinators, particularly bees, has been well-documented in Europe and North America, data from biodiversity-rich regions like the Indian subcontinent are scarce. In fact, most of what scientists know about bees comes from research on managed western honey bees (*Apis mellifera*).

Diversity is better, again

"In many cases, wild bees are more efficient pollinators than the western honey bees. It is essential to study wild bee communities and look at their state of health," Corina Maurer, a postdoctoral researcher at ETH Zürich, wrote in an email to this reporter.

Research has uncovered the transmission of pathogens between managed honey bees and wild pollinators, a process called pathogen spillover and spillback. Western honey bees are often viral reservoirs and can infect wild species when they share habitats. These emerging infectious diseases also threaten the wider pollinator community.

Maurer and her team recently published a paper in *Nature Ecology and Evolution* exploring the presence of deformed wing virus and black queen virus in 19 wild bee and hoverfly species across different landscapes in Switzerland. They found higher loads of these pathogens in wild pollinators that used floral resources the honey bees accessed as well. The loads were 10-times higher among the wild pollinators in these shared habitats.

Based on these findings, the researchers suggested that diverse pollinator-friendly habitats with more floral resources lowered the chance of pathogens being transmitted between wild pollinators and managed western honey bees. Habitat loss, on the other hand, could force pollinators into smaller suitable habitats and increase the risk of disease transmission.

"We cannot exclude the possibility of spillover if wild species are forced to share spaces due to loss of habitat or if managed



Bee in the bonnet: A western honey bee rests on a clover flower in Frankfurt, Germany. ANDREY LARIONOV

species are transported into new habitats," Axel Brockmann, a retired professor who studied honey bee behaviour at the National Centre for Biological Sciences, Bengaluru, said.

Habitat overlap and native bees

India hosts more than 700 bee species, including four indigenous honey bees: Asiatic honey bee (*Apis cerana indica*), giant rock bee (*Apis dorsata*), dwarf honey bee (*Apis florea*), and the stingless bee (sp. *Trigona*). Western honey bees were introduced in India in 1983 to increase the country's honey yield.

In 1991-1992, a Thai sacbrood virus outbreak devastated around 90% of Asiatic honey bee colonies in South India and reemerged in 2021 in Telangana. The virus has been reported from other parts of the world, including China and Vietnam.

The Thai sacbrood virus is one of the greatest threats facing the Asiatic honey bee. The disease caused by the virus's infection kills the bees' larvae. The particular viral strain that attacks western honey bees is less virulent.

Importantly, researchers don't know how the virus is transmitted between bee populations.

"Transmission of viruses from a managed species, such as the honeybee, to wild pollinators could be a problem for the honeybee and wild pollinators," Maurer said. "The viruses spilling over from honeybees to wild pollinators could mutate in the wild pollinators and then spill back to honeybees in a more virulent form, ... being more detrimental to honeybees. In the case of wild pollinators,

India hosts over 700 bee species, including four indigenous honey bees. Western honey bees were introduced in India in 1983 to increase the nation's honey yield

diseases which are not naturally occurring in wild pollinators but spill over from the managed honeybee may severely affect their health."

When bees migrate

"Since 2009, we have been surveying different states such as Gujarat, Madhya Pradesh and Maharashtra. In some of these areas, local bee populations are absent probably because they are on the migratory route of managed western honeybees," Sujana Krishnamoorthy, executive director of Under the Mango Tree Society, a non-profit organisation that trains small farmers to work with native honey bees, said.

When managed honey bees migrate, beekeepers carry their bee boxes along a specific route where there are more bee flora. In North India, for example, they move through the mustard or sunflower fields of Uttar Pradesh and Madhya Pradesh. In Jammu and Kashmir, the bees migrate from plains to apple orchards, where bumble bees live.

A study published in *Scientific Reports* in February estimated that 40% of bumblebee species in the Indian Himalaya could lose more than 90% of their habitat by 2050, raising concerns about the competition for resources with western honey bees.

"During our surveys in Kolhapur in

Maharashtra many years ago, conversations with local beekeepers and experts informed us that after a few western honey bee colonies were brought in, some disease completely decimated the indigenous pollinator populations," Krishnamoorthy said. "Kolhapur used to produce eight to 10 tonnes of forest honey but it struggled to produce even a tonne after that."

"There is no discussion about what these diseases could be."

Need for focused research

Experts agree that more research and surveillance are required to monitor emerging diseases in bees and other pollinators.

"Surveying wild pollinators is probably difficult and a huge effort, as there are so many species," Maurer said. "A better approach is to survey the managed honeybee colonies and control their diseases to minimise transmission to wild pollinators."

Dedicated research on viral threats like the Thai sacbrood virus is crucial for protecting the health of pollinators because it can pave the way for early warnings and help researchers and policymakers devise prevention strategies.

"Understanding the basic ecology of pollinators is key to conservation-oriented studies of how they will respond to threats such as climate change, habitat loss or infectious diseases," Brockmann said.

(Rupsy Khurana is Science Communication and Outreach Lead at the National Centre for Biological Sciences, Bengaluru)

THE GIST

The researchers suggested that diverse pollinator-friendly habitats with more floral resources lowered the chance of pathogens being transmitted between wild pollinators and managed western honey bees

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A study published in *Scientific Reports* in February estimated that 40% of bumblebee species in the Indian Himalaya could lose more than 90% of their habitat by 2050, raising concerns about the competition for resources with western honey bees

- ➡ However, threats like habitat loss, climate change, and emerging diseases are endangering both managed and wild pollinators, especially in regions like India.
- ➡ Focused research and conservation measures are essential to protect biodiversity and food security.

Importance of Pollinators

- ➡ Over 75% of food crops and flowering plants depend on insect pollinators like bees, wasps, beetles, flies, moths, and butterflies for successful harvests.
- ➡ Declines in pollinator populations due to pesticides, pollution, climate change, habitat loss, and emerging infectious diseases threaten agricultural productivity and economies worldwide.

Role of Wild Bees and Pathogen Spillover

Daily News Analysis

- Wild bees are often more efficient pollinators than managed western honey bees (*Apis mellifera*).
- Research indicates pathogen spillover between managed honey bees and wild pollinators, with diseases like deformed wing virus and black queen virus threatening the health of wild species.
- A study in Switzerland found that shared habitats increased the viral loads in wild pollinators by up to 10 times.

Pollinator Diversity and Habitat Overlap

- India hosts over 700 bee species, including four indigenous honey bees: Asiatic honey bee, giant rock bee, dwarf honey bee, and stingless bee.
- Habitat loss forces pollinators to share smaller spaces, increasing disease transmission risks between managed and wild species.

Case Study: Thai Sacbrood Virus

- The Thai sacbrood virus outbreak in 1991-1992 devastated 90% of Asiatic honey bee colonies in South India.
- Recent reemergence of the virus highlights the vulnerability of native bee populations to infectious diseases.
- Transmission pathways of the virus remain unknown, posing a significant research gap.

