DAILY CURRENT AFFAIRS

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The reality of the changing dimensions of warfare

GS Paper II – International Relations

GS Paper III – Internal Security & Defence Role of external state and non-state actors in creating challenges to internal security

The reality of the changing dimensions of warfare

Machiavelli believed that in politics, one is guided solely by the harsh realities of political life, *viz.*, a struggle for power and survival. Today, we are at a point in history when old rules that once governed international politics appear to be in terminal decline. Alongside this, the means to achieve dominance are undergoing fundamental changes. To today's power brokers, the Peace of Westphalia in 1648 (that sanctified the construct of a nation state), and the Congress of Vienna in 1814-15 have little or no meaning. For most, new weapons are the be-all and end-all of modern politics.

The year 2025 is also one that celebrates eight decades of seemingly relative peace following the end of the Second World War, though the years in between did see, and had seen, several conflicts, though not on the scale of the Second World War. For many, even more than the defeat and decline of Nazi Germany, it appeared that it was the apparent invincibility of the United States (wielding the mighty atom bomb – two of which were dropped in Hiroshima and Nagasaki in Japan in 1945) – that seemed to usher in a new era of peace. Concepts such as a 'rules-based international order' also gained traction at this time.

This was, however, at best an illusion of peace, and more of a 'riddle wrapped in an enigma' than the reality. A succession of wars of a lesser magnitude that continued to occur across the world – beginning with Korea, Vietnam and North Africa, not excluding parts of Europe itself – confirmed this. It reinforced a truth embedded in a seminal piece of advice often given to diplomats based in the United Kingdom, *viz.*, 'do not believe anything anyone tells you unless you have checked it yourself'.

Already by the 1990s, many of the fundamentals that prevailed had begun to be questioned. The end of the Cold War looked more like the beginning of a new era of conflict. Quite a few new conflicts had begun to emerge which had the potential to shatter any illusion that peace was at hand. Alongside this, it was increasingly becoming evident that a new era in global warfare was emerging. Few, however, admitted that the world was about to enter a new era of conflict.

The impact of 9/11
One of the more widely read articles recently harps on the End of Modernity and talks of the current state of the world in some detail. It lists the year 1989, when the Berlin Wall came down, as the beginning of a new era in global politics. For many others, however, it was September 11, 2001, when the Twin Towers in New York were attacked by terrorists, that seemed to usher in a new beginning. Admittedly, the events of 9/11 did begin a new chapter in global affairs, but it was hardly the curtain-raiser, or even indicative, of

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It entails much more than the use of highly sophisticated weaponry; it extends to tactics as well, which India must note

the fundamental changes about to take place in the future. What 9/11, perhaps, did was to give the U.S. and certain other nations an opportunity to invade other states based on their perception of what was right and wrong. It was not yet obvious, however, whether the basic fundamentals of conflict would undergo any radical change, and the implications it could have for future generations. The evidence for this is only now beginning to unfold. Even so, the catastrophic consequences of the change are yet to be fully understood or comprehended.

For this, perhaps, one needs to go to the early 1990s, and more specifically to 1991, to the impact which the U.S.-led Operation Desert Storm caused at the time, and also its impact on future wars. It was in effect the first modern-era war which would mark a "dramatic acceleration of warfare and the transformative synthesis of its operative, tactical and strategic elements", and possibly transforming the nature of war and battlefield doctrines itself. It was also, perhaps, the first instance of three-dimensional strikes on a 'preferred' enemy. Even then, it is only very recently that strategists and military planners have become aware of how transformative it was and the impact it would have in the years to come.

Ukraine, West Asia and Operation Sindoor
At the time, the world was only riveted on the unrivalled power, economic, political and military, of the U.S. It has taken the war (since 2022) between Russia and a Ukraine backed by the North Atlantic Treaty Organization, to fundamentally revise the thinking of war planners and get them to realise how the nature of war itself had changed beyond anything seen in the past. The war in Ukraine and in West Asia have propounded many new doctrines that are very different from those previously in the annals of warfare. The very nature of war, it would seem, as also the conduct of warfare had changed, or is changing. Today's wars bear little resemblance to what was seen in the past. Automation has become an essential feature of modern conflicts. The extensive use of drones (with several variations such as drones to gather intelligence and conduct precision strikes; drones able to operate semi-autonomously employing image recognition algorithms to identify high-priority targets, together with 'loitering munitions') have altered the nature of warfare beyond recognition.

The India-Pakistan conflict in May 2025 helped provide some glimpses of the fundamental changes seen in modern warfare. Unlike the earlier India-Pakistan conflicts, the conflict this time featured fixed wing and several other kinds of drones, together with 'loitering munitions'. Fighter aircraft were a critical element to ensure air superiority and carry out precision strikes. Also, seen were advanced 'air-to-air missiles',

supplemented and complemented with highly accurate GPS-guided and laser-guided bombs. The BrahMos missile was in place and reportedly also used on at least one occasion. Pakistan, for its part, made use of China-supplied PL-15 missiles and also Turkish-supplied Songar drones.

