

Editorial of the Day – 08.01.2026

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1. Letter against the spirit- On the Election Commission, barring foreigners (TH)

General Studies 2- Constitution / Governance

Topic- Appointment to various Constitutional posts, powers, functions and responsibilities of various Constitutional Bodies.

Letter Against the Spirit- ECI's Electoral Roll Revision

1. Introduction

The Election Commission of India (ECI) is constitutionally mandated to superintend, direct, and control elections, a core component of which is maintaining accurate electoral rolls. Recently, the debate surrounding the ECI's Special Intensive Revision (SIR) of electoral rolls has intensified. While the objective of ensuring only Indian citizens vote is undisputed, the methodology employed has raised fundamental questions regarding constitutional duty, democratic fairness, and the protection of genuine citizens' rights against administrative overreach.

2. ECI's Stance Before the Supreme Court

The Commission has taken a rigid legal position to justify its actions.

Constitutional Mandate- In its submission on January 6, the ECI asserted its non-negotiable constitutional responsibility to ensure electoral rolls contain *only* Indian citizens.

Zero Tolerance- The Commission explicitly stated that "not even a single foreigner" can be permitted on the voter list.

Defense of SIR- This argument was the primary defense for the ongoing Special Intensive Revision (SIR), which has resulted in the deletion of millions of names from voter lists across various states.

3. Concerns of Civil Society and Opposition

The criticism is not against the removal of ineligible voters but against the collateral damage to eligible citizens.

Burden of Proof- There is deep concern over the onus being shifted onto ordinary citizens to repeatedly prove their identity and citizenship, causing harassment and inconvenience.

Faulty Rolls- All stakeholders agree that current electoral rolls are faulty and difficult to navigate.

Consensus on Foreigners- Notably, no political party or civil society group has argued for the inclusion of foreigners. The contention is strictly about the *process* of removal and its impact on genuine Indian voters.

4. The Core Conflict- Constitutional Duty vs. Procedural Fairness

The heart of the controversy is a conflict between the *objective* (clean rolls) and the *process* (mass deletions).

Institutional Legacy- Historically, the ECI has built credibility by expanding the "right to vote" as a substantive democratic right, ensuring no eligible citizen is left behind.

Current Risk- The present approach risks reversing this legacy by treating the right to vote as a mere administrative formality that can be stripped away through bureaucratic procedures.

5. Democratic and Ethical Implications

Inversion of Justice- The process appears to violate the principle that "no innocent individual should suffer in the pursuit of wrongdoers."

Distraction and Polarization- An excessive, almost singular focus on the "fear of foreigners" Distracts from other genuine threats to electoral integrity (e.g., money power, criminalization). Potentially fuels political polarization by creating a narrative of "infiltration."

6. Constitutional Authority and Public Trust

Article 324- While Article 324 indisputably grants the ECI independent control over electoral rolls, the exercise of this power is under scrutiny.

Question of Impartiality- The key concern is whether this power is being exercised independently and impartially, or if the ECI is aligning too closely with executive narratives.

Litmus Test- A fair electoral process is defined by the trust of the losers. If the losing side (or the electorate) loses faith in the neutrality of the umpire (ECI), the democratic mandate is weakened.

7. The Unique Responsibility of the ECI

Primary Mandate- While multiple agencies (police, border forces) are tasked with identifying illegal foreigners, **only the ECI** has the specific constitutional duty to enroll every eligible Indian citizen.

Misalignment of Priorities- By prioritizing the *exclusion of foreigners* over the *inclusion of citizens*, the ECI appears to be misaligning its priorities.

Credibility Crisis- Recent rule changes and their selective application have led to accusations that the ECI is diluting its sacred constitutional role.

8. Conclusion

The Election Commission stands at a critical juncture. In its zeal to exclude foreigners, it must not forget its primary mandate- ensuring that no eligible Indian citizen is denied the right to vote. Democracy relies on public trust, which is sustained by fair, humane, and transparent procedures. The ECI must ensure its "intensive revisions" do not become tools of exclusion that impose avoidable hardship on the very citizens it is meant to serve.

Source- <https://www.thehindu.com/opinion/editorial/letter-against-the-spirit-on-the-election-commission-barring-foreigners/article70483028.ece>

2. Supreme Court reproach should be a wake-up call for pollution watchdog (IE)

General Studies 3- Environment

Topic- Environmental pollution and degradation; Conservation.

Supreme Court's Reprimand- A Wake-Up Call for Air Pollution Governance

1. Introduction

The Supreme Court of India has issued a stern reprimand to air pollution regulatory authorities, specifically targeting the Commission for Air Quality Management (CAQM). The Court highlighted a fundamental failure in diagnosing and addressing the chronic air pollution crisis in Delhi-NCR. By noting that pollution levels remain dangerously high even outside the peak winter months, the judiciary has flagged deep-seated governance deficits, moving the discourse beyond seasonal blame games to structural institutional failures.

