

DAILY NEWSP APER ANALYSIS

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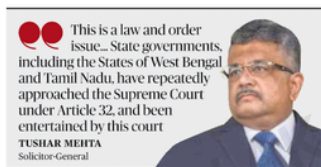
Supreme Court questions ED's rule of law breach claim in West Bengal

Krishnadas Rajagopal
NEW DELHI

The Supreme Court on Thursday asked whether the Directorate of Enforcement (ED) was making a case of "breakdown of constitutional machinery" in West Bengal, momentarily pausing the Central agency's rejoinder against Chief Minister Mamata Banerjee, senior State police officers, and bureaucrats for allegedly violating the rule of law to "barge" into IFAC premises in Kolkata during a raid and leaving with material said to be incriminating in coal smuggling case.

"We hope you are not arguing 'breakdown of constitutional machinery' in the context of the controversy you are raising," Justice N.V. Anjaria, a member of the Division Bench headed by Justice Prashant Kumar Mishra, asked Solicitor-General Tushar Mehta, appearing for the ED.

The query from the Bench followed submissions from the ED about a "well-established pattern" of violations by the Chief



Minister, the State police, and the ruling Trinamool Congress, and a "non-existent" rule of law over the years in West Bengal.

Incidents recalled

Mr. Mehta referred to the police "siege" of the Central Bureau of Investigation Joint Director's residence in Kolkata and the arrest of CBI officials in 2019, a "mob" of lawyers and party workers crowding into a Calcutta High Court courtroom on January 9 and the Director-General of Police "acting as the PSO (personal security officer) of the Chief Minister".

Mr. Mehta responded that there was "nothing up the sleeve" of the ED in the case. He said the "rule of

law" was a "part and parcel", an essential part of Article 14, of the Constitution. The ED officials, against whom the State police registered criminal cases for conducting what was described as a lawful investigation, have a fundamental right to equality before the law or equal protection of the laws.

"The ED cannot argue 'breakdown of constitutional machinery' [Article 356]," Mr. Mehta said.

He submitted that the rule of law was raised to establish the *locus standi* of the ED, acting in a "representative capacity", to approach the top court in an Article 32 writ petition to enforce the fundamental rights of its officials whose

personal liberty and dignity as citizens were threatened by "engineered or orchestrated" police FIRs.

The ED and its Deputy Director Robin Bansal have filed a plea seeking a CBI probe into the incident.

Senior advocate Kapil Sibal, for the State, argued that the Centre, and not the ED, ought to have approached the Supreme Court against the State by filing an original suit under Article 131. Mr. Mehta said a Centre versus State dispute did not arise here, adding that an Article 131 suit was filed only if the dispute was of a federal nature.

"This is a law and order issue. The president of the ruling party, who is also the highest executive of the State, along with officials who happen to draw their salaries from the Centre are on one side here... Besides, State governments, including West Bengal and Tamil Nadu (in the Governor case), have repeatedly approached the Supreme Court under Article 32, and been entertained by this court," Mr. Mehta said.

Static Linkages

- Article 32 described as "heart and soul" of the Constitution by B. R. Ambedkar.
- Rule of Law concept given by A. V. Dicey (equality before law, supremacy of law).
- S. R. Bommai v. Union of India:
 - Limited misuse of Article 356; introduced judicial review of President's Rule.
- Indian federalism described as quasi-federal with unitary bias (as per constitutional design).

Critical Analysis

Key Issues

- Increasing conflicts between central agencies (ED/CBI) and State governments.
- Ambiguity between fundamental rights enforcement vs federal disputes.
- Potential politicisation of investigative agencies.

Constitutional Concerns

- Possible over-expansion of Article 32 jurisdiction.
- Risk of indirectly invoking Article 356 narrative.
- Weakening of cooperative federalism.

Positive Dimensions

- Judiciary acting as a neutral constitutional arbiter.
- Reinforces rule of law as part of Article 14 and basic structure.
- Ensures accountability of executive agencies.

Way Forward

- Clearly define jurisdictional boundaries between Article 32 and Article 131.
- Strengthen institutional autonomy and accountability of agencies like ED and CBI.
- Promote cooperative federalism mechanisms (e.g., Inter-State Council).
- Develop standard operating procedures (SOPs) for Centre-State coordination in investigations.
- Enhance judicial oversight and transparency in inter-governmental conflicts.

KEY HIGHLIGHTS

Context of the News

- The Supreme Court of India raised concerns over submissions made by the Directorate of Enforcement (ED) regarding alleged obstruction by the West Bengal government during a raid in a coal smuggling case.
- The Court questioned whether ED's arguments indirectly suggest a "breakdown of constitutional machinery" (linked to Article 356).
- ED approached the Court under Article 32, claiming violation of fundamental rights of its officials.
- The State argued the issue should fall under Article 131 jurisdiction.

Key Points

- Article 32:
 - Provides the right to directly approach the Supreme Court for enforcement of Fundamental Rights.
- Article 14:
 - Ensures equality before law; includes the rule of law doctrine.
- Article 131:
 - Deals with disputes between Centre and States or among States (federal disputes).
- Article 356:
 - Imposition of President's Rule upon failure of constitutional machinery in a State.
- Core Legal Issue:
 - Whether the case concerns individual rights (Article 32) or a federal dispute (Article 131).
- Judicial Concern:
 - Avoiding indirect invocation of Article 356 through litigation narratives.

Lebanon yearns for peace and deliverance

The high octane din of the ongoing Operation Epic Fury against Iran, which began on February 28, 2026, has largely subsumed an equally ferocious war being waged simultaneously in Lebanon. While this fracas between the Israeli Defense Forces (IDF) and Lebanon's Hezbollah militia has some linkages to the Iranian imbroglio, it would be simplistic to regard it as a mere sidebar of the latter. The Lebanon conflict predates the formation of the Islamic Republic of Iran in 1979 and has its own background, drivers and ramifications.