Migration and Competition for Resources

- Managed honey bee migrations disrupt local ecosystems and compete with native pollinators.
- In Maharashtra, diseases linked to introduced honey bees have drastically reduced forest honey production.

Need for Focused Research

- Dedicated studies on emerging diseases like the Thai sacbrood virus can aid in early detection and prevention strategies.
- Monitoring and controlling diseases in managed colonies can minimise spillover risks to wild pollinators, safeguarding biodiversity and agricultural productivity.

Slamming the Commission on Air Quality Management (CAQM) for delayed action even as pollution choked the national capital, the Supreme Court on Monday directed that Stage IV of the Graded Response Plan (GRAP) should continue even if the Air Quality Index (AQI) fell below the "severe-plus" threshold of 450.

As Delhi chokes, SC orders all curbs to stay till it lifts them, takes CAQM to task for delayed action

The Hindu Bureau
NEW DELHI

Slamming the Commission on Air Quality Management (CAQM) for delayed action even as pollution choked the national capital, the Supreme Court on Monday directed that Stage IV of the Graded Response Plan (GRAP) should continue even if the Air Quality Index (AQI) fell below the "severe-plus" threshold of 450.

A Bench of Justices A.S. Oka and Augustine George Masih said the CAQM, rather than taking pre-emptive action, waited in vain for the air to improve. The Bench ordered *status quo* on the heightened restrictions against air pollution until further it issued further directions.

Though the Delhi government said it had stopped construction work in the capital, lawyers alerted the Bench to build-



Bad air: Smog envelops Delhi on Monday as air quality remained in the 'severe' category. Schools have since been ordered to switch to online classes. SHIV KUMAR PUSHPAKAR

ing work happening even within the court complex. They said the AQI in the courtroom was 994.

Justice Oka immediately summoned the Supreme Court Secretary-General to read him GRAP-IV restrictions.

In its order, the court noted that the AQI had

crossed 400 on November 12, and instead of immediately directing the implementation of GRAP-III, the CAQM waited for 24 hours till November 14. The same had happened in the kicking in of GRAP-IV.

"When AQI crossed 450 at 6 p.m. on November 13, CAQM directed its imple-

mentation from November 18," Justice Oka said.

The court found the approach of the CAQM "completely wrong".

The court directed all State governments which have areas within the National Capital Region (NCR) to strictly implement GRAP-IV.

Plan to track farm fires may be flawed, say experts

Jacob Koshy
NEW DELHI

Amid reports of a five-year decline in instances of stubble burning in Punjab, experts suggest that the current approach to tracking of farm fires may lead to under-reporting.

The data on fire counts are from a heat-sensing instrument on two American satellites – Suomi-NPP and NOAA-20 polar-orbiting satellites. As they map any place only twice a day, they can easily miss fires outside the tracking period.

FULL REPORT ON
» PAGE 6

About Air Quality Index (AQI):

- Launched by the central government in 2014 as part of the Swachh Bharat campaign, the AQI was to help simplify the common understanding of pollution.
- The AQI transforms complex air quality data of various pollutants into a single number (index value), nomenclature and colour. The pollutants measured include PM 10, PM 2.5, Nitrogen Dioxide, Ozone, Carbon, etc.
- The colour-coded AQI index helps the public and the government understand the condition of the air and what subsequent measures are to be taken to combat the situation, based on its severity.

➡ **Six categories of AQI:**

1. 'Good' (0-50)
2. 'Satisfactory' (50-100)
3. 'Moderately polluted' (100-200)
4. 'Poor' (200-300)
5. 'Very Poor' (300-400)
6. 'Severe' (400-500)

Calculation of the index:

- ➡ There are six or eight pollutants in the affected air and each of these pollutants is given a weight based on a formula. That weight depends on the kind of impact it has on human health.
- ➡ The worst of these weights is given as composite air quality, so instead of giving six different numbers, and six different colours, it throws up one single colour, one single number to denote the overall impact. Monitoring stations across the country assess these levels.

In response to the increasing chikungunya cases in Telangana, the U.S. Centers for Disease Control and Prevention (CDC) has issued a 'Level 2' travel advisory for U.S. travellers returning from Telangana. "[The] CDC has identified a higher-than-expected number of chikungunya cases among the U.S. travellers returning from Telangana," the notice said.

What is Chikungunya?

- **About:** Chikungunya is a mosquito-borne viral disease. It was first recognized in 1952 during an outbreak in southern Tanzania.
 - It is a ribonucleic acid (RNA) virus that belongs to the alphavirus genus of the family Togaviridae.
- **Symptoms:** Chikungunya causes fever and severe joint pain, which is often debilitating and varies in duration.
 - Dengue and Zika have similar symptoms to chikungunya, making chikungunya easy to misdiagnose.
 - **Note:** The term "chikungunya" originates from the Kimakonde language (spoken by the Makonde people, an ethnic group of Tanzania and Mozambique), translating to "to become contorted," illustrating the stooped posture of individuals experiencing severe joint pain.
- **Transmission:** Chikungunya is transmitted to humans by the bites of infected female mosquitoes.
 - Most commonly, the mosquitoes involved are *Aedes aegypti* and *Aedes albopictus*.
 - These two species can also transmit other mosquito-borne viruses, including dengue.
 - They bite throughout daylight hours, although there may be peaks of activity in the early morning and late afternoon.
- **Prevalence:** According to WHO, It is prevalent in Africa, Asia, and the Americas; but sporadic outbreaks have been reported in other regions.
- **Treatment Options:** Presently, there is no cure for chikungunya, with symptomatic relief being the primary approach. Treatment involves the use of analgesics, antipyretics, rest, and adequate fluid intake.

As Chikungunya cases rise in Telangana, U.S. issues travel advisory

Siddharth Kumar Singh
HYDERABAD

In response to the increasing chikungunya cases in Telangana, the U.S. Centers for Disease Control and Prevention (CDC) has issued a 'Level 2' travel advisory for U.S. travellers returning from Telangana. "[The] CDC has identified a higher-than-expected number of chikungunya cases among the U.S. travellers returning from Telangana," the notice said.

The advisory, released on November 8, urges travellers to exercise enhanced precautions. This is the second CDC travel advisory for India this year, following a similar alert in August regarding a Zika virus outbreak in Maharashtra.

The CDC's travel advisory system categorises risks into four levels. Level 1 advises travellers to practise usual precautions, while Level 2 (as applied to Telangana now) calls for enhanced precautions. Level 3 urges reconsideration of non-essential travel and Level 4 recommends avoiding all travel. The current advisory reflects growing concerns over the spread of vector-borne diseases in the region.

"If you are pregnant, reconsider travel to the state of Telangana, India, particularly if you are close to delivering your baby. Mothers infected around the time of delivery can pass the virus to their baby before or during delivery. Newborns infected in this way or by a mosquito bite



Telangana reported 178 cases of chikungunya till August, surpassing last year numbers.

are at risk for severe illness, including poor long-term outcomes," the travel notice said.