Modern warfare, however, entails much more than the mere use of highly sophisticated weaponry. It extends to tactics as well. Militaries are moving beyond traditional hierarchies, to advanced network-centric warfare. The advent of cyber and Artificial Intelligence (AI) has seen battlefields morph into complex multi-domain conflict zones, involving advanced technologies, AI and cyber warfare methodologies. The use of hypersonic weapons capable of travelling at speeds greater than Mach-5 also adds a further critical dimension to the current arms race and to the new forms of warfare. All told, digital strategies and autonomous systems are tending to make traditional concepts of how battles are won, *viz.*, through use of overwhelming physical force, outdated. Future warfare is increasingly set to become digitally autonomous and interconnected.

India needs to adapt
Hence, the message is loud and clear – and should be to one and all. We are entering a new era of technological warfare. India must adapt rapidly to keep pace with the changes taking place. Incidentally, it also raises questions about India's existing and established military modernisation plans. These may need to be completely revised and revamped. Perhaps the relevance of many existing tenders for certain categories of weapons may require to be reconsidered.

Overall, there is considerable room for a rethink about India's future defence procurement plans. China has already produced, and has in place, huge volumes of indigenously manufactured platforms (fighter jets, the J-10 and the J-20 as well as the fifth generation fighter). China is now poised to produce its sixth generation fighter.

Available information suggests that India is putting its faith in existing indigenous manufacture and continuing to procure more Rafale fighter jets from France. Clearly, the indigenous development and manufacture of missiles and aircraft are way behind schedule.
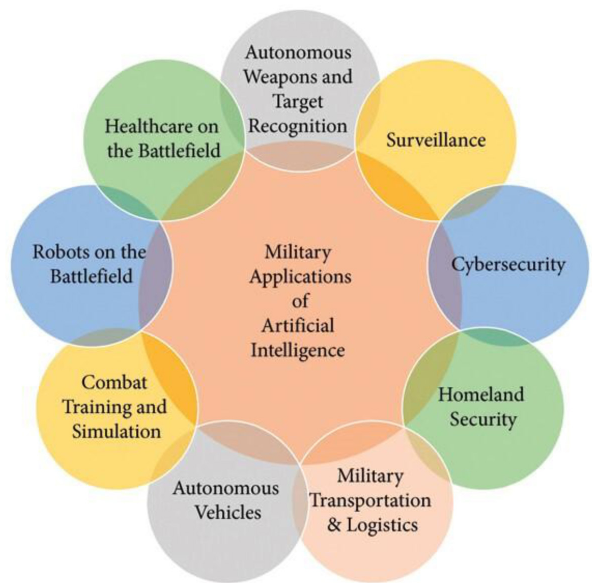
What is pertinent is that with the emergence of high-altitude, long-endurance, unmanned aerial vehicles that are essential for modern warfare, there is an overwhelming need for India to rethink its defence modernisation plans. Diversification of India's military hardware has become critically important. This does have a direct impact on India's capability to fight future wars, including against Pakistan or China, or worse, a two-front war.

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Key points from article

- **Changing Global Order:**
  - Post-WWII era witnessed **illusory peace**, built on the **dominance of the US and nuclear deterrence.**
  - Institutions like **Westphalian state system** and **rules-based order** are losing relevance.

- **Turning Points in Warfare:**
  - **Operation Desert Storm (1991)** marked the **first modern-era war** with three-dimensional strikes and networked battlefield operations.
  - **9/11 (2001)** altered global intervention doctrines but didn't fully reveal the transformation in warfare.
  - **Ukraine War (2022)** and **conflict in West Asia** reflect **automation, AI**, and **drone warfare** becoming central.

- **2025 India-Pakistan Conflict:**
  - Featured **drones, loitering munitions, air-to-air missiles, BrahMos**, GPS-guided & laser bombs.
  - Pakistan used **China's PL-15 missiles and Turkish Songar drones.**
  - Highlighted **shift to high-tech precision warfare** and **semi-autonomous weapon systems.**

- **Features of Modern Warfare:**
  - Shift from physical force to **network-centric and multi-domain strategies.**
    - Increasing use of:
    - **AI-driven systems**
    - **Cyber warfare**
    - **Hypersonic weapons** (speed > Mach 5)
    - **Autonomous drones and digital battlefields**
  - Traditional doctrines are becoming outdated in light of these digital and autonomous systems

- **India's Defence Modernisation:**
  - India's plans (Rafales, delayed indigenous jets & missiles) **lag behind global trends.**
  - China already producing **5th and 6th generation fighter jets** (J-20, J-10).
  - Lack of high-altitude, long-endurance UAVs a **strategic gap** in Indian military arsenal.
  - Emphasis on **diversification and technological leap** in procurement & R&D.