Mahesh Sachdev

Retired Indian Ambassador with an interest in West Asia and oil matters

A battleground
Indeed, for much of its 83 years as an independent nation, Lebanon, with a current population of five million, has been used as a springboard for foreign causes against Israel, with which it shares a 79-km land border. Following the creation of Israel in 1948, nearly 1,00,000 Palestinians took refuge in Lebanon. They eventually led to the establishment of the Palestine Liberation Organisation (PLO), based in Beirut, forming a state within the Lebanese state. The PLO, under its Chairman Yasser Arafat, conducted guerrilla activities against Israel, provoking Israeli wrath against Lebanon's civil war broke out in Lebanon in 1975, pushing ethnic identities over nationalism. The PLO joined the conflict. In 1982 the IDF invaded Lebanon to expel it, causing the PLO to relocate to Tunisia. However, most Palestinian residents remained in Lebanon and are now estimated at around 5,00,000, roughly one-tenth of the population. Syria, a neighbouring big brother under the al-Assad regime, also intervened in the civil war, maintaining a so-called "deterrent force" ostensibly to maintain order.

Lebanon's relief at the PLO's exit was short-lived. Revolutionary Iran soon waded in to seed the Hezbollah militia to collectivise and militarise the country's Shia, but poorer, Shia population in the southern areas bordering Israel. Over the next few decades, Iran invested billions of dollars into bankrolling Hezbollah, transforming it into Lebanon's most powerful militia, a Shia welfare organisation, and a key pillar of Iran's "Axis of Resistance". Through guerrilla tactics, Hezbollah fighters inflicted steady losses on the IDF, evicting it from the buffer zone in southern Lebanon in 2000. Subsequently, in 2006, Hezbollah fought off the IDF in a month-long conflict. This "success" prompted the militia's conversion into a regular proto-army with a fortified Israeli border with sizeable missile and drone capabilities.

Following the Hamas attack on Israel on October 7, 2023, Hezbollah joined the battle against the IDF. In the autumn of 2024, Israel leveraged its deep intelligence penetration to devastating effect: decapitating Hezbollah hierarchy, including its long time leader, Syed Hassan Nasrallah, and several regional commanders. In a dramatic manner, Israel simultaneously exploded a large number of

pages and walkie-talkies to kill, maim, and demoralise hundreds of Hezbollah fighters. Hezbollah kept a steady barrage of missile and drone attacks, forcing many Israeli citizens to relocate from northern Israel. However, by the air of the ceasefire in October 2024, Hezbollah had been reduced to a pale shadow of its former self. The fall of the al-Assad regime in Syria, which acted as a land bridge with Iran, was a serious setback. Although Hezbollah conspicuously stayed out of Iran's 12-day war with Israel and the United States in June 2025, the degradation of Iranian defence capabilities impacted it. Within Lebanon, too, its political fortunes suffered, and the country was able to elect a Hezbollah-agnostic President and Prime Minister after a long hiatus. Under the new domestic political order, calls for disarming Hezbollah became more strident as the militia was seen more as the cause of the insecurity than as a self-proclaimed deterrent against Israel.

Conflict and engagement
Against this somber backdrop, Israel and the U.S. suddenly launched a joint air campaign against Iran on February 28, 2026, assassinating Iran's Supreme Leader Ayatollah Ali Khamenei in its first salvo. This shocked Hezbollah into attacking Israel with artillery, drones and missiles across the common border, breaking the 15-month ceasefire. The IDF responded in kind with intense air attacks on Hezbollah assets. Both sides internalised the lessons of the last round: Hezbollah used the interregnum to recoup its losses and make operational changes to avoid intelligence leakages. It revived guerrilla tactics, conserving its assets for a long war of attrition. It adopted a decentralised command structure and toned down its political rhetoric. The IDF initially avoided infantry engagements, deploying more armour and airpower.

After an Iranian ceasefire was announced on April 8, Tehran demanded that Lebanon be brought under its ambit. To the contrary, IDF intensified its attacks on Hezbollah, launching "100 air strikes in 10 minutes" and demolishing buildings without prior notice. The IDF depopulated much of the south to create, once again, a buffer zone south of the Litani river. After nine days of ferocious war, U.S. President Donald Trump declared a ceasefire on April 17. The announcement was preceded by a preliminary meeting on April 14 between the Israeli and Lebanese ambassadors in Washington, facilitated by U.S. Secretary of State Marco Rubio. This engagement was noteworthy for many reasons. It was the first contact since the abortive Madrid process in the mid-1990s between the two states formally still at war. The meeting took place despite Hezbollah's stiff opposition and Iranian insistence on the matter being put under Iran-U.S. ceasefire negotiations. There was considerable opposition within Israel to the ceasefire from hardliners who wanted Hezbollah defanged. In the end, the interests of both the Israeli and Lebanese governments overlapped in

hiving off the Iranian connection to Hezbollah. The second round of bilateral talks is scheduled to take place in Washington on April 22, amid sporadic violations of the ceasefire. The second round of Iran-U.S. negotiations in Islamabad, Pakistan, remains stalled.

This Washington process also faces considerable challenges. First, the respective objectives of the stakeholders differ: Beirut wants a permanent ceasefire, an IDF withdrawal to the international border supervised by the United Nations peacekeepers and avoidance of any new civil war, as the Lebanese armed forces are too weak to take on Hezbollah. Jerusalem's priority is just the opposite: to disarm Hezbollah even if it triggers a Lebanese civil war. On the other hand, Mr. Trump can hardly wait to conclude these negotiations to his list of peace deal trophies; he may eventually wish to include Lebanon among the Abraham Accord signatories. As Hezbollah is inherently unwilling to disarm, citing an existential threat from Israel, any reckless move in that direction could precipitate a civil war in a country still deeply fragmented along confessional/ethnic lines. This sensitive issue needs discreet handling, with Hezbollah being offered some assurances to persuade it to disarm.

Besides, Lebanon, still recovering from the civil war (1975-1990), has faced two devastating conflicts with Israel in the past two years, which have left 5,282 people dead, displaced 1.2 million, and caused financial losses of \$8.5 billion. By early 2026, 35% of Lebanese were living below the national poverty line.