Status unclear

Telangana's Health Department reported 178 chikungunya cases as of August 31, surpassing figures from previous years. However, no updated data has been released in the past three months, leaving the current situation unclear.

Chikungunya is a viral disease spread through mosquito bites, with symptoms typically appearing three to seven days after infection. Common symptoms include fever, joint pain, headache, muscle pain, joint swelling, and rash. While most individuals recover within a week, severe joint pain can persist for months or even years in some cases.

The disease has been reported in various regions, including Africa, Asia, Europe, the Americas, and the Indian and Pacific Oceans. People at higher risk of severe illness include newborns, older adults and those with pre-existing conditions.

- ➡ **Prevention Strategies:** **Prevention primarily revolves around mosquito control activities, including public** health outreach, civic maintenance, use of medicated mosquito nets, and eliminating water stagnation to prevent mosquito breeding.

Related Indian Government Initiatives:

- ➡ The National Vector Borne Disease Control Programme (NVBDCP) is an umbrella programme for prevention and control of vector borne diseases (VBDs), viz., Malaria, Lymphatic Filariasis, Kala-azar, Dengue, Chikungunya and Japanese Encephalitis (JE).

UPSC Prelims PYQ : 2023

Ques : 'Wolbachia method' is sometimes talked about with reference to which one of the following? (2023)

- (a) Controlling the viral diseases spread by mosquitoes
- (b) Converting crop residues into packing material
- (c) Producing biodegradable plastics
- (d) Producing biochar from thermo-chemical conversion of biomass

Ans: (a)

The article discusses the challenges of global climate cooperation, focusing on the disparity between developed and developing nations like India.

How sustainable is India's path to net-zero with 45 years left?

Power demand in India could increase ten-fold by 2070. Meeting it entirely via renewable energy is possible if India's only priority is to expand renewable energy generation capacity, but it also has to maintain food and nutritional security, increase forest cover, and preserve biodiversity

Ramya Natarajan
Kaveri Ashok

Every year, climate action draws significant attention in the months leading up to the United Nations' annual meeting of the Conference of the Parties (COPs). But the outcome of the 2024 U.S. presidential election will likely have a greater impact on the planet's climate future than COP-29 itself, illustrating an important challenge in combating climate change: operationalising global cooperation towards a common cause even when national interests don't align with it.

For example, an economically developed country with sufficient resources per capita may not find it necessary to change course – whereas a populous and developing country like India will. A few COPs ago, India committed to achieving net-zero carbon emissions by 2070. Since then, it has implemented several policies while others are in the works to support this transition. It is widely acknowledged that this journey will not be without challenges, especially financial ones. However, other resource constraints such as land or water availability also matter, limiting the choices available for a sustainable long-term pathway for India.

Why net-zero at all?

With each passing day, climate change is becoming more evident. The scientific consensus is that to avoid devastating and irreversible consequences, the world must keep the global average annual surface temperature rise to within 1.5 °C above pre-industrial levels. The current increase is at least 1.1 °C over that in 1880.

The Sixth Assessment Report of the U.N. Intergovernmental Panel on Climate Change estimated that from 2020, the remaining (cumulative) global carbon budget for a 50-67% chance of limiting temperature rise to 1.5 °C is 400-500 billion tonnes (Gt) of CO₂. Currently, annual global emissions are around 40 GtCO₂.

This means net global emissions must drop drastically to stay within the carbon budget. Several countries have announced net-zero targets, but we also really need a sharp decline in total emissions.

Is net-zero equitable?

The developed world, having caused the problem of climate change in the first place, is expected to lead this transition and reach net-zero emissions well before 2050, allowing more time for developing countries to balance their development goals with climate action. These expectations aren't being met, however.

Developed countries are also expected to help finance climate action, but this hasn't materialised at the required scale either. Developing countries, especially those that are small islands, are bearing more than their fair share of the brunt of climate change.

So overall, neither climate change nor climate action is currently equitable.



Major hurdle: This April 1 photograph shows a general view of the Parsa East Kente Basan coal mine in Surguja district, Chhattisgarh. AFP

COP-29 is expected to build consensus on the level of financing required.

India's per-capita emissions are among the lowest in the world. However, according to the World Inequality Database, the per-capita emissions of the richest 10% are 20-times greater than that of the poorest 10% and in absolute terms almost half of the country's total. Climate change more severely affects the economically weaker sections.

India's size and diversity mean it's a country of countries, and some of them are more polluting than others vis-à-vis the climate. Importantly, India lacks the carrying capacity to support the developed world's lifestyle standards for its entire population. If it should, India will run into significant food shortage due to groundwater depletion by the 2040s, extreme heat stress in urban areas due to the ever-increasing vehicular pollution and AC use, irreversible biodiversity loss due to non-ideal land-use changes encroaching on habitats, etc.

India's lifestyle aspirations could easily become unsustainable in the long run, jeopardising our access to basic needs.

A new consumption corridor

In a scenario where consumption rises unchecked and India electrifies all end-use applications, the power demand could increase nine- to ten-fold by 2070. Meeting it entirely via renewable energy will require more than 5,500 GW of solar and 1,500 GW of wind, up from the current 70 GW and 47 GW, respectively.

This target is achievable if India's only priority is to expand renewable energy generation capacity. But if India is to maintain food and nutritional security, increase forest cover, and preserve biodiversity as well, these energy targets

In sum, India has a tough balancing act to pull off: availing good quality of life to a large share of its population (which has significant material and energy implications) while working towards its climate adaptation and mitigation goals

will become very challenging. By modelling land-use change dynamics over time, the authors have found going beyond 3,500 GW solar and 900 GW wind will demand considerable land trade-offs.

In sum, India has a tough balancing act to pull off: availing good quality of life to a large share of its population (which has significant material and energy implications) while working towards its climate adaptation and mitigation goals.

To this end, it is important to recognise the pitfalls of economic models. For example, the environmental Kuznets curve hypothesises that beyond a threshold, economic growth can be decoupled from carbon emissions. In reality, even the richest countries haven't achieved this decoupling (other than by shifting their emissions to poorer countries). This is why it is in our best interest to not aspire to achieve the lifestyle standards of the west.

Instead, we need to envisage a long-term strategy incorporating 'sufficiency consumption corridors', with a floor well suited to meeting our developmental goals and a ceiling of excess that will help avoid unsustainable growth. Equally, if not more, important are demand-side measures to help maintain this corridor of consumption

that will keep us on a sustainable pathway.

Our power consumption here could increase six- or sevenfold by 2070.

Demand and supply measures

Some of these demand-side measures include the use of better construction materials and passive design elements to provide thermal comfort that doesn't require air-conditioning, energy-efficient appliances, public and/or non-motorised transport within urban areas and railways for intercity travel, local products to reduce the demand for long-haul freight, mindful dietary choices, and alternative fuels in industries in addition to some electrification.

