

EDITORIALS - 30TH SEP 2026

1. Delhi has a winter plan, but clean air needs more (GS Paper III Environment)

This editorial 'Delhi has a winter plan, but clean air needs more' was published in **The Indian Express** on 30th Sep 2026, highlights the need for coordinated, **year-round pollution control** beyond seasonal restrictions.

Winter Plan: Measures and Limitations

- Effective November 1, the **winter plan** combines construction curbs, vehicle and industrial checks, higher parking charges, staggered office timings and **work-from-home mandates**; similar measures have delivered only partial mitigation for at least half a decade.
- **Fragmented governance** has undermined earlier plans; advance preparation provides time for **inter-agency coordination** across waste management, air-quality monitoring, transport and law enforcement.

Regional and Climatic Challenges

- Municipal and **National Capital Region (NCR)** boundaries cannot adequately address Delhi's pollution; proposed agricultural coordination is already late, with **stubble burning** reported across Punjab, Haryana, Uttar Pradesh and Rajasthan.
- **Super El Niño** could weaken rain-producing western disturbances, limiting pollutant clearance; peak stubble burning may coincide with Diwali, while falling temperatures and wind speeds intensify **multi-source pollution**.

Sustained Pollution-Control Framework

- The **Electric Vehicle (EV) policy** advances year-round pollution control, complemented by proposed congestion reduction and reliable, interconnected **public transport**.
- **Bans and restrictions** should not dominate policy; a **governance framework** must reward sustained pollutant reductions, while work-from-home implementation should prioritise well-being over coercion.
- Growing **public support** for clean air must translate into sustained **political and administrative action** extending beyond the winter plan.

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Public Health Costs of Air Pollution

- **Respiratory burden:** WHO's 2019 estimates attributed 14% of global outdoor-pollution deaths to chronic obstructive pulmonary disease and another 14% to acute respiratory infections.

- **Cardiovascular damage:** Heart disease and stroke accounted for approximately 68% of global outdoor-pollution deaths in WHO's 2019 estimates, extending the burden beyond respiratory illness.
- **Childhood vulnerability:** WHO estimated around 600,000 childhood deaths from pollution-related acute lower respiratory infections in 2016, highlighting children's disproportionate vulnerability.
- **Maternal risks:** WHO's 2018 child-health report linked maternal pollution exposure with premature delivery and low birth weight, extending health consequences across generations.
- **Treatment costs:** World Bank reporting indicates pollution-related healthcare costs can reach 7% of health spending in heavily polluted, rapidly developing middle-income countries.
- **Productivity losses:** Pollution-related premature deaths and illness cost India an estimated US\$36.8 billion in lost output in 2019, equivalent to 1.36% of Gross Domestic Product (GDP).
- **Occupational inequality:** A 2022 Delhi respiratory-health study covered autorickshaw drivers, street vendors and sweepers, highlighting outdoor occupations requiring targeted protection.

2. What an infrastructure of innovation depends on — a responsive legal system (GS Paper II Governance)

This editorial 'What an infrastructure of innovation depends on — a responsive legal system' was published in **The Indian Express** on 30th Sep 2026, highlights the role of responsive **commercial adjudication** in sustaining innovation and investor confidence.

Innovation and Legal-System Demands

- Reforms during 1999–2005, culminating in the **Patents Act, 1970** amendment in 2005, restored chemical product patents, affecting pharmaceuticals, biotechnology and agrochemicals while expanding interest in **Intellectual Property (IP)** creation and enforcement across multiple categories.
- World Trade Organisation obligations under **Trade-Related Aspects of Intellectual Property Rights (TRIPS)** required minimum protection standards while permitting **public-interest safeguards**, including compulsory licensing, anti-evergreening checks, local commercial exploitation requirements and competition-law controls against monopoly abuse.
- **Post-liberalisation commerce** increased transaction complexity and commercial disputes; domestic and foreign investors increasingly demanded sophisticated, speedy **dispute resolution**, whose quality became an ease-of-doing-business ranking metric.

Institutional Responses

- **Alternative Dispute Resolution (ADR)**, including arbitration and mediation, sought to decongest courts and resolve time-sensitive disputes with minimal judicial interference; broad acceptance persists despite inadequate **ADR infrastructure** requiring further investment.
- The **Commercial Courts Act, 2015** enabled states, in consultation with High Courts, to establish dedicated commercial courts and introduced tailored **Code of Civil Procedure** amendments to expedite commercial disputes.

Delhi High Court's Replicable Framework

- The **Delhi High Court's original jurisdiction** enabled direct access for civil suits above a specified pecuniary value; its **pre-2015 judicial experience** supported nuanced decisions on pharmaceuticals, telecommunications patents, copyrights and conflicts between IP and fundamental rights.
- Its **IP jurisprudence**, balancing rights protection with national public-health interests, became an international benchmark; the 2015 Act enabled a dedicated **Intellectual Property Division** to handle complex disputes.
- **E-filing**, introduced during the 2020 lockdown, made the court largely paperless and facilitated urgent relief; **IP Division Rules, 2022** further streamlined adjudication and strengthened stakeholder confidence.
- **Nationwide replication** could support innovation and commercial hubs, provided courts receive comparable **infrastructure investment** to handle complex, high-value disputes.