- **Way Forward Revamp Defence Modernisation Plans:**
  - Shift focus from traditional platforms to **networked, AI-based autonomous systems.**
  - Redesign procurement policies in line with modern threat perceptions.
- **Invest in Indigenous R&D:**
  - Accelerate production of **indigenous drones, hypersonic weapons, and stealth aircraft** under Make in India and iDEX initiatives.
- **Develop Cyber & AI Warfare Capabilities:**
  - Create dedicated **cyber commands and AI-based battlefield integration systems.**
- **Strategic Partnerships for Tech Transfer:**
  - Collaborate with tech-advanced nations like **Israel, US, France, Japan** for **joint R&D** in critical defence technologies.
- **Two-Front War Preparedness:**
  - Build **multi-layered deterrence** strategies and prepare for simultaneous **China-Pakistan threats,** especially in mountainous terrain.

Takeaways from the Swachh Survekshan

GS Paper II – Governance
GS Paper III – **Environment** Conservation, environmental pollution and degradation, waste management Environmental impact assessment Urbanization and associated issues.

Takeaways from the Swachh Survekshan

Rankings and celebrations apart, the ninth edition of Swachh Survekshan, branded as the world's largest cleanliness survey, provides policy makers and city managers a reality check on urban sanitation and waste management, and a reliable database. The annual survey steered by Swachh Bharat Mission (SBM)-Urban had not only over 4,500 cities competing, compared to less than 100 in 2016, but was also backed by elaborate assessments and third party verification and further bolstered by feedback from 140 million city dwellers. From segregation, collection, transportation, and management of waste to the welfare of sanitation workers and grievance redressal, the 10 parameters of the survey are comprehensive. The survey has emerged as an effective driver of competition and movement in city sanitation. It also provides a measure of the gaps in India's journey towards clean cities.

Akshay Rout
Former Director General, Swachh Bharat Mission. Views are personal

Different population sizes
The advent of Super Swachh League this year was an overdue twist to break the stalemate at the top of the rankings. Indore, Surat, and Navi Mumbai – all mascots of cleanliness for a while – entered this new space along with 20 other cities of different population sizes. Members of the League could create new benchmarks and compete among themselves while yielding space to new aspirants to enter clean city ranks. That is how Ahmedabad, Bhopal, and Lucknow could break into the top as India's cleanest cities this time in the million-plus category, with another 12 receiving ranks in their own population segments.

Swachh Survekshan 2024-25 appeared focused on faster democratisation of city cleanliness. The expansion of population categories from two to five, starting from cities with a population of less than 20,000 to those with a million-plus population, provided a fairer

The business of waste management in cities may look chaotic, but it remains possible

platform for cities to perform.
Those hitherto lagging are now catching up. Odisha is an example. Bhubaneswar moved up from the 34th to the 9th rank; small towns such as Aska and Chikiti worked their way to the top three clean cities in their categories; and mid-size cities including Rourkela, Cuttack, and Berhampur moved considerably upwards. These trends create hope that cleanliness is not a preserve of only certain States. Cities from the south are yet to make any big mark in the clean city show with Bengaluru being the least inspirational. Hyderabad, Tirupati, Vijayawada, Guntur, and Mysuru were the best in the region. The National Capital Region presents an interesting medley: while the New Delhi Municipal Council areas and Noida ranked best for meticulous sanitation implementation, Delhi, Gurugram, and Ghaziabad improved their ranks irrespective of the negative reports they received in the public domain.

The clean city basket has grown larger since one promising clean city was picked up from each State based on its progress and potential. Once cities are positively stamped, they tend to stay in the aspirational course. Understood this way, the 78 Swachh awards given were not too many.

Setting up the cleanest cities as mentors to the most underperforming ones could help in the proliferation of multiple good practices among urban local bodies (ULBs). While Indore is a veteran in segregating the last gram of waste into six buckets at source – dry, wet, domestic hazardous, plastic, sanitary and e-waste; Surat has been making good revenue by selling sewage-treated water. Pune's waste management is anchored on cooperatives formed by ragpickers. Visakhapatnam made an eco-park from remediated legacy waste site. Lucknow produced an iconic waste wonder park. The Kuberpur area in Agra, once a toxic dumpsite, transformed to 47 acres of green,

by engaging bioremediation and biomining technologies.
Tourist destinations and places of high footfall received special emphasis in the survey. Prayagraj was awarded in the category of Ganga towns, and special recognition was extended to the recent Maha Kumbh for its sanitation management. India accounts for less than 1.5% of international tourist arrivals. Cities need to do much more than an occasional cleanliness drive to enhance tourist experience.

The theme this year
The theme of 'reduce, reuse, and recycle (RRR)', advocated by the 2025 survey, carries the prospect of jobs, enterprise, and invigoration of self-help groups. The theme of the last survey was 'waste to wealth'. We are yet to raise the billions of rupees out of waste that is possible. For this, policy needs to better incentivise investors. Waste-to-energy plants are gaining traction but the private sector may be concerned about commercial viability.

Citizens are yet to take meaningful action even though the RRR approach is entrenched in India's ancient traditions. While a universal resentment against open defecation has been achieved by SBM, a behaviour change movement fostering intolerance against waste and fighting against consumerism has been tough to initiate.

As more cities get identified as hubs of growth, we must prioritise the management of 1.5 lakh tonnes of solid waste generated every day. A lot will depend on delivery at decentralised levels, especially by ULBs in enforcing segregation, collection, transport, and processing, including of the more challenging plastic and e-waste.