On the supply side as well, India needs to further decentralise energy production (including by the use of rooftop solar cells and of solar pumps for agriculture). Finally, it should continue to expand its nuclear power generation capacity to diversify its energy mix and to complement a grid becoming more dependent on intermittent energy sources. Nuclear power could also offer a precious low-carbon baseload energy and help the government effectively phase out the national economy's dependence on fossil fuels.

As the world trundles towards its net-zero and other climate-related targets, the leeway for governments to miss some of them or postpone their achievement also shrinks. Of course some things are out of our control – for example who becomes the U.S. President – but the things that we can we must, before we cannot.

(Ramya Natarajan and Kaveri Ashok work on climate change mitigation at the Center for Study of Science, Technology and Policy (CSTEP), a research-based think tank.)

Daily News Analysis

- It emphasises the need for equitable climate action, particularly the balancing act India faces in achieving net-zero emissions while ensuring sustainable development.
- The article also highlights demand and supply-side measures for sustainability.

Impact of the 2024 U.S. Election on Climate Action

- The 2024 U.S. presidential election is likely to have a greater impact on global climate efforts than COP-29 itself.
- National interests may hinder global climate cooperation, especially when developed countries, like the U.S., have fewer incentives to change course compared to developing nations such as India.
- India's commitment to net-zero emissions by 2070 highlights the disparity in climate action responsibilities between developed and developing nations.

Why Net-Zero Targets Matter

- Scientific consensus stresses that to avoid devastating climate impacts, global temperatures must stay within 1.5°C above pre-industrial levels.
- The U.N. IPCC's Sixth Assessment Report estimates that the remaining global carbon budget to limit temperature rise to 1.5°C is 400-500 billion tonnes of CO₂, with annual emissions around 40 GtCO₂.
- Drastic reductions in emissions are necessary, but achieving net-zero globally is complex and requires sharp declines in total emissions.

Equity in Climate Action

- Developed countries, responsible for most historical emissions, are expected to lead the transition to net-zero by 2050.
- Developing countries like India are given more time to balance development with climate action.
- Developed countries have failed to meet climate financing expectations.
- Small island nations are disproportionately affected by climate change.

Per Capita Emissions In India

- India's per-capita emissions are among the lowest in the world.
- The wealthiest 10% in India contribute 20 times more emissions than the poorest 10%.
- Climate change disproportionately affects the poor in India.

Challenges in India's Climate Transition

- India's large size and diversity mean some regions are more polluting than others, and the country lacks the resources to support developed-world lifestyle standards for its entire population.
- Unsustainable lifestyle aspirations could exacerbate issues such as food shortages, groundwater depletion, and biodiversity loss by the 2040s.

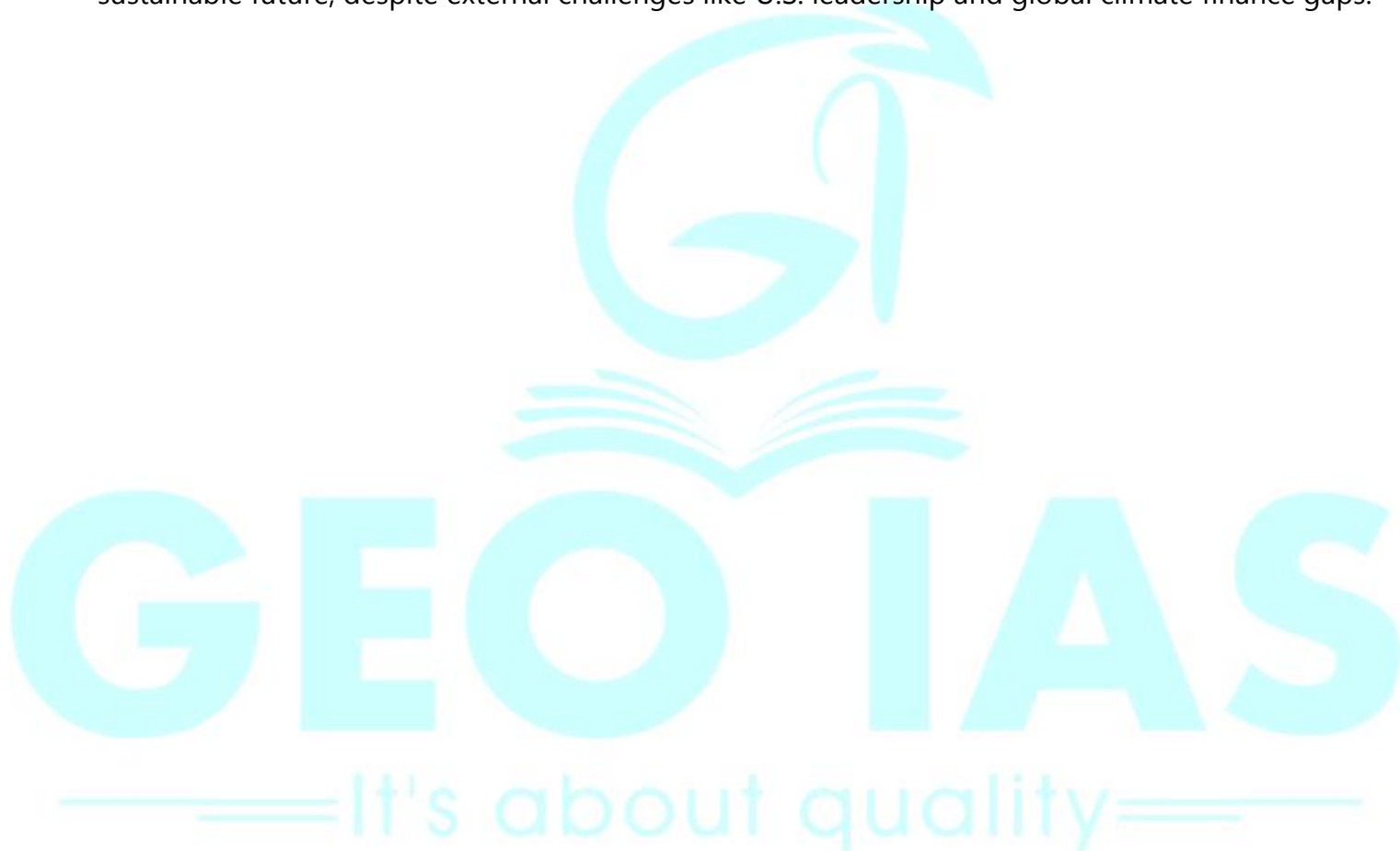
The Need for a New Consumption Model

- Unchecked consumption could lead to a massive increase in power demand by 2070, requiring 5,500 GW of solar and 1,500 GW of wind.
- Current renewable energy capacities are 70 GW for solar and 47 GW for wind, far below the required levels.
- Achieving renewable energy targets may conflict with the need for land to support food security and biodiversity.