Hope amid prolonged crisis
Lebanon today is a cautionary tale of nearly half a century of accumulated crises, which its ossified nomenclature swept under the carpet. An early resolution of the Lebanese imbroglio is as elusive as it is important for the country, the entire region and beyond. More Lebanese live outside Lebanon than in the country itself. Further, Lebanon is the only Arab country with a significant proportion of Christians. In the past, tensions between various confessions have sapped in their co-religionist foreign backers, exacerbating the problems. The converse is also true: Lebanese militias have often meddled abroad. Hezbollah, for instance, acted as a protector of Syria's al-Assad regime and stirred the Shias in the Gulf states and supported al-Houthis in Yemen. At its best, a multi-ethnic Lebanon was a model state with a tolerant, productive and prosperous society that Indians related to. It was a civilisational bridge between Christian Europe and Muslim Arabs. It enriched the world beyond its microcosm – from philosopher Khalil Gibran to thinker Kamal Jumbalati and from historian Philip Hitti to Arabic singer Fairuz. The past half-century has tormented Lebanon with fratricidal civil wars overlaid with foreign causes. The current ceasefire and talks offer a silver of hope that this fix has finally been broken and the country can cautiously move towards normalcy.

Despite a tenuous ceasefire, Lebanon remains fragile: the scheduled second round of talks with Israel in Washington offers a sliver of hope

KEY HIGHLIGHTS

Context of the News

- Israel and the U.S. launched Operation Epic Fury (Feb 28, 2026) targeting Iran.
- Hezbollah (Lebanon-based militia) resumed attacks on Israel, breaking a 15-month ceasefire.
- Israel conducted heavy airstrikes; conflict lasted briefly before ceasefire on April 17, 2026.
- Rare diplomatic talks between Israel and Lebanon held in Washington.

Key Points

- Hezbollah
 - Shia militant group backed by Iran
 - Part of "Axis of Resistance" (Iran-led)
 - Possesses missiles, drones; acts as a non-state actor
- Lebanon
 - History of civil war (1975–1990)
 - Confessional political system
 - Weak military; cannot fully control Hezbollah
- Recent Developments
 - Israel weakened Hezbollah leadership (2024)
 - Fall of Syrian regime weakened Iran–Hezbollah link
 - Renewed conflict tied to Iran–Israel tensions

- Humanitarian Impact
 - ~5,282 deaths; 1.2 million displaced
 - \$8.5 billion losses
 - ~35% population below poverty line (2026)
- Strategic Issues
 - Israel wants disarmament of Hezbollah
 - Lebanon seeks ceasefire and stability
 - Risk of civil war due to sectarian divisions

Static Linkages

- Non-state actors and proxy warfare
- UN Peacekeeping Missions (UNIFIL)
- Sectarian conflict and ethnic politics
- Refugee crisis (Palestinian refugees in Lebanon)
- Balance of power in West Asia

Critical Analysis

Pros

- Ceasefire reduces immediate escalation
- Diplomatic engagement opens negotiation channels
- Weakening of Hezbollah reduces militant threat

Cons

- Disarmament may trigger civil war
- Lebanon's weak state capacity
- External interference (Iran, Israel, U.S.)
- Humanitarian and economic crisis

Way Forward

- Negotiated settlement with security guarantees
- Strengthening Lebanese state institutions
- UN-led monitoring and peacekeeping
- Economic reconstruction support
- Inclusive political dialogue to manage sectarian tensions

Scaling climate adaptation from policy to grassroots

India is the ninth most climate-vulnerable country globally, with 430 extreme weather events recorded between 1995 and 2024, causing losses of \$170 billion and impacting 1.3 billion people. India's Nationally Determined Contributions (NDCs) for 2031-35 acknowledge these risks and emphasise the mainstreaming of climate resilience and adaptation into the country's development strategy.

The updated NDCs strengthen adaptation across coastal resilience, infrastructure, disaster preparedness, heat mitigation, biodiversity conservation and sustainable livelihoods. This aligns with global commitments to triple adaptation finance by 2035 and the adoption of Belem Adaptation Indicators at COP30. However, achieving these goals will require sustained financing and institutionalising adaptation from national to the grass-root levels.

Among key adaptation efforts, the Indian Council of Agricultural Research (ICAR)'s National Innovations in Climate Resilient Agriculture (NICRA) pilot spans 448 villages across 151 climate-vulnerable hotspots and maps risks in 651 districts, focusing on climate-smart agriculture and farmer capacity-building.

A model to watch

India's Economic Survey for 2025-26 recognises Tamil Nadu's Climate Resilient Villages (CRV) programme as a good practice. Under the Tamil Nadu Climate Change Mission (TNCCM), with support from the World Resources Institute (WRI) India, the CRV takes a holistic approach across 11 vulnerable districts, in consultation with local communities and administration. Interventions span water management, flood/drought mitigation, waste management, renewable energy, biodiversity conservation, alternate livelihoods and climate information.

Scaling up such models can help build adaptive capacity throughout the country. However, India's efforts towards adaptation have been scattered which makes financing these



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Adaptation can be advanced through coordinated governance, finance and local efforts

efforts difficult. While India's Economic Survey 2025-26 estimates adaptation and resilience spending at 5.6% of GDP in FY22, the Union Budget 2026-27 remains skewed toward mitigation.

Financing adaptation action

Developing countries face an annual financing gap of \$284-\$339 billion through 2035, as per the United Nations Environment Programme's (UNEP) Adaptation Gap Report, 2025. As India looks to sharpen its adaptation focus, domestic resource mobilisation will be key – requiring a clear typology for adaptation finance (which is prioritisation of sectors and assessment of the resources required for each vulnerable sector). However, India's Draft Framework of Climate Finance Taxonomy (2025) remains largely mitigation-focused and looks at emission avoidance, emission intensity reduction (with possible adaptation co-benefits) and activities supporting transition in hard-to-abate sectors.