2. Background- The Context of the Crisis

Chronic Hazard- Delhi-NCR faces hazardous air quality annually, with the situation becoming catastrophic during winter.

Ineffective Band-Aids- Temporary, reactive measures like the Graded Response Action Plan (GRAP), odd-even vehicle rationing, and construction bans have proven insufficient.

Building Bureaucrats Since 2006

Health & Economy– The situation has evolved from an environmental issue to a public health emergency, causing respiratory diseases, reducing life expectancy, and inflicting massive economic losses through healthcare costs and lost productivity.

3. Key Arguments & Analysis

The "Year-Round" Reality

Beyond Seasonality– The Court emphasized that pollution is not merely a winter phenomenon triggered by stubble burning.

Continuous Sources– Persistent contributors include vehicular emissions, industrial discharge, road dust, construction activities, and waste burning, which degrade air quality throughout the year.

Institutional Failure of Watchdogs (CAQM)

Mandate vs. Reality– The CAQM was established specifically to ensure coordinated regional action across states (Delhi, Punjab, Haryana, UP, Rajasthan).

Judicial Rebuke– The Supreme Court's criticism points to weak enforcement, poor diagnostic capabilities, and a distinct lack of accountability within the body. It has failed to act as a cohesive regional regulator.

The Trap of Emergency Responses

Reactive Approach– Authorities largely rely on emergency measures during peak pollution episodes rather than tackling root causes.

Policy Credibility– The absence of long-term, consistent planning undermines public trust and policy credibility.

Public Health– A Silent Emergency

Health Impact– Pollution is directly linked to respiratory illnesses, cardiovascular diseases, and stunted cognitive development in children.

Constitutional Violation– The crisis violates Article 21 (Right to Life) of the Constitution. The Supreme Court effectively linked the right to a clean environment with the fundamental right to life.

Governance and Federalism Challenges

Trans-boundary Issue– Air sheds do not respect administrative boundaries, necessitating cooperative federalism.

Blame Game– Political blame-shifting between state governments undermines collective action.

Lack of Binding Mechanisms– The absence of strictly enforced, binding coordination mechanisms allows states to evade responsibility.

Urbanization and Planning Failures

1. **Unchecked Expansion**– Rapid urban growth lacks necessary environmental safeguards.
2. **Infrastructure Deficits**– Inadequate public transport leads to rising private vehicle ownership.
3. **Systemic Issues**– Shrinking green spaces, poor waste management, and weak enforcement of construction norms contribute significantly to particulate matter (PM) load.

Technology and Data Gaps

1. **Underutilization**– Real-time air quality monitoring and scientific source-apportionment studies are not being effectively used for policy decisions.
2. **Lack of Foresight**– The absence of predictive analytics prevents early intervention.
3. **Precision Deficit**– Limited integration of technology results in "carpet bombing" bans rather than precise, targeted interventions.

Climate Change Linkages

Common Sources– Fossil fuel combustion drives both local air pollution and global climate change.

Short-Lived Pollutants– Pollutants like Black Carbon worsen local air quality while accelerating warming. Ignoring this link misses the "co-benefits" of integrated mitigation strategies.

4. Key Issues Identified

1. Fragmented Governance- Overlapping responsibilities among multiple agencies dilute accountability.
2. Data Deficits- Policy is often driven by optics rather than scientific data.
3. Urban Planning Rot- The transport and construction sectors act as permanent pollution engines.
4. Health Neglect- Environmental health costs are rarely factored into economic planning.

5. Way Forward

1. Strengthen CAQM- The body needs a clear mandate, teeth for enforcement, and strict performance benchmarks.
2. Source-Based Mitigation- Move from general bans to scientific targeting of specific sources (vehicles, thermal plants, dust).
3. Urban Mobility Reforms- Aggressive promotion of public transport (Metro, buses), Electric Vehicles (EVs), and Non-Motorised Transport (NMT).
4. Regional Coordination- Enforce a binding framework where Punjab, Haryana, UP, and Delhi must collaborate, penalizing non-compliance.
5. Public Participation- Enhance transparency to foster citizen awareness and drive behavioral change.

6. Ethical and Constitutional Perspective

Intergenerational Equity- Failing to control pollution compromises the future of the next generation.

State Responsibility- Governance apathy towards such a severe health crisis raises ethical questions about the State's duty to protect its citizens' well-being.

7. Conclusion

The Supreme Court's intervention is a critical pivot point. It signals that the era of "managing" pollution through temporary fixes is over. Without enforcing institutional accountability, embracing scientific planning, and adhering to the constitutional mandate of Article 21, Delhi's air crisis will remain a permanent blot on India's governance record.

Source- <https://indianexpress.com/article/opinion/editorials/supreme-court-reproach-should-be-a-wake-up-call-for-pollution-watchdog-10460920/>