- A balanced long-term strategy should focus on “sufficiency consumption corridors,” limiting unsustainable growth while meeting development goals.

Demand and Supply-Side Measures for Sustainability

- Demand-side measures include energy-efficient construction, transport, and mindful consumption choices.
- On the supply side, India should decentralise energy production, expand nuclear power capacity, and focus on renewable energy integration.
- As global climate targets become increasingly urgent, India must act decisively to ensure a sustainable future, despite external challenges like U.S. leadership and global climate finance gaps.



High-performance buildings (HPBs) are key to sustainable construction, focusing on energy efficiency, climate resilience, and resource conservation.



How can design help a building be more climate-resilient?

High-performance buildings are at the forefront of sustainable construction, focusing on energy efficiency, resource conservation, and climate resilience through integrative design and the use of sustainable materials; they employ passive and active strategies to minimise environmental impact

Sandhya Patil

High-performance buildings (HPBs) are at the forefront of sustainable construction, tackling urgent needs like energy efficiency, climate resilience and resource conservation. As climate change intensifies, resources become scarcer, and urbanisation increases, HPBs – built to consume less energy, conserve resources, and withstand unpredictable weather – are an important part of achieving and keeping sustainable living.

Building an HPB requires key practices such as integrative design, lifecycle-based materials, efficient energy and water management, performance monitoring, and climate-resilient features.

What is integrative design?

At the core of HPBs is an integrative design approach that encourages architects, engineers, sustainability consultants, and building owners to work together and set measurable performance goals. These goals might aim for, say, 90% daylighting in occupied spaces or cooling in 700 sq. ft. per tonne of air-conditioning in commercial buildings. This approach ensures all building systems – air-conditioning, lighting, and building envelope components like walls, roofs, and windows – work together smoothly.

Digital modelling also plays a crucial role by creating a virtual representation of the project, allowing the team to predict performance outcomes, guide optimal system sizing, and test different strategies. With simulations, the team can adjust their strategies to meet energy-saving and thermal comfort goals before construction even begins. This predictive approach helps achieve high operational efficiency, improves resilience, and reduces long-term costs.

An example of an integrative design process in HPBs is the early use of passive design strategies, whereby designers make the most of natural sunlight and plan to use materials that retain heat (thermal mass). These strategies reduce

heating and cooling demands, allowing designers to choose equipment of the right size.

What makes materials sustainable?

Materials need to be durable, energy-efficient, and prioritise occupant health. HPBs in particular prefer materials with low embodied carbon (emissions produced during manufacturing) and high recycled content. A life-cycle assessment is often used to evaluate a material's environmental impact and reveal the most sustainable options.

Additionally, HPBs use low-emission interior materials to improve indoor air quality by reducing the concentration of volatile organic compounds (harmful substances that can easily evaporate into the air). This creates a healthier environment for occupants and improves building performance.

For example, for the upcoming Indian Institute of Human Settlements (IIHS) campus in Bengaluru, planners are using a life-cycle cost analysis to evaluate materials for comfort, durability, and the cost of envelope materials, including their impact on cooling equipment size and energy use over 50 years.

How can buildings use less energy?

Buildings account for about 40% of the total energy consumption of 580 million tonnes – equivalent to 13,865 million tonnes of oil over their lifespans, primarily for operational needs. Reducing this demand requires both passive and active strategies.

Passive design strategies tap into natural light, optimise building orientation, and take advantage of thermal mass to reduce the need for artificial lighting, heating, and cooling. These strategies must be tailored to the local climate and the building's specific needs, ensuring efficient operation without heavy reliance on mechanical systems.

On the active side, HPBs use energy-efficient HVAC systems, lighting,

and appliances supported by smart technologies like automated lighting control and occupancy sensors that allow real-time energy monitoring and optimisation. The Infosys Hyderabad campus was India's first HPB to have a radiant cooling HVAC system that combines daylighting controls and task lighting to minimise energy use.

A key goal for HPBs is net-zero energy, a.k.a. net-positive energy performance: they generate as much or more energy than they consume. Advances in affordable solar and wind technology make it easier to achieve this goal and reduce fossil fuel use.

How do HPBs save water?

Water scarcity is a critical issue nationwide, and HPBs address it by conserving and reusing water and fine-tuning quality. Efficient fixtures like low-flow faucets and dual-flush toilets reduce water use while rainwater harvesting apparatuses collect rainwater for non-potable uses like irrigation and sanitation.

On-site wastewater treatment systems also increase efficiency by recycling greywater for irrigation and treating blackwater with biological systems like constructed wetlands and sewage treatment plants. HPBs also incorporate green infrastructure elements such as permeable paving and bioswales to manage stormwater and cool urban heat islands. Infosys campuses in India, for example, recycle 100% of their wastewater using a water management system and aerobic membrane bioreactor, earning them zero-discharge status.

Why is monitoring important?

Performance monitoring helps ensure an HPB meets design goals and operates efficiently. Using advanced monitoring systems, an HPB tracks energy consumption, water use, and indoor environmental quality in real-time. This data helps facility managers identify inefficiencies and implement corrective

action. Continuous performance assessments can also validate the design and inform future projects.

For example, the second annex of the IIHS Bengaluru campus uses a network of smart devices plus controls linked to an artificial intelligence to optimise thermal regulation.

How can HPBs handle climate risks?

HPBs are built to withstand unpredictable weather like extreme heat and flash floods – beginning with careful site selection and flood protection measures. Durable materials and diverse energy systems enhance structural resilience while passive survivability ensures the structures are habitable even during a power outage. Renewable energy systems also provide backup power, and rainwater harvesting and onsite treatment systems ensure water doesn't run low.

For example, the Infosys Crescent building in Bengaluru is designed to use far less energy than typical office buildings. It serves about 8,000 people and uses only 75 kWh of energy per sq.m each year, while most offices use between 150 and 200 kWh. With 90% of the space air-conditioned, the building's advanced cooling system requires 3 W per sq. ft. versus the usual 4-5 W in regular offices. This shows how smart design can save energy and reduce costs without increasing building expenses.

Taken together, HPBs set the standard for buildings this century and benchmarks for sustainability and resilient built-environments. In addition to their benefits for the climate and lowering operational costs, they improve real estate value. As the practices underlying their construction and operation become more widespread, the goal should be to make all buildings HPBs. Sandhya Patil is a sustainability expert with the Indian Institute for Human Settlements and anchors technical assistance for ASSURE. The author does not have any financial interests vested with any company or organisation that would benefit from this article.

- ➔ These buildings employ integrative design, sustainable materials, and advanced technologies to minimise environmental impact.

- HPBs are crucial in addressing global challenges such as climate change and urbanisation while improving operational efficiency.

What Are High-performance buildings (HPBs)?

