



DAILY CURRENT AFFAIRS 15-05-2025

GS-2

1. Article 143
2. Chief Justice of India
3. Indus Water Treaty
4. IAEA

GS-3

5. Irrigation Problems

Article 143

Syllabus: GS-2: Powers and Functions of President.

Context:

- President **Droupadi Murmu** has sent a **Presidential Reference** (under **Article 143**) to the **Supreme Court (SC)** seeking clarity on:
 - Whether the SC can use **Article 142** (inherent powers) to impose **timelines** and **procedures** on Governors/President regarding **Bill assent**.
 - Constitutional options for Governors when Bills are presented under **Article 200**.
- Reference follows the **SC's April 8, 2024 judgment** (Justices JB Pardiwala & R. Mahadevan) declaring **Tamil Nadu Governor's reservation of 10 Bills for President's assent as illegal**.
- SC had invoked **Article 142** to set a **3-month deadline** for Governors/President to decide on Bills, introducing the concept of "**deemed assent**" if no action is taken.

Key Constitutional Provisions Involved

- **Article 142**: SC's power to pass any order necessary for **complete justice**.
- **Article 143**: President's power to seek SC's **advisory opinion** on constitutional questions.
- **Article 200**: Governor's options when a **State Bill** is presented for assent—**assent, withhold, reserve for President, or return**.
- **Article 201**: President's role when a Bill is **reserved for consideration**.
- **Article 361**: Immunity for **President/Governors** from legal action while in office.
- **Article 131**: Original jurisdiction of SC in **Centre-State disputes**.

Key Questions Raised in the Reference

- **Governor's Role under Article 200**:
 - Is the Governor bound by the **aid and advice** of the Council of Ministers?
 - Is the Governor's **discretion justiciable** (can courts intervene)?
 - Does **Article 361** grant absolute immunity from judicial review?

➤ **Timelines & Judicial Intervention:**

- Can courts impose **time limits** on Governors/President for Bill assent?
- Can **Article 142** override constitutional discretion of Governors/President?

➤ **President's Role under Article 201:**

- Is the President's discretion **justiciable**?
- Must the President **consult the SC** when a Bill is reserved for assent?

➤ **Judicial Review & Federal Issues:**

- Can courts adjudicate **contents of a Bill before it becomes law**?
- Should disputes between Centre & States be resolved only under **Article 131** (original suit), not **Article 32** (writ jurisdiction)?

➤ **Article 142's Scope:**

- Is it limited to **procedural matters**, or can it override **substantive constitutional provisions**?
- Can it **substitute** constitutional powers of Governors/President?

Key Judgments & Issues

➤ **Tamil Nadu Governor Case (2024):**

- SC ruled that **inaction by Governor** leads to "**deemed assent**" after 3 months.
- Presidential Reference argues this **undermines constitutional discretion**.

➤ **Conflicting Precedents:**

- Some judgments say **President's assent (Article 201) is non-justiciable**.
- Others (like TN case) allow judicial intervention.

Significance of the Reference

- **Federalism Debate:** Balance between **Governor's discretion** and **judicial oversight**.
- **Separation of Powers:** Whether courts can **mandate timelines** for constitutional functionaries.
- **Governor's Role:** Clarifies if Governors must act on **aid and advice** or retain **independent discretion**.

Chief Justice of India

Syllabus: GS-2: Judiciary.

Context:

- **52nd Chief Justice of India (CJI)**, sworn in on **14th May 2025** by **President Droupadi Murmu**.
- **Tenure:** Till **23rd November 2025** (6 months).
- **First Buddhist CJI**; took oath in **Hindi**.
- Born on **24th November 1960** in Amravati, Maharashtra.

Landmark Judgments (As SC Judge)

- **Article 370 Abrogation (2023)**: Upheld Centre's decision.
- **Electoral Bonds Scheme (2024)**: Struck down for lack of transparency.
- **SC/ST Sub-classification (2024)**: States can sub-categorize for reservations.
- **Manish Sisodia Bail (2024)**: Strengthened **personal liberty**.
- **Perarivalan Release (2022)**: Ordered release in Rajiv Gandhi case.

Key Challenges Ahead as CJI

- **Places of Worship Act (1991)** challenges.
- **Waqf (Amendment) Act, 2025** hearings.
- **Judicial Administration**: Managing summer recess (partial functioning).

Chief Justice of India (CJI)

Role & Appointment

- **Head of the Judiciary** & Supreme Court of India.
- **Appointed by the President** (Article 124) after consultation with judges of SC & HC.
- **Senior-most judge** of SC conventionally appointed (unless unfit).