It is vital to quantify adaptation benefits such as avoidable losses and socio-economic and environmental benefits including mitigation co-benefits. A WRI study estimates a ten-fold return on adaptation investment, making a case for leveraging private and international investment towards adaptation. Adaptation facilities at the state-level can help identify bankable adaptation projects that map benefits and widen the resource base.

Additionally, domestic public finance should be streamlined by tracking adaptation activities within State budgets, following which the Ministry of Finance can mandate climate budgeting through State Finance Departments. This can be integrated within annual budgetary planning processes through a budget circular. Such a mandate must incorporate timeframes for prioritisation of adaptation action with a monitoring framework. This should be complemented with cross-department consultative approaches and capacity building at

nodal departmental levels. NDCs are expected to be operationalised through a National Adaptation Plan, national missions and State Action Plans on Climate Change (SAPCCs). While most States drafted an initial SAPCC, only a few States submitted revisions in tune with NDC updates until 2030. Institutionalising planning requires regular climate vulnerability assessments at the State, district, and block levels, integrating socio-economic and livelihood factors. This calls for robust methodologies, updated data, capacity-building, and standardised monitoring, with periodic reviews and continuous data collection.

Adaptation strategies should ideally go beyond resilient infrastructure to encompass skill development, alternative livelihoods and guidelines for rehabilitation of affected populations. This can be done by leveraging existing State and district climate change cells or setting up new functional cells with a dedicated workforce. Clear reporting channels can further support cross-learning and timely interventions.

Facilitating locally led adaptation

Institutional mechanisms should extend to the level of urban local bodies and panchayati raj institutions to scale adaptation action. Locally Led Adaptation (LLA) was stressed at COP30. Co-developing resilience planning with communities – from planning and implementation to management, ownership, and leadership of needs-based interventions – is central to people-centric climate action. Applying place-based and context-specific approaches, such as extending the CRV initiative to different geographies, not only helps raise climate awareness but also enables communities to be a part of decision-making processes.

Preparedness for future climate impacts requires capacity-building and behavioural change across multiple levels. A whole-of-systems approach to adaptation is needed, where national commitments are met through grassroots action.

- Climate Finance Taxonomy (2025) mitigation-centric
- Weak SAPCC updates and monitoring
- Limited local-level capacity

Static Linkages

- Adaptation vs Mitigation (Climate Change basics)
- Disaster Management Act, 2005
- SDG 13 (Climate Action)
- Panchayati Raj Institutions – decentralised planning
- Fiscal federalism and budgetary processes
- Climate finance & resilience concepts

Critical Analysis

Pros

- Integration of adaptation in NDCs strengthens long-term resilience
- CRV model shows scalable, community-based approach
- High economic returns on adaptation investment

Cons

- Fragmented policies and lack of coordination
- Inadequate adaptation finance tracking
- Budget prioritises mitigation over adaptation
- Weak institutional capacity at grassroots

Challenges

- Financing gap
- Lack of standardised metrics for adaptation
- Limited private sector participation
- Poor data and monitoring systems

Way Forward

- Formulate National Adaptation Plan
- Develop clear adaptation finance taxonomy
- Institutionalise climate budgeting
- Scale successful state models (e.g., CRV)
- Strengthen PRI/ULB role in adaptation
- Improve climate data, monitoring, and capacity-building
- Promote locally led adaptation strategies

KEY HIGHLIGHTS

Context of the News

- India ranks among the most climate-vulnerable countries globally with rising frequency of extreme weather events.
- 430 extreme events (1995–2024) caused ~\$170 billion losses and affected ~1.3 billion people.
- Updated NDCs (2031–35) emphasise mainstreaming climate adaptation into development planning.
- Global push (COP process) towards scaling adaptation finance and locally led adaptation.

Key Points

- Priority adaptation sectors:
 - Coastal resilience, infrastructure, disaster preparedness
 - Heat mitigation, biodiversity conservation, livelihoods
- Agriculture:
 - NICRA covers 448 villages, 151 climate hotspots
 - Climate risk mapping in 651 districts
- Best practice:
 - Tamil Nadu Climate Resilient Villages (CRV) model
 - Focus: water, energy, livelihoods, local participation
- Finance:
 - Global adaptation gap: \$284–339 billion/year
 - India's adaptation spending: ~5.6% of GDP (FY22)
 - Budget skewed towards mitigation
- Institutional issues:

High Heat

India must address the underlying vulnerability to hot weather

India's summers are known to be hot, but this year the high heat has arrived noticeably early. The India Meteorological Department has sounded heat alerts in central and south India, including in Vidarbha, Chhattisgarh, Odisha, Telangana and Kerala. Parts of Andhra Pradesh and Gujarat have also scaled the 40°C mark, with Tamil Nadu and Karnataka not far behind. Local conditions in coastal areas, in particular, could be worse due to humidity and the urban heat island effect. Warmer nights also delay physiological recovery, increasing the local health-care burden. Such temperatures are usually encountered in May-June but have become apparent in April. While pre-monsoon heatwaves are common in India, they are becoming larger and more intense. This year, a lack of western disturbances and thunderstorms, along with lower convective activity, has also done away with natural cooling, with residual effects of the previous El Niño adding to the heat. Persistently high heat is linked to a significantly higher risk of death from cardiovascular causes. Some 247 billion work-hours were lost in 2024 to heat, according to *The Lancet Countdown Global Report*, with workers in construction and agriculture the most affected. Heat stress is an ongoing concern for farmers during the *rabi* harvest. Hot weather accelerates crop maturity, threatening food security and feeding inflationary pressure.

Experts have complained that most heat action plans (HAPs) – India's primary institutional response to heat – focus on emergency response and lack funds for structural interventions such as urban re-greening and mandatory heat-safety legislation for workers in the informal sector. They have thus failed to address underlying vulnerabilities. On April 23, in the Tamil Nadu and West Bengal polls, and Gujarat and Maharashtra by-elections, lakhs of electors had to brave the heat. Concerns about voter turnout in the heat prompted the Election Commission of India to keep polling booths open longer during the 2024 general election; such reactive measures alone will not suffice this year. If warming continues along current trajectories, more than a few parts of India will begin approaching human survivability limits. HAPs desperately need sufficient, long-term funding while public systems must roll out mobile health units and doorstep delivery of essential services during peak heat to reduce the income penalties that deter access. Colombia has convened a coalition of roughly 50 countries to explore a faster transition away from fossil fuels in a parallel 'climate conference'. India should join it, not least because of the greater access to climate adaptation finance it could afford.