The business of waste management in cities may look chaotic, but it remains possible. The rise of Surat from being a place of garbage three decades ago to the top place in the sanitation chart last year shows that this is a possibility in all cities in India.

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Key points from article

- **Largest Cleanliness Survey Globally:**
  - **Swachh Survekshan 2024-25** was the **9th edition**, covering **4,500+ cities** (vs <100 in 2016).
  - **140 million citizens' feedback**, third-party assessments, and 10 broad parameters used.
  - Acts as both a ranking tool and performance audit of urban sanitation and waste management.

- **Introduction of 'Super Swachh League':**
  - Created to allow top-ranked cities (e.g., Indore, Surat, Navi Mumbai) to compete separately.
  - Opened space for new cities like Lucknow, Bhopal, Ahmedabad to rise in rankings in the **million+ category.**

- **Expansion of Population Categories:**
  - Cities now classified into **five population tiers** (from <20,000 to million-plus), offering **fairer competition.**
  - Enabled better representation and democratization of cleanliness standards.

- **Odisha's Notable Performance:**
  - **Bhubaneswar jumped from 34th to 9th.**
  - Smaller cities like **Aska and Chikiti** entered top ranks.
  - **Mid-size cities like Cuttack and Berhampur** also improved, showing a **broader geographical spread of success.**

- **Regional Disparities:**
  - Southern cities underperformed overall, with **Bengaluru lagging.**
  - Better performers in the South included **Hyderabad, Tirupati, Vijayawada, Mysuru.**
  - NCR showed mixed results – **NDMC, Noida excelled**, while **Delhi, Gurugram, Ghaziabad** improved despite bad press.

- **Role of Best Practices and Mentorship:**
  - Examples of innovation:
  - **Indore:** 6-category waste segregation
  - **Surat:** Sewage-treated water revenue
  - **Pune:** Ragpicker cooperatives
  - **Agra:** Bioremediation at toxic Kuberpur site
  - **Lucknow:** Iconic "waste wonder park"

- **Tourist Cities Given Priority:**
  - **Prayagraj awarded** for sanitation at Maha Kumbh.
  - Highlighted need for **consistent cleanliness**, not just during events, to boost tourism (India has <1.5% of global tourist arrivals).

- **RRR Theme – Reduce, Reuse, Recycle:**
  - Current theme is aligned with circular economy.
  - Potential to generate **jobs, enterprises, and SHG involvement.**
  - Last theme: **Waste to Wealth** – yet to fully realise economic potential due to **investor concerns and lack of incentives.**

- **Challenges and Gaps:**
  - Behavioural shift against waste, plastic, and consumerism still weak.
  - **1.5 lakh tonnes** of waste generated daily – pressing need for decentralised management.
  - **Plastic and e-waste** remain particularly difficult to manage.
  - **Citizen engagement** beyond token efforts remains inadequate.

- **Surat's Transformation:**
  - From a **garbage-laden city 3 decades ago to a top performer** now — a powerful case study of transformation through planning and political will.

Way Forward

- **Scale Up Mentorship Models:**
  - Link high-performing cities with nderperformers to **share models, SOPs, and technology** in waste management.

- **Decentralise Urban Waste Governance:**
  - Empower **Urban Local Bodies (ULBs)** with autonomy, funding, and capacity building to handle waste at the ward level.

- **Invest in Circular Economy Models:**
  - **Incentivise private investment** in waste-to-energy, composting, and recycling industries to build a green economy.

- **Mass Behavioural Campaigns:**
  - Launch a **nationwide behavioural movement** like ODF (Open Defecation Free) to **build intolerance for littering and wastage.**

- **Incorporate Waste Management into Tourism Planning:**
  - **Urban sanitation must be integrated with city branding and tourism strategy** to enhance India's international appeal.

From Delhi's air quality crises

GS Paper II – Governance

GS Paper III – Environment Environmental pollution and degradation: Air pollution

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Fixing Delhi's air quality crisis

The current electoral mandate can enable States to fix achievable regional targets

STATE OF PLAY

Swagata Dey

July and August are prime months for Delhi to prepare for air pollution episodes in autumn and winter, which are now a defining feature of the National Capital Region (NCR). The electoral mandate this year has created a rare moment of political alignment across most States in the Delhi-NCR, opening the door for coordinated action on air quality.

Delhi's air pollution stems from both local sources and emissions from neighbouring States. To achieve the National Ambient Air Quality Standards, emission reductions across the Indo-Gangetic Plain (IGP) are essential.

As the sources of air pollution are similar across the larger IGP airshed, the mitigation measures are also similar. These measures are enshrined in most city and State action plans, including scaling up the Pradhan Mantri Ujjwala Yojana to reduce household biomass burning, reducing emissions from freight movements across city boundaries, and using cleaner fuels and installing pollution control devices in industries.

However, implementation has lagged due to fragmented governance structures. For instance, multiple agencies manage Delhi's roads – some under the Delhi government and others under the Centre. This makes coordinated action on road dust (responsible for PM10 emissions) difficult. As a result, while roads in areas such as Lutyens' Delhi are well-maintained, many others remain neglected.