Functions & Powers

- **Administrative Head** of the Supreme Court.
- **Assigns cases** & constitutes benches.

- **Oath of President's impeachment** (Article 61).
- **Master of the Roster** – Controls case allocation.

Term & Removal

- **Retirement age:** 65 years (fixed term).
- **Removal:** Only by impeachment (Article 124(4)) – requires Parliament's majority.

Key CJs in History

- **H. J. Kania** (First CJI, 1950).
- **P. N. Bhagwati** (PIL pioneer).
- **R. C. Lahoti, Y. V. Chandrachud, D. Y. Chandrachud** (Notable judgments).

Recent Developments

- **Collegium System** (CJI + 4 senior judges) for judicial appointments.
- **Criticism:** Delays in appointments, transparency issues.

Importance for UPSC

- **Constitutional provisions** (Articles 124-147).
- **Judicial independence** vs. executive interference.
- **Landmark judgments** (Kesavananda Bharati, NJAC case).

Indus Water Treaty

Syllabus: GS-2: International; Relations – Water Disputes.

Context:

Pakistan has said it is willing to restart talks with India regarding the Indus Water Treaty (IWT) which India has kept in abeyance following the Pahalgam terror attacks, government sources.

Indus Waters Treaty (1960)

- **Signed between:** India and Pakistan (with the World Bank as a mediator).

- **Key Purpose:** To allocate the use of waters from the **Indus River system** between the two countries.
- **Effective from:** 1 April 1960.

Key Provisions of the Treaty

- **Division of Rivers:**
 - **Eastern Rivers (Given to India):**
 - Sutlej, Beas, Ravi
 - India has **unrestricted use** but must allow unrestricted flow to Pakistan.
 - **Western Rivers (Given to Pakistan):**
 - Indus, Jhelum, Chenab
 - India can use them for **limited purposes** (e.g., irrigation, non-consumptive uses like hydropower) but cannot **store or divert** water.
- **Permanent Indus Commission:**
 - A bilateral body to resolve disputes and exchange data.
 - Meetings held annually (alternately in India and Pakistan).
- **Dispute Resolution Mechanism:**
 - **Step 1:** Negotiation (Permanent Indus Commission).
 - **Step 2:** Neutral Expert (if unresolved).
 - **Step 3:** Court of Arbitration (last resort).

Recent Issues & Conflicts

- **Kishanganga (2013) & Ratle Hydro Projects (2021):**
 - Pakistan objected to Indian hydropower projects on Jhelum & Chenab.
 - World Bank allowed India to proceed with modifications.
- **2016 Uri Attack Aftermath:**
 - India reviewed the treaty but did not revoke it.
- **2019 Pulwama Crisis:**
 - India threatened to stop Pakistan's water share but took no action.

Significance of the Treaty

- **One of the most successful water-sharing treaties** globally (survived three wars).
- **Model for transboundary water cooperation.**
- **Economic importance:** Supports agriculture & hydropower in both nations.

Criticisms & Challenges

- **India's Perspective:**
 - Underutilizes its share of Western Rivers (only ~4% potential used).
 - Treaty restricts storage capacity, affecting J&K's development.
- **Pakistan's Concerns:**
 - Fears India may weaponize water during conflicts.
 - Disputes over Indian projects (e.g., Baglihar, Kishenganga).

IAEA

Syllabus: GS-2: International Organizations.

Context:

- No radiation leak from any nuclear facility in Pakistan: IAEA

International Atomic Energy Agency (IAEA)

Overview

- **Established:** 1957 (as an autonomous organization under the UN)
- **Headquarters:** Vienna, Austria
- **Objective:** Promote peaceful use of nuclear energy, prevent nuclear proliferation, ensure nuclear safety.
- **Motto:** "Atoms for Peace and Development"

Key Functions

- **Nuclear Safeguards:**
 - Monitors compliance with the **Non-Proliferation Treaty (NPT)**.

- Conducts inspections to prevent misuse of nuclear technology for weapons.
- **Technical Cooperation:**
 - Assists member states in using nuclear tech for **health, agriculture, energy, and environment**.
- **Safety & Security:**
 - Sets standards (e.g., **IAEA Safety Standards**) for nuclear power plants & radioactive materials.
 - Helps in emergency response (e.g., Fukushima disaster).
- **Research & Development:**
 - Supports nuclear fusion research (e.g., **ITER Project**).

Governance Structure

- **General Conference:** All member states meet annually.
- **Board of Governors:** 35 members (policy-making body).
- **Secretariat:** Headed by the **Director General** (currently **Rafael Mariano Grossi**).