KEY HIGHLIGHTS

Context of the News

- Early onset of heatwaves in April across India, with temperatures crossing 40°C in multiple regions.
- India Meteorological Department issued heatwave alerts for central, southern, and western India.
- Heatwaves, typically observed in May–June, are now occurring earlier and with higher intensity.
- Contributing factors:
 - Weak western disturbances
 - Reduced pre-monsoon thunderstorms
 - Residual impact of El Niño
- Rising night-time temperatures and urban heat island effect aggravating health stress.

Key Points

- Heatwaves increasing due to anthropogenic climate change (IPCC findings).
- IMD criteria: Heatwave declared based on temperature thresholds and deviation from normal.
- Health impacts: Increased risk of heatstroke, dehydration, cardiovascular mortality.
- Economic impact:
 - According to *The Lancet Countdown*, 247 billion work-hours lost globally (2024) due to heat stress.

- Agricultural impact:
 - Accelerated crop maturity → lower yields (*rabi* crops)
 - Implications for food security and inflation
- Governance issues:
 - Heat Action Plans (HAPs) remain reactive and underfunded
 - Lack of worker protection in informal sector
- Electoral dimension: Heat affects turnout; adaptations by Election Commission of India

Static Linkages

- IMD classification of heatwaves based on plains, coastal, and hilly regions criteria.
- Urban Heat Island Effect: Higher temperatures in urban areas due to concrete surfaces and reduced vegetation.
- ENSO (El Niño Southern Oscillation) influences Indian monsoon variability.
- Article 21: Right to life includes protection from environmental hazards.
- Disaster Management Act, 2005: Framework for disaster preparedness and mitigation.
- NAPCC (National Action Plan on Climate Change): Includes adaptation strategies.
- Economic Survey: Highlights climate risks to agriculture and labour productivity.

Critical Analysis

- Strengths:
 - Expansion of Heat Action Plans
 - Improved early warning systems
- Weaknesses:
 - Lack of legal backing and funding
 - Focus on short-term response rather than long-term adaptation
 - No enforceable heat safety norms for workers
- Challenges:
 - Urbanization increasing heat vulnerability
 - Informal workforce exposure
 - Fiscal constraints for adaptation

Way Forward

- Provide statutory backing and funding to Heat Action Plans
- Introduce heat safety standards for workers
- Promote urban greening, cool roofs, reflective materials
- Strengthen climate-resilient agriculture practices
- Expand public health outreach (mobile units, early warnings)
- Integrate heat mitigation into urban planning and Smart Cities Mission
- Enhance access to global climate adaptation finance

India's Goldilocks moment is over, macro situation will worsen

THE INDIAN economy was in a so-called Goldilocks situation until a few months ago. GDP growth was estimated at a healthy 7.6 per cent in 2025-26, inflation was benign, averaging around 2 per cent, the current account deficit was estimated at roughly 1 per cent of GDP and the Centre was following fiscal consolidation. The West Asia crisis and the subsequent sharp rise in energy prices and disruption in energy supply chains has flipped the situation for the Indian economy. Given India's high energy import dependence, the economy will be impacted through multiple channels including growth, inflation, the balance of payments and government finances.

While there is no clear signal around resolution of the crisis, the supply damage and lingering uncertainty are likely to keep global crude oil prices high at around \$85-90/bbl in 2026-27. With high prices and disruption of the global energy supply chain, we expect India's GDP growth to slip to around 6.7 per cent this year, compared to our pre-conflict projection of 7.2 per cent. Unfortunately, there are also chances of El Niño, and a weaker monsoon could also hurt the domestic demand outlook.

Even while crude oil prices have risen by 40 per cent since the beginning of the conflict, households have been shielded from any rise in the retail prices of petrol and diesel. The government has cut the excise duty on petrol and diesel to cushion the impact of higher crude prices. However, with global

prices likely to remain elevated, there will be some pass-through to the consumers. There will also be a second-round impact on inflation through higher raw material prices for many industries. CPI inflation is likely to average 4.6 per cent this year as against our pre-conflict projection of 4.3 per cent. And if there is a poor monsoon season, there will be upward pressure on food prices.

The hit on GDP growth may not be very grave as the economy continues to benefit from lower interest rates, easing GST, a broad momentum in domestic demand and healthy services export. The inflationary impact will also be relatively subdued as the burden of high global oil prices is likely to be shared between the government, oil marketing companies and households.

However, there are serious concerns around India's balance of payments, which is going to be hit hard by a widening current account deficit and dwindling capital flows. With India importing 88 per cent of its oil requirement (51 per cent of it from West Asia), and the share of goods exports to West Asia being 15 per cent and remittances from the region 38 per cent of the total, this crisis will have severe repercussions for India's current account balance. We expect India's current account deficit to widen to 2.1 per cent of GDP in 2026-27, as against our pre-conflict projection of around 1 per cent.

As far as capital flows are concerned, there were steep FPI outflows of \$14 billion in March, taking



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total outflows in 2025-26 to \$17 billion. In previous stress periods such as the global financial crisis, the taper tantrum, the pandemic, and the Russia-Ukraine conflict, pressure on the capital account was largely characterised by sharp FPI outflows, while FDI inflows remained comparatively resilient.