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Access to Innovation Justice for Small Enterprises

- **Dispute affordability:** The World Intellectual Property Organization (WIPO) reduces its mediation and arbitration fees by 25% when a small or medium-sized enterprise participates.
- **Early legal assistance:** India's Startups Intellectual Property Protection (SIPP) scheme funds application facilitators for recognised startups' patents, trademarks and designs, but does not finance infringement litigation.
- **Contractual preparedness:** WIPO's model dispute clauses and complimentary guidance help small enterprises incorporate mediation or arbitration into contracts, reducing procedural uncertainty.
- **Technical expertise:** A WIPO aviation-patent dispute used co-mediators combining patent expertise with mediation experience, illustrating specialist support for technically complex claims.
- **Timely resolution:** WIPO mediation settled a large-company–European-enterprise trademark dispute within four months after over six years of conflict involving more than 60 proceedings.

- **Geographical accessibility:** WIPO's online case administration and videoconferencing reduce travel burdens, improving access for enterprises located far from dispute-resolution venues.
- **Institutional partnerships:** WIPO collaborates with organisations such as BIO Germany on training and tailored dispute-resolution frameworks, offering collective support for smaller innovators.

3. Towards a gender-just Uniform Civil Code (GS Paper II Governance)

This editorial 'Towards a gender-just Uniform Civil Code' was published in **The Indian Express** on 30th Sep 2026, highlights the need for substantive **gender equality, economic protection** and **accessible procedures** in civil-law reform.

Policy Context and Core Critique

- On September 13, Amit Shah announced **Uniform Civil Code (UCC)** implementation in 21 Bharatiya Janata Party- and National Democratic Alliance-ruled states before the **2029 Lok Sabha elections**; the party's UCC agenda gained prominence after the 1985 Shah Bano judgment.
- **Uttarakhand's UCC** took effect in January 2025; Gujarat, Assam and Madhya Pradesh await Presidential assent, while Maharashtra, Rajasthan, West Bengal and Chhattisgarh have formed **drafting committees**.
- The Uttarakhand model conflates **uniformity with equality** and regulation with protection, reproducing the Hindu Code Bill while overlooking progressive personal-law provisions, international practices and lived realities; bureaucratic burdens disproportionately affect **marginalised communities**.

Women's Economic Protection

- **Deserted women** need automatic maintenance orders and injunctions against asset disposal; women-specific **maintenance rights** should remain, given unequal marital power, although the Hindu Marriage Act permits either spouse to claim maintenance.
- Unrestricted **testamentary powers** enable Hindu women's disinheritance, whereas Muslim women retain protected shares; the UCC should guarantee wives and children a **minimum inheritance share** that cannot be defeated by wills.
- Recognition of **unpaid care and domestic labour** requires women's equitable entitlement to assets accumulated, sustained or enhanced during marriage through enforceable **marital property rights**.
- **Second wives** deceived into technically void marriages should receive maintenance and economic protection; the UCC must codify judicial recognition that husbands cannot exploit marital invalidity to evade **support obligations**.

Rights-Based Procedures and Consultation

- Compulsory **live-in registration**, including police and parental notification, enables surveillance; any registration should be optional and confidential, securing **substantive benefits** such as maintenance, children's legitimacy and inheritance.
- Criminalising extra-judicial marital dissolution with three years' punishment and a fine treats **civil disputes** as crimes; an **administrative mechanism** for mutual-consent divorce would reduce court overload while reserving judicial intervention for contested or complex cases.
- Fines and imprisonment for non-registration disproportionately burden the poor; **accessible procedures** and awareness should replace punitive compliance, while unequal **Hindu Undivided Family (HUF)** tax advantages, unaddressed by Uttarakhand's UCC, require reform.
- Maharashtra's committee, constituted on July 9 under Justice Ranjana Desai, faced **consultation concerns** following Justice R C Chavan's September 19 resignation; transparent participation by women, Adivasis, queer and transgender people, persons with disabilities and representative organisations is a **constitutional necessity**.

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Constitutional Limits on Civil-Law Uniformity

- **Constitutional hierarchy:** Article 44's Uniform Civil Code objective must respect fundamental rights; Article 37 makes Directive Principles non-justiciable but fundamental to governance.
- **Religious-freedom boundaries:** *Sarla Mudgal v. Union of India* (1995) distinguished secular matters such as marriage and succession from religious protection under Articles 25–26.
- **Qualified uniformity:** In *Jose Paulo Coutinho v. Maria Luiza Valentina Pereira* (2019), the Supreme Court described Goa's civil code as broadly uniform while acknowledging exceptions.
- **Federal competence:** Entry 5 of the Concurrent List covers marriage, divorce and succession; the Special Marriage Act, 1954, exemplifies parliamentary legislation within this shared field.
- **Legislative conflict:** Article 254(2) allows qualifying state laws with Presidential assent to prevail locally over conflicting central legislation, subject to subsequent parliamentary override.
- **Regional safeguards:** Articles 371A and 371G require Legislative Assembly acceptance of parliamentary laws concerning specified customary matters in Nagaland and Mizoram.
- **Autonomous lawmaking:** The Sixth Schedule grants specified district and regional councils legislative powers over inheritance, marriage and social customs, requiring uniformity proposals to accommodate these constitutional arrangements.