Similar issues persist across States. While the National Clean Air Programme notes the importance of regulating industrial fuels, not all States have a clearly defined fuel list. Pet coke, a high-emission fuel, is banned only in some States. Age limits for vehicles also differ, allowing older, more polluting vehicles to move freely across borders. Given the transboundary nature of pollution, the gains of one State are often undermined by inaction in another.

The need for regional coordination against transboundary pollution has been acknowledged globally. India is also a signatory to several agreements, including the Stockholm Declaration (1972), the Convention on Long-range Transboundary Air Pollution (1979, Geneva), the Rio Declaration (1992), and the Malé Declaration for South Asia (1998).

The Malé Declaration, in particular, urges South Asian countries to build a scientific base, formulate regional action plans, and enable joint interventions. However, in India, there is no legal mandate to support such efforts. Although the Supreme Court has routinely stepped in (e.g., by issuing subsidies for crop residue management machinery across States), most policy instruments have failed due to the lack of regional cooperation. For instance, while brick kilns within Delhi-NCR are mandated to shift to zig-zag technology, nearby districts still operate older kilns. To manage transboundary pollution, India has a promising institutional framework under the Commission for Air Quality Management for National Capital Region and Adjoining Areas (CAQM). CAQM holds considerable overriding powers for implementing clean air strategies, yet its impact depends on how actively it can align state actions with regional targets.

The current political mandate aligning the Centre and most NCR States (Delhi, Rajasthan, Uttar Pradesh, and Haryana) presents the right opportunity. States can draw from the Malé Declaration's tenets and collaboratively define emission standards and sectoral targets. Under the directive of CAQM and backed by Central funding, region-wide action could scale up mitigation measures.

The entire IGP should be treated as part of a larger airshed. As freight and buses ply freely across State borders, a regional strategy backed by political will is essential. Biomass burning in the residential sector generates more pollution than transport and needs stronger action across the entire airshed. Further, if all line departments issue directives based on a joint mandate from the States, these strategies could be streamlined. While this coordination has historically been challenging, the current electoral mandate can enable the States to promulgate achievable regional targets.

Now is the time to build on the momentum for clean air, not just in Delhi but across the IGP. The decisive mandate of February 2025 could make October 2025 more breathable.

Swagata Dey heads the Air Quality Policy and Outreach group at the Center for Study of Science, Technology and Policy

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Key points from article

- **Seasonal Urgency:**
  - July–August is the critical window to act before the winter smog season in **DelhiNCR.**
  - Delhi's air quality deteriorates sharply every October–January, due to **meteorological factors** and **increased emissions.**

- **Pollution is Regional, Not Local:**
  - Pollution in Delhi is caused both by local sources (vehicular, construction dust) and **transboundary emissions** (from Punjab, Haryana, UP, etc.).
  - The **Indo-Gangetic Plain (IGP)** acts as a **single airshed,** where emissions easily travel across state boundaries.

- **Common Pollution Sources in IGP:**
  - **Household biomass burning**, especially in rural/semi-urban belts.
  - **Industrial emissions** (unclean fuels like pet coke still used in some States).
  - **Freight movement & old vehicles** crossing states with different age rules.
  - **Road dust,** aggravated by poor coordination between Central and State agencies managing roads.
- **Fragmented Governance Challenges:**
  - Lack of **standard fuel regulations** across States.
  - **Uncoordinated policies** on vehicle scrappage, fuel usage, and brick kiln technology.
  - **No legal mandate** for regional planning, despite India being party to agreements like:
  - **Stockholm Declaration (1972)**
  - **Rio Declaration (1992)**
  - Malé Declaration (1998) on transboundary air pollution in South Asia.
- **CAQM – A Potential Institutional Solution:**
  - Commission for Air Quality Management (CAQM) created to coordinate clean air efforts across Delhi-NCR.
  - CAQM has overriding powers, but needs stronger political backing and funding to implement regional plans.
- **New Political Opportunity:**
  - As of 2025, **Centre and most NCR states (Delhi, UP, Haryana, Rajasthan) are politically aligned.**
  - Presents a **rare opportunity for synchronized regional action.**

Malé Declaration on Control and Prevention of Air Pollution and Its Likely Transboundary Effects for South Asia.

Adopted: 1998 in Malé, capital of Maldives.

Initiated by: UNEP and Stockholm Environment Institute (SEI).

Under the umbrella of: South Asia Co-operative Environment Programme **(SACEP).**

Objectives

Promote **clean** air and **clean environment** across South Asia.