Unfortunately, this time, net FDI flows are also very weak. India's net FDI flows (gross investment less repatriation and outwards FDI) were at just \$1.7 billion in April-January 2025-26, following a subdued inflow of \$1 billion in 2024-25. While gross FDI inflows have been healthy, a sharp rise in repatriation of profits by foreign investors and high outward FDI by Indian investors have resulted in muted net FDI flows. Other components of the capital account like external commercial borrowing have also been weak. This has resulted in the total capital account balance in the first three quarters of 2025-26 being close to zero, and is likely to take India's balance of payments into negative territory. This will have implications for the Indian currency, which has already weakened sharply over the past year. India has large forex reserves of around \$700 billion. However, adjusting for gold holdings and SDRs, it falls to about \$570 billion, and after adjusting for the RBI's forward position, the number falls to just below \$500 billion. So far, it is still comfortable, providing more than eight months of import cover.

The West Asia crisis will also result in increased fiscal burden. The

cut in excise duty on petrol and diesel will result in a revenue loss for the Centre. Moreover, there will be upward pressure on the fertiliser subsidy given the sharp rise in LNG prices. In fact, there could also be some pressure on the government's other tax revenues, as the growth momentum slows. Overall, we feel that the fiscal burden of the West Asia crisis on the Centre could be around 0.5 per cent of GDP. The uncertain environment will also make it difficult for the Centre to meet its disinvestment target. All this could disturb its fiscal consolidation path. State governments' finances were already under pressure with rising expenditure towards election-related doles and cash transfers; the crisis could put further strain on their finances. As the Centre and states struggle to meet their deficit targets, capital expenditure could come under pressure.

The West Asia crisis has hit India at a time when the country was relatively better placed in terms of macro fundamentals. The government and central bank have announced some measures to shield the economy in the short run. But, for the medium to long term, this crisis has highlighted the urgent need for India to strengthen its energy security. The events of the last few years have emphasised the need to build broader resilience to all kinds of global supply disruptions. India also needs to ensure that capital flows are stable. This requires making the country an attractive investment destination.

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The fiscal burden of the West Asia crisis on the Centre could be around 0.5 per cent of GDP. The uncertain environment will also make it difficult for the Centre to meet its disinvestment target

KEY HIGHLIGHTS

Context of the News

- West Asia conflict has triggered a sharp rise in global crude oil prices and supply disruptions.
- India, with ~88% crude import dependence and ~51% sourcing from West Asia, faces significant external vulnerability.
- Earlier macroeconomic stability (high growth, low inflation, controlled deficits) is now under stress.

Key Points

- GDP growth revised downward to ~6.7% (earlier ~7.2%).
- CPI inflation projected ~4.6% due to fuel and supply-side pressures.
- Crude prices increased ~40%; expected to remain ~\$85-90/barrel.
- CAD likely to widen to ~2.1% of GDP.
- FPI outflows (~\$17 billion) and weak net FDI flows (~\$1.7 billion).
- Forex reserves adequate (~\$700 billion; effective lower after adjustments).
- Fiscal burden estimated ~0.5% of GDP due to excise cuts and subsidies.
- High exposure via exports (15%) and remittances (38%) to West Asia.

Static Linkages

- Balance of Payments: Current Account (trade deficit) + Capital Account (FPI/FDI flows)
- Inflation: Cost-push inflation due to imported commodities
- Fiscal Deficit: Impact of subsidies and tax cuts
- Energy Security: Strategic petroleum reserves, diversification
- Exchange Rate: Depreciation pressure due to CAD widening
- Twin Deficit Hypothesis (Fiscal deficit ↔ CAD)

Critical Analysis

- Growth slowdown due to external shocks and weak demand
- Inflationary pressures via fuel and food (possible El Niño impact)
- CAD widening → currency depreciation risk
- Weak capital inflows → BoP vulnerability
- Fiscal strain → reduced capital expenditure risk
- Structural issue: high import dependence on energy

Way Forward

- Diversify energy sources and import partners
- Scale up renewable energy and green hydrogen
- Strengthen forex buffers and external sector resilience
- Attract stable FDI through structural reforms
- Rationalize subsidies while protecting vulnerable sections
- Boost exports to counter CAD pressures

Missing piece in pay reform: System to gauge performance



K.M.
CHANDRASEKHAR

IN RECENT months, global headlines have been dominated by the erratic manoeuvres of US President Donald Trump. Not to be outdone in generating friction, the Election Commission of India embarked on a contentious path with the SIR. This was swiftly followed by a government attempt to navigate the controversial waters of delimitation, curiously tethered to the issue of women's reservation.

These spectacles have diverted public attention from a critical ongoing administrative exercise: The Eighth Central Pay Commission. The executive order constituting this commission mandates that the body harmonise pay increases with the imperatives of fiscal prudence and developmental necessity. It is evident that the government is seeking "value for money" in its personnel expenditure. The commission is tasked not only with recalibrating the pay matrix but also with ensuring that the resulting structural analyses develop without placing an unsustainable strain on the exchequer. In this context, value for money is synonymous with performance-linked pay (PLP).

This is hardly a novel concept. The philosophy of performance-based remuneration has been a recurring theme in the recommendations of successive pay commissions since 1986. The Sixth Pay Commission formally introduced the Performance Related Incentive Scheme (PRIS), which allows departments to reward employees using budgetary savings. However, this initiative was effectively implemented only within the Department of Atomic Energy and the Department of Space.

The fundamental challenge remains: Performance-linked remuneration is only viable if performance itself can be accurately measured. Between 2007 and 2011, the government devised a sophisticated measurement framework, the "Results Framework Document (RFD)", which languished and eventually disappeared. The Seventh Pay Commission again advocated for performance-related pay. It recommended reviving the RFD to quantify output and suggested a reformed approach to Annual Performance Appraisal Reports (APARs). These recommendations also failed to gain traction.

While the government clearly desires a more dynamic administration, it has frequently misdiagnosed the cause of systemic sluggishness. By placing the blame on individual officials, successive administrations have experimented with the lateral entry of

corporate professionals or seconding government officers to private entities. One of the most notable beneficiaries of this arrangement was IL&FS — now a cautionary tale in the corporate annals.

These experiments often fail to recognise that the primary bottleneck is not the calibre of the officers but the rigidity of the system. They also overlook a crucial distinction: While corporate objectives are neatly defined by profitability and shareholder value, the functions of government are multifaceted, and its objectives are manifold. These goals shift as governments and ministers change.