India & IAEA

- **Member since:** 1957 (foundation year).
- **Safeguards Agreement:**
 - India signed an **India-Specific Safeguards Agreement (2009)** after the **US-India Nuclear Deal**.
 - Allows IAEA to monitor civilian nuclear facilities.
- **Collaboration:**
 - IAEA supports India in cancer treatment (via **Programme of Action for Cancer Therapy - PACT**).
 - India contributes to IAEA's **Nuclear Security Fund**.

Major Treaties & Programs

- **Non-Proliferation Treaty (NPT):** IAEA verifies compliance.
- **Additional Protocol:** Strengthens inspection regime.
- **Joint Convention on Nuclear Safety:** Enhances safety standards.

- **ZODIAC Initiative:** Combats zoonotic diseases using nuclear tech.

Recent Developments

- **Ukraine Crisis:** IAEA monitors **Zaporizhzhia Nuclear Plant** safety.
- **AUKUS Deal:** IAEA oversees nuclear submarine pact compliance.
- **Global Nuclear Outlook:** Advocates for nuclear energy in climate change mitigation.

Irrigation Problems

Syllabus: GS-3: Irrigation and its ecological problems

Context:

- On **March 13, 2025**, **Kailash Arjun Nagare**, a 2020 Young Farmer Awardee from Maharashtra, died by suicide.
- The suicide highlighted issues of **inadequate irrigation access**, pointing to systemic failures in water governance and distribution.

Extent of Water Use in Indian Agriculture

- **Agriculture accounts for ~80% of India's total water withdrawal.**
- India uses **688 billion cubic metres of water annually** for agriculture — the **highest in the world.**
- Despite such high usage, **inequitable access and inefficient management** persist.

Unsustainable Expansion of Irrigation

- Irrigation has expanded into **water-scarce regions** (North-west and sub-tropical belts).
- Crops such as **rice, wheat, and sugarcane** dominate in areas with **limited water availability.**
- As per a **2024 study in Nature Water:**
 - India contributed to **36% of global unsustainable irrigation expansion** (2000–2015).

Inequities in Water Access

- Expansion of irrigation has **reinforced socio-economic inequalities**:
 - **Between States** (e.g., Punjab vs. Bihar)
 - **Within States** (rich vs. marginalised farmers)
- **Groundwater dominance** means:
 - Access is determined by **property rights, energy pricing, and water market efficiency**.
- Inequity is **increasing in tubewell irrigation systems**.
- **Women and marginalised communities** are the most affected by depleting water tables and access issues.

Environmental and Financial Consequences

- **Groundwater Over-extraction**:
 - **17% units**: over-exploited
 - **3.9% units**: critical
- High energy consumption leads to:
 - **45.3–62.3 MMT of annual carbon emissions** from groundwater irrigation.
 - Accounts for **8–11% of India's total carbon emissions**.

Low Efficiency in Water Use

- **Operating efficiency of irrigation systems in India: ~38%**
 - Compared to **55% in developed countries**.
- **Low Irrigation Water Productivity (IWP)**:
 - **Punjab (rice)**: High land productivity but low IWP.
 - **Tamil Nadu (sugarcane)**: Same pattern.
- **Continuous flooding of paddy** contributes to **high GHG emissions** — paddy is the **largest contributor to global cropland emissions**.

Key Issues Identified

- Over-exploitation of groundwater
- Misaligned cropping patterns

- Inequitable access
- Low irrigation and water use efficiency
- High environmental externalities

The Way Forward

Policy Reforms

- **Change in cropping patterns** (towards less water-intensive crops).
- **Regulation of groundwater usage.**
- Promote **participatory irrigation management (PIM)** structures for **demand-driven allocation.**

Technological Interventions

- **Efficient irrigation technologies:**
 - **Drip and sprinkler systems** to reduce application losses.
 - **Alternate Wetting and Drying (AWD)** in rice.
- **Micro-irrigation systems** in water-intensive crops like sugarcane.

Renewable Solutions

- Promote **solar-powered irrigation:**
 - Should be coupled with **regulatory incentives** (e.g., **assured grid connections**) to prevent groundwater depletion.

Supplementary Measures

- Promote **rainwater harvesting** and **tail water storage pits.**
- Improve **conveyance and application efficiency** of existing systems.

Conclusion

- India's water crisis in agriculture is **not only physical but also economic and social.**
- A **multi-dimensional strategy** addressing **technology, equity, sustainability, and governance** is essential for sustainable irrigation and agricultural resilience.