Suggested Measures:

- Use Malé Declaration principles to define **joint regional targets.**
- Promote **clean fuel and vehicle standards** across states.
- Focus on **biomass burning,** which contributes more than transportation to air pollution.
- Coordinate actions across departments under **a common mandate**

Way Forward

- **Regional Emission Standards Across the IGP:**
  - Define **uniform emission norms, vehicle age limits, and clean fuel policies** across all IGP states.
- **Strengthen CAQM's Implementation Role:**
  - Give **statutory authority and adequate funding** to CAQM to enforce inter-state action plans and ensure accountability.
- **Coordinate Sectoral Policies:**
  - Jointly regulate **industrial fuels, vehicle emissions,** and **agricultural residue burning with shared monitoring systems.**
- **Expand R&D and Incentives for Cleaner Alternatives:**
  - Invest in **eco-friendly industrial technologies, zig-zag brick kilns,** and **bio-decomposers** for crop stubble.
- **Institutionalize Political and Administrative Cooperation:**
  - Regular **inter-state coordination meetings,** backed by **Central and State MoUs,** to review clean air progress.

Can Presidential Reference change a judgment?

GS Paper II – Polity and Governance Separation of powers between various organs Structure, organization and functioning of the Executive and the Judiciary Powers, functions, and responsibilities of the President and Governors

Can Presidential Reference change a judgment?

What is the issue on which President Droupadi Murmu has invoked the Supreme Court's advisory jurisdiction? Are such advisory opinions binding? What did the April 8 ruling state? Can a Presidential Reference prompt the Supreme Court to revisit an earlier ruling?

EXPLAINER

Aaratrika Bhaumik

The story so far:

On July 22, the Supreme Court issued notices to the Union Government and all States on a Presidential Reference seeking its opinion on whether the President and Governors can be judicially compelled to act within prescribed timelines on Bills passed by State legislatures. A Constitution Bench led by Chief Justice B.R. Gavai and comprising Justices Surya Kant, Vikram Nath, P.S. Narasimha, and A.S. Chandurkar indicated that detailed hearings would begin around mid-August.

What was the Presidential Reference?

The Reference stems from President Droupadi Murmu's submission of 14 questions following the Supreme Court's April 8 ruling. That decision arose from a petition filed by the Tamil Nadu government challenging Governor R.N. Ravi's delay in granting assent to 10 Bills that had been re-passed by the State legislature, and his subsequent decision to reserve them for Presidential consideration. The judges held that the Governor's prolonged inaction was illegal and, for the first time, imposed judicially enforceable timelines on Governors and the President to act on State Bills. The Presidential Reference broadly seeks clarity on whether courts can prescribe the manner and timeframe within which constitutional authorities must act.

Can the court advise?

Article 143(1) of the Constitution confers advisory jurisdiction on the Supreme Court, empowering it to render opinions on questions of law or fact that are not connected to any ongoing litigation. The only prerequisites are that the President must be satisfied that such a question has arisen or is likely to arise, and that it is of such a nature and of such public importance that it warrants the court's opinion.

However, the court is bound to limit itself strictly to the questions referred by the President and cannot exceed the scope of the Reference.

Can it decline a Reference?

Although the Supreme Court has chosen to entertain the present Reference, it is not bound to do so in every case. In *In Re: The Special Courts Bill* (1978), the court held that the word "may" in Article 143(1) grants it discretion to decline a Reference. However, it must record reasons for such refusal.

In 1993, the court declined to answer a Reference on the Ayodhya-Babri Masjid dispute, citing the pendency of a civil suit and deeming the Reference "unconstitutional" for violating secularism. The judges also cautioned against the misuse of the court's advisory opinion for political ends.

Are advisory opinions binding?

The binding force of advisory opinions remains contested. Article 141 of the Constitution states that the "law declared" by the Supreme Court is binding on all courts in India. In *St. Xavier's College versus State of Gujarat* (1974), the court clarified that advisory opinions do not amount to binding precedents, though they command significant persuasive authority. Nevertheless, there have been instances where the court has appeared to treat such opinions as authoritative. A notable example is the *R.K. Garg versus Union of India* (1981) case, where Justice P.N. Bhagwati treated the legal reasoning in the *Special Courts Bill* Reference as a binding precedent. This was despite Justice Y.V. Chandrachud's explicit caveat in that Reference that the court's opinion were not binding on other courts. As it stands, any advisory opinion issued in the present presidential Reference would not

have binding force. The Supreme Court's April 8 judgment, delivered in the exercise of its adjudicatory jurisdiction under Article 141, would continue to prevail irrespective of the opinion.

Can the court overturn its April 8 ruling through the Reference?

In its opinion on the *Cauvery Water Disputes Tribunal* Reference, the Supreme Court underscored that Article 143 cannot be used as a means for the executive to seek a review or reversal of its settled judicial decisions. "When this court in its adjudicatory jurisdiction pronounces its authoritative opinion on a question of law, it cannot be said that there is any doubt about the question of law or the same is *res integra* so as to require the President to know what the true position of law on the question is," the opinion said. Accordingly, the only valid recourse to challenge the April 8 ruling is through review or curative petitions.

However, in *re Natural Resources Allocation* (2012), the court held that there is no constitutional bar on its ability to clarify, restate, or even formulate a fresh opinion on a question of law under Article 143(1), so long as the *ratio decidendi* of an earlier judgment remains intact and the rights of parties in the original case are unaffected. The Reference followed the court's decision quashing the 2G spectrum allocation and mandating auctions as the sole method for spectrum distribution.