The Results Framework Document, modelled on the Memoranda of Understanding of the "New Public Management" systems adopted by the Margaret Thatcher government in Britain and later refined in Australia and New Zealand, represents perhaps the only genuine attempt to measure the performance of officials in India. Its strength lay in its ability to cascade objectives down to the lowest administrative levels, allowing for multi-tiered accountability.

Admittedly, the RFD was not a perfect instrument. It suffered from a lack of political ownership, insufficient guidance for implementing officers, and a disconnect from both the budgetary process and actual remuneration. However, any nascent system requires iterative refinement. That rebuilding never took place, but the Eighth Pay Commission's mandate is unambiguous: The government expects a roadmap that delivers developmental value at a sustainable cost to the state.

The Seventh Pay Commission established a matrix comprising 18 "levels" (pay grades) and 40 "cells" (representing annual increments). To integrate performance metrics into this structure, the Eighth Pay Commission could propose a system where high achievers — validated by an RFD-style measurement or a similarly rigorous metric — are accelerated to higher "cells" within their level. By reducing the number of cells an exceptional individual must navigate, they would reach the ceiling of their grade faster, thereby qualifying for earlier promotion. Given that generic recommendations have historically been ignored, it would be prudent for the Eighth Pay Commission to move beyond platitudes and design a concrete, functional system that directly fulfils its terms of reference.

The writer is former cabinet secretary and author of As Good as My Word: A Memoir

The Eighth Pay Commission's mandate is unambiguous:

The government expects a roadmap that delivers developmental value at a sustainable cost to the state

KEY HIGHLIGHTS

Context of the News

- The Union Government has constituted the Eighth Central Pay Commission (CPC) to revise salaries, pensions, and allowances of central government employees.
- The Terms of Reference emphasise fiscal prudence and aligning pay revisions with developmental needs.
- Renewed focus on Performance-Linked Pay (PLP) as a mechanism to ensure efficiency in public expenditure.
- Past mechanisms like Performance Related Incentive Scheme (PRIS) and Results Framework Document (RFD) failed due to weak implementation.

Key Points

- Pay Commissions are executive bodies constituted periodically (~10 years).
- Seventh CPC (2016) introduced:
 - Pay Matrix: 18 levels, 40 cells
 - Replacement of Grade Pay system
- PLP Concept:
 - Links salary increments with measurable performance
 - Aims at "value for money" in government spending
- PRIS (6th CPC):
 - Incentives from departmental savings
 - Limited success (Atomic Energy, Space)

- RFD Framework (2007–11):
 - Performance evaluation tool with measurable targets
 - Discontinued due to lack of political ownership
- Core Issue:
 - Difficulty in quantifying administrative performance

Static Linkages

- FRBM Act, 2003 → Fiscal discipline
- Finance Commission (Art. 280) vs Pay Commission (Executive body)
- New Public Management (NPM) → Output-based governance
- Outcome Budgeting (2005-06)
- Annual Performance Appraisal Report (APAR)
- Second ARC → Civil services reforms

Critical Analysis

Advantages

- Enhances efficiency and accountability
- Promotes merit-based progression
- Improves public service delivery

Issues

- Lack of objective performance indicators
- Risk of subjectivity in evaluation
- Government roles are multi-dimensional, unlike private sector
- Past failures indicate implementation deficit

Challenges

- Weak institutional framework
- Resistance within bureaucracy
- Disconnect between performance and budgeting

Way Forward

- Revive RFD with institutional backing
- Integrate performance with pay matrix progression
- Develop objective KPIs using technology
- Pilot PLP before full implementation
- Strengthen linkage between APAR, promotions, incentives
- Ensure balance between equity and efficiency

Malegaon terror justice: System that keeps failing

THE DISCHARGE of the last four accused in the 2006 Malegaon blasts case by the Bombay High Court is a scathing indictment of a broken process. Nearly two decades after four blasts killed 31 people and injured over 300, it is clear that investigative agencies, state and central, — the Maharashtra Anti-Terrorism Squad (ATS), CBI and NIA — have failed to deliver justice or to provide even a modicum of closure to the families of the victims. Manohar Narwaria, Rajendra Chaudhary, Dhan Singh and Lokesh Sharma are not the only accused to be let off in a case in which members of Hindu extremist groups were under the investigative scanner. Last year, former BJP MP Pragna Singh Thakur and Lt Col (now Brigadier) Prasad Purohit were among the seven acquitted by an NIA court in the 2008 Malegaon blast case. That was the result of an absence of credible, admissible evidence. In the background of the investigative and prosecutory failures is something more disturbing: That the political will to back the prosecution of a terrorism case appears to depend on who is in power, and the identity of the victims and alleged perpetrators.

The Malegaon blasts cases were a test for whether the system can deliver when political pressure mounts. The ATS had initially accused nine Muslim men, two of whom were also linked to the Mumbai train bombings of 2006 — the accused in the latter were also acquitted. The investigative lapses ranged from lack of evidence and coerced confessions to torture. The case was later transferred to the CBI, which maintained that it did not have the wrong men. In 2013, the NIA chargesheeted a different set of people, including the four accused discharged this week. In the 2008 Malegaon case, the initial probe was led by ATS Chief Hemant Karkare, who was killed during the Mumbai terror attacks. The ATS chargesheet was filed after an investigation that included wire taps, witness statements and videos of the conspiracy. Yet, this was ruled inadmissible because the agency did not fulfil the legal requirement to have electronic evidence verified.

In case after case involving terrorist acts — two in Malegaon, the Mumbai train blasts, the 2002 Akshardham attack — the prosecution has failed to prove its burden. This is despite the advantage of stringent anti-terror laws, and the resources of the government. The conversation around the Malegaon cases was tainted by politics, religion and the politics of religion from the very beginning. There is no excuse for the lapses from what are meant to be apolitical instruments of the law. The agencies involved in investigating and prosecuting terror, whose failures have been decades in the making, must introspect — and be held accountable. A strong appeal against the discharge is the first step.