- High-performance buildings (HPBs) focus on sustainable construction with an emphasis on energy efficiency, climate resilience, and resource conservation.
- They utilise integrative design approaches and advanced technologies for energy-saving and environmental performance.
- HPBs are critical in mitigating climate change and addressing urbanisation challenges while enhancing operational efficiency.
- They are designed to use less energy, conserve resources, and withstand unpredictable weather, HPBs play a key role in achieving sustainable living.

Sustainable Materials

- Focuses on materials that are durable, energy-efficient, and prioritise occupant health.
- Prefers materials with low embodied carbon (emissions produced during manufacturing) and high recycled content.
- Life-cycle assessments evaluate the environmental impact of materials and help select the most sustainable options.
- Low-emission interior materials improve indoor air quality by reducing volatile organic compounds (VOCs).

Energy Efficiency

- Buildings account for approximately 40% of global energy consumption.
- Passive design strategies use natural light, optimise building orientation, and take advantage of thermal mass to reduce heating, cooling, and lighting demands.
- Active design strategies include energy-efficient HVAC systems, lighting, appliances, and smart technologies (e.g., automated lighting control and occupancy sensors).
- HPBs aim for net-zero or net-positive energy performance by using renewable energy systems such as solar and wind.

Water Conservation

- HPBs address water scarcity through efficient fixtures, rainwater harvesting, and on-site wastewater treatment systems.
- Rainwater harvesting provides water for non-potable uses like irrigation and sanitation.
- On-site systems recycle greywater for irrigation and treat blackwater using biological systems like constructed wetlands.
- Advanced water management systems, such as aerobic membrane bioreactors, contribute to zero-discharge status.

Performance Monitoring

- Continuous performance monitoring ensures HPBs operate efficiently and meet design goals.
- Advanced systems track energy consumption, water use, and indoor environmental quality in real time.

- Real-time data helps identify inefficiencies and informs corrective actions, enhancing operational performance.

Climate Resilience

- HPBs are designed to withstand extreme weather events, including heatwaves and flash floods.
- Features like durable materials, diverse energy systems, and passive survivability ensure buildings remain habitable during power outages.
- Renewable energy systems and water management practices (e.g., rainwater harvesting) ensure sustainability during adverse weather conditions.

Conclusion

- HPBs set benchmarks for sustainability and resilience in modern construction.
- They provide environmental, economic, and social benefits, including reduced operational costs and improved real estate value.
- Widespread adoption of HPBs can lead to a more sustainable and resilient built environment.

18 November : Page : 08 Editorial Analysis

Two cheers for the top court's 'bulldozer' judgment

Last week, the Supreme Court of India handed down a judgment dealing with what has come to be known as “bulldozer raj”. For the last three years, in many parts of India, municipal authorities had taken to demolishing people’s homes if they were accused of an offence, especially in the wake of communal tensions or large-scale protests. These demolitions were often, although not always, communally targeted, and in their wake, politicians were seen to publicly celebrate and endorse this form of state-sponsored “vigilante justice”. In its judgment, the Court came down heavily on this practice, noting that it violated the basic principles of the rule of law, the separation of powers, and turned the executive into judge, jury, and executioner. The Court declared that no person’s home could be demolished merely because they stood accused or even convicted of an offence, and issued a set of guidelines to prevent this kind of state action.

A trail of significant issues

While the Court’s judgment is no doubt welcome, there are a number of issues that it raises. The first is delay. This pattern of vigilante demolition of homes – what scholars refer to as “domicide” – has been taking place for at least three years now. It had begun in the wake of the Citizenship Amendment Act-National Register of Citizens protests, and has multiplied across the country since then. Many of these demolitions were challenged in courts including the Supreme Court, but it is only now that the Court chose to act. This raises serious questions about the Court’s delay in addressing such a foundational threat to the rule of law. But also, it raises questions about redress and compensation for past acts, now ruled to be illegal. In its judgment, while the Court held that state officials responsible for illegal demolitions would be held personally liable for compensation and redress, it failed to clarify how its judgment would apply to all the demolitions that had taken place so far, and how it would aid the victims of such demolitions, who have been rendered homeless. This is a significant omission.

Second, it is important to understand the two-faced nature of the state on the issue of demolitions. While politicians and Ministers would celebrate these demolitions as having delivered instant justice, with a view to dog-whistling to their constituencies, the municipal authorities who were actually responsible for the demolitions and had to



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defend them in Court, would invoke the much more prosaic justification of “illegal” or “irregular” constructions. The state never argued in Court that it was engaged in vigilante, or retributive, demolitions.

Thus, when the Court framed the main question in the case as being “whether it is permissible for the State to demolish the home of someone merely because they have been accused of an offence”, it was setting up a straw man as nobody had ever claimed that such a thing was permissible. The actual claim was that the invocation of municipal building laws and “irregular construction” was a facade to legally justify what were, in effect, targeted and punitive demolitions.

In fact, a close reading of the judgment demonstrates that the Court, too, was aware of this. At one point in the judgment, it noted that if, for example, one home in a locality was singled out for demolition while surrounding homes were left untouched, that would be an indication of *mala fide* state action. At another point, it discussed how the demolition of an individual’s home affected their (innocent) family as well, and that “collective punishment” was impermissible under Indian law. As both these events actually happened in the recent past, it is unclear why the Court used the language of hypotheticals rather than addressing the material reality before it. The judgment, thus, reads like an indirect approach to the actual problem at hand, and reflects a hesitation on the part of the Court to identify the problem in clear terms.

The core of the judgment

This, then, brings us to the most important part of the judgment – the Guidelines – which represent the Court’s actual attempt to address the problem. A perusal of the Guidelines reveals that the Court’s objective was to prevent the state from using demolitions as a political weapon by introducing two crucial requirements into the procedure: of transparency, and of due process. The Court held that before any demolition, the state would have to serve notice upon the person whose home it proposed to demolish, and provide them with at least 15 days to reply. There would have to be a personal hearing, and even after the order of demolition became final, the affected person had a right of appeal, which again required the state to stay its hand for at least 15 days. As the entire purpose of “bulldozer raj” was to serve a form of instant “mob” justice at the instance of the state (regardless of guilt or

innocence), it is to be hoped that these due process guidelines will throw enough sand into the gears of the bulldozer to preclude such actions in the future.

The Court also went an extra mile and mandated transparency requirements in order to prevent “backdating” of notices (a long-standing problem). Most importantly, it introduced a “proportionality” requirement into the process: municipal officials were required to explain, in writing, why the extreme step of demolition was the only option available, and why, for example, regularisation (through payment of compounding fees), or demolishing only a part of the structure, was not possible. This requirement, once again, would make municipal officials think twice before engaging in instant demolitions. The Court gave this teeth as well, by holding that in cases of illegal demolitions, erring officers would be personally liable.

These Guidelines, thus, represent a sincere and committed effort by the Court to check the menace of “bulldozer raj”. It now remains to be seen how effective they will be going forward, and much of this will depend on how other Benches will implement these Guidelines, when fresh cases come to the Court. In previous cases involving lynching and hate speech, for example, we have seen detailed guidelines. But these have been ineffective because the Court has refrained from following up on and enforcing its own judgment when violations take place. It is to be hoped that this order will not meet the same fate.