However, in 1998, a Presidential Reference was used to modify certain aspects of a previous ruling on judicial appointments. While reaffirming the validity of the collegium system laid down in *Supreme Court Advocates-on-Record Association versus Union of India* (1993), the court revised the composition and functioning of the collegium, thereby refining the appointment process without overturning the earlier judgment.

While the April 8 judgment is final, its findings on the law may still be refined or elaborated upon by the Constitution Bench hearing the present Reference.

Judicial opinion: President Droupadi Murmu administers the oath of office to Justice Bhushan Ramkrishna Gavai as Chief Justice of India, in New Delhi on May 14. ANI

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▼ Article 143(1) of the Constitution confers advisory jurisdiction on the Supreme Court, empowering it to render opinions on questions of law or fact that are not connected to any ongoing litigation.

▼ In its opinion on the *Cauvery Water Disputes Tribunal* Reference, the Supreme Court underscored that Article 143 cannot be used as a means for the executive to seek a review or reversal of its settled judicial decisions.

▼ The binding force of advisory opinions rendered by the Supreme Court remains contested.

Key points from article

Context and Origin of the Presidential Reference:
- On **July 22, 2025,** the **Supreme Court issued notices** to Centre and States regarding a **Presidential Reference** under **Article 143(1).**
- The reference seeks **clarity on whether courts can compel the President and Governors** to act within specific timelines on **Bills passed by State legislatures.**
- It follows the **April 8 Supreme Court ruling,** which held **Governor's inaction** on Bills to be illegal, introducing **judicially enforceable timelines** for constitutional authorities.

What is a Presidential Reference (Article 143)?
- Under **Article 143(1),** the President can seek the Supreme Court's advisory opinion on questions of law or fact of public importance.
- The **Supreme Court may decline** to answer the Reference and must **limit itself strictly** to the questions referred.
- **Discretionary,** not mandatory – as upheld in the **Special Courts Bill (1978)** and **Ayodhya Reference (1993) cases.**

Binding Nature of Advisory Opinions:
- Advisory opinions under Article 143 **are not binding**, unlike decisions under **Article 141** which constitute **binding precedents.**
- However, **advisory opinions hold persuasive value**, and in practice, courts sometimes treat them with **quasi-authoritative weight.**
- Example: **R.K. Garg case (1981)** treated Special Courts Bill Reference as binding, despite caveats

Can the April 8 Judgment Be Overturned via Article 143?
- No. As per the **Cauvery Tribunal case, Article 143 cannot be used to review settled judicial decisions.**
- The **April 8 ruling was adjudicatory**, delivered under **Article 141**, and thus remains binding.
- **Valid mechanisms to challenge it:**
  - **Review Petition** under Article 137
  - **Curative Petition** (extraordinary remedy)
- However, the court can clarify or restate the legal position without disturbing the original ratio decidendi, as seen in:
  - **Natural Resources Allocation Reference (2012)**
  - **Judicial Appointments Reference (1998)** – modified functioning of collegium without overturning the 1993 judgment.

Way Forward
- **Clarify Constitutional Limits of Judicial Timelines:**
  - The Supreme Court should outline whether **prescribed timelines for constitutional functionaries are judicially enforceable or advisory** in nature.
- Strengthen Federal Accountability:
  - Ensure that **Governors and the President perform constitutional duties in a time-bound manner** to uphold **legislative primacy and cooperative** federalism.

- **Institutionalize Advisory Opinions Protocol:**
  - Define a **framework for when and how advisory opinions are sought,** preventing misuse for **political ends or judicial overreach.**
- **Encourage Constitutional Clarity via Dialogue:**
  - Promote **inter-institutional discussions** between executive, legislature, and judiciary to resolve constitutional grey zones **without conflict.**
- **Use Presidential Reference for Legal Clarification, Not Review:**
  - Avoid using **Article 143 as a disguised tool for overturning judgments**, preserving the sanctity of **judicial review** and **separation of powers**

Is the plastic industry trying to influence green policies?

GS Paper 3 – Environment

Is the plastic industry trying to influence green policies?

How has India tried to integrate informal waste pickers into formal waste systems?

Sweta Gupta

The story so far:

At first glance, tobacco and plastic might seem unrelated. However, environmental activists and health experts are now drawing attention to how the plastic industry, backed by fossil fuel giants, mirrors the tobacco industry's playbook.

How does plastic mirror tobacco?
Both industries have used profit-driven tactics despite evidence of harm.

Shifting responsibility: in many jurisdictions, advertisements for tobacco run with a disclaimer "smoking is injurious to health" while promoting the product, abetted by weak public policy. This places the onus on individual choice. Similarly, plastic-makers have blamed consumers for not recycling while diverting attention from corporate accountability. In both cases, the effect is for systematic harm to be recast as personal failure.

Funding misleading PR and science: Tobacco companies have historically funded studies denying their effects on the body. Similarly, as *NPR* and *PBS* have reported, the plastic industry promoted recycling as a resolution from the 1980s despite privately acknowledging its economic and technical impracticality at scale. Yet even as trade groups launched public campaigns around the 'recyclability' of plastic, most plastic waste continued to be incinerated, landfilled or dumped in the open.