KEY HIGHLIGHTS

Context of the News

- A special court discharged four accused in the 2006 Malegaon blast case after nearly two decades of investigation and trial.
- The case involved multiple agencies — Maharashtra Anti-Terrorism Squad, Central Bureau of Investigation, and National Investigation Agency — but failed to secure convictions due to lack of admissible evidence.
- Earlier acquittals in the 2008 Malegaon blast case and other terror cases indicate systemic issues in investigation and prosecution.

Key Points

- Failure of investigation: Poor evidence collection, improper procedures, weak forensic backing.
- Admissibility issues: Non-compliance with Section 65B (electronic evidence) led to rejection in court.
- Shifting investigation narratives: Different agencies naming different accused → credibility deficit.
- Violation of due process: Allegations of coerced confessions and wrongful arrests.
- Low conviction rate in terror cases despite stringent laws (UAPA).
- Delay in justice delivery: ~20 years undermines rule of law.
- Institutional concerns: Perceived politicisation and lack of accountability.

Static Linkages

- Article 14 – Equality before law.
- Article 21 – Fair trial, due process.
- Indian Evidence Act, 1872 – Section 65B (electronic evidence).
- Unlawful Activities (Prevention) Act, 1967 – Anti-terror framework.
- Code of Criminal Procedure (CrPC) – Investigation & trial procedure.
- 2nd ARC Report (Public Order):
 - Police reforms
 - Separation of investigation from law & order
- Supreme Court: DK Basu guidelines (custodial safeguards).

Critical Analysis

Issues

- Weak investigation → acquittals → erosion of deterrence.
- Rights violations (illegal detention, torture allegations).
- Political interference affecting neutrality of agencies.
- Lack of coordination between police, prosecution, and forensic units.
- Delay reduces evidentiary value and witness reliability.

Positives

- Judiciary upholding strict evidentiary standards.
- Reinforces principle: “proof beyond reasonable doubt”.

Way Forward

- Implement police reforms (2nd ARC).
- Strengthen forensic infrastructure & digital evidence handling.
- Ensure Section 65B compliance in all electronic evidence.
- Independent prosecution system.
- Fast-track courts for terror cases.
- Fix accountability for wrongful investigation.
- Capacity building in counter-terror investigation.

A fireworks tragedy, questions about safety

THERE IS a grim familiarity to the series of blasts that ripped through a fireworks assembly unit in Thrissur, Kerala, where workers were preparing for Thrissur Poom, a temple festival famed for its pyrotechnic display. The explosions have resulted in the death of 14 people and left several injured. The cause of the accident is being investigated — the state government has ordered a judicial inquiry, in addition to the magisterial probe ordered by the district collector. Yet, the frequency of accidents involving fireworks across the country in the past few years alone — including Sunday's blast in a fireworks unit in Tamil Nadu's Virudhunagar and the explosion at a factory in Andhra Pradesh's Kakinada in February — point not to a series of individual tragedies, but a deeper issue that demands scrutiny.

The last major accident involving fireworks in Kerala was in April 2016, when a pyrotechnic display at the Puttingal Devi temple in Kollam went awry, killing 111 people and injuring over 300. Besides the use of illegal fireworks and improper storage, a probe ordered at the time pointed to several administrative lapses, including insufficient oversight in granting licences for the use and display of fireworks. Afterwards, recommendations about licensing, use and storage were also put forward. A decade on, another major tragedy raises uncomfortable questions.

The hazardous nature of work in the fireworks industry, where the slightest neglect can lead to disaster, calls for strict monitoring of safety standards at every stage, from the manufacturing and handling of chemicals to storage. Yet, the reality points to a wider culture of neglect. For example, the Virudhunagar tragedy, which resulted in the death of 23 people, was one of two such incidents in the district in April alone. Probes into other recent accidents here have pointed to repeated safety violations. Regulations to address these already exist, from mandatory licensing and strict guidelines for factory locations to safety rules for workers, including the number of people allowed per unit and restriction of work hours to daytime. But what is needed is to identify the gaps at each level in the chain — from the factory to the consumer — and ensure rigorous enforcement of the existing regulations.

KEY HIGHLIGHTS

Context of the News

- Explosion during fireworks preparation in Kerala linked to a temple festival led to multiple fatalities and injuries.
- Judicial inquiry and magisterial probe ordered.
- Similar recurring incidents:
 - Virudhunagar (Tamil Nadu) fireworks unit blast
 - Kakinada factory explosion
- Indicates systemic regulatory and enforcement failures rather than isolated accidents.
- Past precedent: 2016 Puttingal Devi Temple disaster highlighted administrative lapses.

Key Points

- Fireworks industry categorized under hazardous industries.
- Frequent causes of accidents:
 - Illegal manufacturing and storage
 - Non-compliance with safety norms
 - Overcrowding of workers in units
- Legal/Regulatory framework:
 - Explosives Act, 1884
 - Explosives Rules, 2008
 - PESO guidelines
- Safety provisions:
 - Licensing requirements
 - Restrictions on storage and transport
 - Zoning norms and worker safety rules
- Core issue: Implementation deficit and weak monitoring.

Static Linkages

- Article 21 – Right to life includes safety
- Article 42 – Just and humane working conditions
- Factories Act, 1948 – Occupational safety provisions
- Disaster Management Act, 2005 – Industrial disaster response
- Environmental concerns – Air and noise pollution

Critical Analysis

- Issues
 - Weak enforcement and corruption in licensing
 - Large informal sector outside regulation
 - Lack of safety audits and inspections
- Challenges
 - Administrative capacity constraints
 - Festival-related demand pressures
 - Poor inter-agency coordination
- Ethical concerns
 - Negligence vs accountability
 - State's duty to protect life

Way Forward

- Strict enforcement of Explosives Rules
- Digital tracking of licensing and inspections
- Mandatory safety audits
- Worker training and certification
- Promotion of safer/green alternatives
- Strong penalties for violations