A section that is still vulnerable

The other thing to note is that the Court made an exception in its judgment for structures on certain kind of public land (such as abutting a railway track, or a road). A look at this exception makes it clear that it would exclude from its protective ambit, slums and informal settlements where the most vulnerable and marginalised sections of society live. If anything, it is such individuals living in permanent precarity who are most in need of the Court’s protection. There is also no reason why requirements of notice and proportionality should not apply to such individuals as well. No doubt, the Court’s mind was on punitive and targeted demolitions, as that was the case before it. However, the partial application of its judgment shows that there is a long way to go, and struggles tend to engage in, when it comes to securing a meaningful right to shelter and protection from evictions for all the citizens of this country.

A closer look at the judgment shows that securing a meaningful right to shelter and protection from evictions for all citizens is still not in reach

GS Paper 02 : Indian Polity – Judiciary

UPSC Mains Practice Question: Examine the implications of the Supreme Court’s recent judgement on arbitrary demolitions, focusing on its impact on the rule of law, due process, and the protection of vulnerable sections of society. (150 words/10m)

Daily News Analysis

- The Supreme Court of India recently addressed the issue of unlawful demolitions, widely referred to as "bulldozer raj."
- This practice, occurring over the past three years, involved demolishing homes of individuals accused of offences, often amid communal tensions.
- The judgement condemned this practice, stating it violated the rule of law, separation of powers, and turned the executive into judge, jury, and executioner.

Key Issues Raised by the Judgment

Delay in Action

- Despite these demolitions beginning during protests against the Citizenship Amendment Act and National Register of Citizens, the Supreme Court acted only after three years.
- The delay raises questions about providing compensation or redress for victims of past demolitions.
- While state officials responsible for illegal demolitions are held personally liable, the judgement lacks clarity on retroactive application.

Two-Faced State Justifications

- Publicly, politicians celebrated demolitions as instant justice.
- In court, municipal authorities justified actions under "illegal" or "irregular" constructions, masking targeted demolitions.
- The Court noted signs of mala fide actions, such as selective demolitions or collective punishment, yet addressed them hypothetically rather than acknowledging the evident material reality.

Guidelines to Prevent Misuse

Transparency and Due Process

- **Before any demolition, the state must:**
 - Serve notice to affected individuals with at least 15 days to reply.
 - Provide a personal hearing.
 - Allow a 15-day appeal period after the demolition order becomes final.
 - These steps aim to prevent immediate and arbitrary demolitions.

Proportionality in Action

- Municipal officials must justify why demolition is the only recourse.
- Alternatives like regularisation or partial demolition must be considered.
- Non-compliance will lead to personal liability for erring officials.

Measures Against Backdating Notices

- The Court introduced transparency mandates to counteract fraudulent notices and backdating.
- This ensures accountability and fairness in the process.

Implementation and Challenges

Daily News Analysis

- The effectiveness of these guidelines depends on consistent implementation by lower benches.
- Past cases of hate speech and lynching saw guidelines issued but lacked enforcement, rendering them ineffective.

Exclusion of Vulnerable Groups

- The judgement exempts public land structures, such as those on railway tracks or roads, leaving slum dwellers and other marginalised communities unprotected.
- Vulnerable groups living in informal settlements face the greatest need for protection against forced evictions.
- The judgement's partial application highlights the need for stronger protections to secure the right to shelter for all citizens.

Conclusion

- While the Supreme Court's judgement makes significant strides in curbing the misuse of demolitions for political purposes, it falls short of addressing redress for past victims and protecting the most vulnerable sections of society.
- The struggle for ensuring the right to shelter and due process for all remains ongoing.

Manipur as a case for imposing Article 356

The state of Manipur reflects a classic case of the failure of the constitutional machinery, necessitating invocation of Article 356 by the President of India. The President need not wait for the report from the Governor because, under this Article, the President can act if, "otherwise", satisfied that a situation has arisen in which the government of that State cannot be carried on in accordance with the provisions of the Constitution. In Manipur, the unprecedented and horrific violence that erupted in May 2023, continues unabated.

B.R. Ambedkar, defining this extraordinary provision to the Constituent Assembly, on August 3, 1949 said, "I think I can well begin by reminding the House that it has been agreed by the House, where we were considering the general principles of the Constitution, that the Constitution should provide some machinery for the breakdown of the Constitution..." He further said, "I think as a necessary consequence to the introduction of article 277-A, we must also give liberty to the President to act even when there is no report by the Governor and when the President has got certain facts within his knowledge on which he thinks, he ought to act in the fulfilment of his duty."

Why Manipur is proving to be different

The President of India, Droupadi Murmu, has proved that she is conscious and sensitive about her constitutional functions. And she has the power coupled with duty to act as soon as possible. No State in India has seen such continuing violence among the common people. Violence on account of insurgencies did take place in Nagaland and Mizoram a long time ago and terrorism continues unabated in Jammu and Kashmir.

But Manipur is a different situation where the ordinary people are not only becoming victims of violence but are also being forced to indulge in violence to protect themselves.

It is important to refresh the nation with the lively debates on this Article in the Constituent Assembly proceedings of August 3-4, 1949. H.V. Kamath strongly opposed it, calling it as "A constitutional crime to empower the President to interfere", while Alladi Krishnaswami Ayyar defended saying, "In the first place, I would explain the reason why the Article has been put in[,] making it the duty of the Union 'to maintain the Constitution'... if there is any unit ... any



Dushyant Dave

Senior Advocate and a former President of the Supreme Court Bar Association of India

It is shocking that the mayhem in the State continues even under the watchful eyes of the ultimate protector of fundamental rights, the top court of the land

difficulty with regard to the proper working of the Constitution, it would be the obvious duty of the Union government to intervene and set matters right...."

K. Santhanam stated, "Now, let us broadly analyse the circumstances in which these Articles can come into operation. There may be a physical breakdown of the Government in the State, as for instance, when there is widespread internal disturbance or external aggression or for some reason or other, law and order cannot be maintained. In that case, it is obvious that there is no provincial authority which can function and the only authority which can function is the Central Government, and in that contingency these articles are not only unobjectionable but absolutely essential and without it the whole thing will be in chaos."

Thakur Das Bhargava said, "May I point out that the situation is one in which the entire machinery has failed, and ordinary people do not enjoy the common liberties? Internal disturbance to peace and tranquillity are all covered by this."

Dr Ambedkar again rose on August 4, 1949 and responded, "...The expression 'failure of machinery' I find has been used in the Government of India Act, 1935. Everybody must be quite familiar therefore with its de facto and de jure meaning..." and that, "...If at all they are brought into operation, I hope the President, who is endowed with these powers, will take proper precautions before actually suspending the administration of the provinces." The Article was thus passed.