Greenwashing: Tobacco companies once used to market 'light' and 'mild' cigarettes as safer. Today, the absence of clear, enforceable standards and shortcomings in the country's waste-processing infrastructure render plastic that is, or has been labelled, 'biodegradable' or 'compostable' to not be that way at all. This can give consumers a false impression of plastics' real-world environmental impact.

Do they target the Global South?
As regulations to reduce the use of single-use plastics and rationalise the material's use in packaging tighten across the Global North, plastic producers have been focusing on low- and middle-income countries to sustain growth. According to the OECD's 'Global Plastic Outlook' report in 2022, plastic consumption is projected to more than double in Sub-Saharan Africa and triple in Asia by 2060 but grow by only 15% in Europe in the same period. This shift in focus towards the Global South has coincided with weaker environmental regulations, and inadequate waste management systems, making these regions especially vulnerable to rising plastic pollution.

More recently, the plastics and fossil fuel industries have sought to influence negotiations for a global plastics treaty under the UN. According to the Centre for International Environmental Law, industry influence was evident at the third round of treaty talks (INC-3), where there were 36% more lobbyists from the fossil fuel and chemicals sectors than in the previous round.

Where does India stand on plastics?
In India, the waste management system banks on lakhs of people, from ragpickers and sorters to grassroot recyclers, in the informal sector responsible for collecting and processing 70% of the plastic that is recycled. But this work often comes at the cost of their health and dignity, exposing them to hazardous materials and toxic fumes, without protective gear, legal recognition or social security. They face long-term health risks, and often live below the poverty line. The National Action for Mechanised Sanitation Ecosystem scheme launched in 2024 aims to integrate waste pickers into formal waste systems by providing safety measures, health insurance under Ayushman Bharat, and access to social security benefits. As per the Ministry of Social Justice and Empowerment, as of May 2025, over 80,000 sanitation and waste-picking workers have been profiled under the scheme.

Furthermore, under the Plastic Waste Management Rules 2016, (amended in 2022), manufacturers must take responsibility for plastic they generate.

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The plastic industry promoted recycling as a resolution from the 1980s despite privately acknowledging its economic and technical impracticality at scale.

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▼

In India, the waste management system banks on ragpickers and sorters in the informal sector to collect and process 70% of the plastic that is recycled.

Key points from article

Plastic Industry's Tactics Resemble Tobacco Lobbying

- **Profit over Public Interest:** Both industries promote harmful products while shifting the burden to consumers.
- **Blaming Consumers:** Plastic industry pushes individual recycling responsibility, avoiding systemic reform.
- **Greenwashing:**
  - Mislabeling of plastic as "biodegradable" or "compostable" without adequate standards.
  - Echoes the 'light'/'mild' cigarette campaigns of tobacco firms.
- **Misleading Science:**
  - **Example:** U.S. reports by NPR and PBS showed that recycling was promoted despite industry knowing it wasn't feasible at scale.

- **Industry Capture:**
  - At the UN Plastics Treaty negotiation (INC-3), fossil fuel and chemical lobbyists increased by **36%** over previous rounds.

Global South as the New Target
- **Shifting Focus:**
  - *OECD's Global Plastic Outlook (2022) projects:*
    - Plastic consumption to **triple in Asia** and **double in SubSaharan** Africa by 2060.
    - Only **15% growth in Europe** due to tighter regulations.
- **Weaker Regulations:** Developing nations are more vulnerable due to lax enforcement and poor waste infrastructure.

India's Stand on Plastic Waste Management
- **Role of Informal Sector:**
  - **70% of recycled plastic** in India is handled by informal workers (ragpickers, sorters).
  - They work without legal recognition, PPE, or social security.
  - Exposed to **hazardous materials, toxic fumes**, often living in poverty.
- **Policy Integration:**
  - **National Action for Mechanised Sanitation Ecosystem (2024):**
    - Safety gear, Ayushman Bharat coverage, and social security.
    - **80,000+ workers profiled** by May 2025 (Ministry of Social Justice & Empowerment).
- **EPR Norms under PWM Rules (2016, amended 2022):**
  - **Extended Producer Responsibility (EPR)** mandates producers to manage post-consumer plastic waste.
  - Criticism: Weak enforcement and lack of compliance tracking.

Way Forward / Implications
- **Recognize & Formalize Waste Pickers:**
  - Create a national database.
  - Extend health benefits, skill training, and social security.
- **Stronger EPR Enforcement:**
  - Penalize non-compliant producers.
  - Integrate informal sector with formal recyclers under EPR obligations.
- **Transparency in Global Negotiations:**
  - Reduce industry influence at platforms like the UN Plastic Treaty.
  - Push for binding targets and clear definitions of recyclable/biodegradable materials.
- **Consumer Awareness vs Corporate Accountability:**
  - Shift narrative from individual responsibility to systemic reform.
  - Ban greenwashing ads; enforce scientific verification of environmental claims.

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