Article 355 obliges the Union to assist States to meet such challenges and one can assume that the Union government has indeed done so, though unsuccessfully.

Court's order

The Supreme Court of India in a Public Interest Litigation on May 8, 2023, passed an order merely recorded, "The Solicitor General states that as a consequence of the measures which have been adopted, no violence has been reported in the State during the course of the previous two days and the situation is gradually returning to normalcy." It laid stress on the point of "the need to preserve law and order and, in particular, to provide relief and rehabilitation" and observed that "utmost vigil should be maintained to ensure that there is no recurrence of violence".

The Court recorded assurance from the Union, "The Solicitor General has assured the Court that

the concerns which have been placed on the record in the petition and in the additional affidavits which have been filed in the proceedings, shall be duly taken note of and such remedial steps as are required would be adopted on a proactive basis." But in July 2023 the Court, *suo motu*, took notice of the incident of May 4 where women were paraded naked by a mob. It observed, "The Court is deeply disturbed by the visuals which have appeared in the media since yesterday depicting the perpetration of sexual assault and violence on women in Manipur. What is portrayed in the media would indicate gross constitutional violations and infractions of human rights. Using women as instruments for perpetrating violence is simply unacceptable in a constitutional democracy."

"This Court must be apprised of the steps which have been and shall be taken by the government to (i) hold the perpetrators accountable; and (ii) ensure that such incidents are not repeated."

Violence unabated

Between May 3 and November 11, 2024, more than 250 people have been killed and over a lakh of people displaced from their homes in the ethnic violence. Hundreds of temples, churches, homes and other places have been destroyed. Even on November 9, a mother of three was raped and killed and 17 houses set on fire.

Clearly, the Supreme Court's intervention was slow and ineffective despite there having been 27 hearings. It is shocking that under the watchful eyes of the ultimate protector of fundamental rights, the mayhem continues, depriving the three million people of Manipur of fundamental rights and their lives, liberty, dignity, and peace. Why have the top judges who were on the Bench been silent spectators? Does this not show that the Supreme Court is becoming weaker in recent years?

Sectarian violence in Manipur is a matter of concern for India. It is surprising and shocking that the government of Prime Minister Narendra Modi is not able to stop the carnage. Whatever may be its compulsions, it should have acted decisively a long time ago. The Prime Minister should have acted decisively to bring back peace, harmony, justice, relief and rehabilitation.

The situation demands the immediate intervention of the President. It is true that Article 356 has been more abused than used. But today, its invocation will be lauded nationally.

GS Paper 02 : Indian Polity

PYQ: (UPSC CSE (M) GS-2 2023): Account for the legal and political factors responsible for the reduced frequency of using Article 356 by the Union Governments since mid 1990s. (250 words/15m)

UPSC Mains Practice Question: Examine the constitutional and ethical dimensions of invoking Article 356 in situations of prolonged violence and governance failure, with reference to the ongoing crisis in Manipur. (150 Words /10 marks)

Context :

- The continuing ethnic violence in Manipur since May 2023, marked by loss of lives, displacement, and destruction, reflects a constitutional breakdown.
- Despite Supreme Court intervention and Union government efforts under Article 355, peace remains elusive.
- The crisis raises questions about invoking Article 356 to restore constitutional order and governance.

Introduction: Failure of Constitutional Machinery

- The violence in Manipur since May 2023 reflects a classic case of the failure of constitutional machinery.
- Article 356 of the Constitution empowers the President of India to intervene in states where governance cannot be carried out as per constitutional provisions.
- B.R. Ambedkar, during Constituent Assembly debates, emphasised the necessity of this provision for situations of constitutional breakdown.

Continuing Violence in Manipur

- The violence in Manipur is unprecedented, with ordinary citizens forced to engage in violence for self-protection.
- More than 250 people have been killed, over a lakh displaced, and properties including temples and churches have been destroyed.
- The violence, unlike insurgencies in Nagaland and Mizoram or terrorism in Jammu and Kashmir, has targeted ordinary citizens.

Article 356

Daily News Analysis

- ➡ **Provision:** Article 356 empowers the President of India to impose President's Rule in a state if the constitutional machinery in that state breaks down.
- ➡ **Grounds:** The President can impose President's Rule based on: A report from the Governor of the state suggesting a breakdown of constitutional machinery. The President's own satisfaction that the state government cannot function according to the Constitution.
- ➡ **Duration:** Initially, the President's Rule lasts for a maximum of 6 months. It can be extended for a maximum of 3 years with the approval of Parliament every 6 months.
- ➡ **Effects:** The state legislature is either suspended or dissolved. The President assumes executive powers of the state. The central government, through the Governor, directly governs the state.
- ➡ **Supreme Court Guidelines:** The Supreme Court has set guidelines for the imposition of President's Rule in the S.R. Bommai case. These guidelines emphasise the need for a genuine breakdown of constitutional machinery and judicial review of such decisions.

Constituent Assembly Debates on Article 356

- ➡ B.R. Ambedkar defended Article 356 as necessary for handling constitutional breakdowns, allowing the President to act even without a Governor's report.
- ➡ H.V. Kamath opposed it, terming it a "constitutional crime." Alladi Krishnaswami Ayyar justified it as essential for the Union to maintain constitutional order.
- ➡ K. Santhanam argued that it addresses physical breakdowns of state governance due to internal disturbances or external aggression.
- ➡ Thakur Das Bhargava supported it, stating it is vital when ordinary liberties are lost.

Supreme Court's Involvement

- ➡ On May 8, 2023, the Supreme Court noted the Union government's assurances of normalcy but observed inadequate results.
- ➡ In July 2023, the Court took suo motu cognizance of the May 4 incident where women were paraded naked, condemning it as a gross violation of constitutional rights.
- ➡ Despite 27 hearings, the intervention by the Court has been slow and ineffective, with violence persisting unabated.

The Need for Presidential Intervention

- ➡ The President, Droupadi Murmu, has the constitutional authority and duty to act under Article 356 in such situations.
- ➡ The Union government, under Article 355, is obliged to assist states but has failed to restore peace effectively.
- ➡ Despite the Supreme Court's observations and the central government's lack of decisive action, the violence and constitutional crisis continue.

A Case for Invoking Article 356

Daily News Analysis

- Article 356 has historically been misused, but its invocation in Manipur is justified due to the exceptional circumstances.
- The continuing violence, gross human rights violations, and failure of governance demand urgent central intervention.
- The invocation of Article 356 in this scenario would likely be supported by the nation as a necessary step to restore peace and order.

Conclusion

- The ongoing sectarian violence in Manipur highlights a grave constitutional and humanitarian crisis.
- Immediate and decisive action by the President and the Prime Minister is essential to bring back peace, justice, and dignity to the state.
- Without prompt intervention, the constitutional machinery's failure in Manipur risks further erosion of fundamental rights and the democratic fabric of the nation.