

# Daily Editorial Analysis 17 November 2025

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## Delhi's Air, A 'Wicked Problem' in Need of Bold Solutions

### Context

- Each winter, as a **grey haze descends upon Delhi** and **air pollution reaches severe levels**, the city returns to a predictable yet devastating cycle.
- Schools close, flights are cancelled, and citizens don masks as the **Air Quality Index (AQI) breaches 400**.
- Yet this recurring crisis is treated as a **seasonal inconvenience** rather than a **chronic public-health emergency** and a **deep structural failure**.

### Structural Roots of a Persistent Crisis

- Despite repeated **round tables, expert meetings, and policy discussions**, progress remains minimal.
- Long-term exposure to Delhi's toxic air can **reduce life expectancy by up to 10 years**, while air pollution costs the country **36% of its GDP**, over **\$36 billion annually**. Instead of long-term solutions, governments often resort to **short-term fixes** such as **cloud-seeding** or **air purifiers in offices**.
- Delhi's geographical position, a **basin flanked by the Aravalli hills**, creates natural barriers to air dispersal.
- Winter's **temperature inversion** and **low wind speeds** trap pollutants close to the surface, turning the city into a **bowl of poison**.
- While similar meteorological issues once afflicted **Los Angeles**, that city responded with **aggressive policy reforms and technological innovation**, an approach Delhi has yet to mirror.

### Human Choices That Intensify the Problem

- Human activity worsens the crisis significantly. Delhi NCR's **3 crore vehicles**, many diesel-powered and poorly regulated, continuously release **nitrogen oxides and PM2.5**.
- Enforcement of **BS-VI norms remains inadequate**. Construction contributes nearly **27% of PM2.5 pollution**, with **dust-control norms routinely violated**.
- Industries in neighbouring states emit **sulphur dioxide and other toxins**, often using **outdated technologies**.
- Meanwhile, **stubble-burning in Punjab and Haryana**, despite subsidies and court orders, remains widespread because farmers lack **economically viable alternatives**.
- Seasonal activities such as **Deepavali firecrackers** and **open waste burning** create further dangerous spikes.

- Delhi's air crisis is thus a **wicked problem, multifaceted, cross-cutting, and politically entangled**, requiring more than isolated interventions.

## A Rare Window of Political Alignment

- For the first time, Delhi and the surrounding NCR states, **Haryana, Uttar Pradesh, and Rajasthan**, are governed by the **same political party as the central government**.
- This is a **unique chance** to eliminate **intergovernmental friction** and launch a **joint Clean Air Mission** with **scientific expertise, coordinated enforcement**, and **shared accountability**.
- Global models offer clear guidance. **London** implemented an **Ultra Low Emission Zone (ULEZ)**, modernised transport, and improved building efficiency.
- **Los Angeles** enforced **strict vehicle-emission standards** and promoted **clean fuel technologies**.
- **Beijing's airpocalypse** led to sweeping reforms: **relocating industries, banning coal**, and **deploying real-time monitoring**, achieving a **35% reduction in PM2.5 levels** in five years.
- Delhi must adopt its own **Unified Airshed Management Plan**, treating the NCR as **one pollution zone**, with **real-time public dashboards, electrified public transport**, and **strict dust and waste regulations**.
- Farmers need **scaled-up access to Happy Seeders and bio-decomposers** to make stubble management **economically feasible**.

## Beyond Policy: The Behavioural Dimension

- Air pollution is not only a governance issue but a **behavioural challenge**.
- Citizens must recognise that **clean air is a shared responsibility**. **Awareness campaigns, school programmes, and community initiatives** can shift mindsets and build a culture of accountability.

## Conclusion

- Delhi's air crisis is **not an act of nature**; it is the result of **policy inertia, fragmented governance, and collective choices**.
- Treating it as a **temporary winter nuisance** guarantees ongoing **illness, economic damage, and environmental decline**.
- But confronting it as a **structural problem** with **sustained, coordinated action** offers a path forward.
- Delhi **can breathe again**, but only if we embrace the **urgency, political will**, and **public commitment** needed to rewrite this narrative; the real question is no longer **what must be done**, but **whether we will finally act**.

## Delhi's Air, A 'Wicked Problem' in Need of Bold Solutions FAQs

**Q1.** Why does Delhi face severe air pollution each winter?

**Ans.** Delhi faces severe winter pollution because geographical traps and temperature inversion prevent pollutants from dispersing.

**Q2.** How does air pollution affect India's economy?

**Ans.** Air pollution affects India's economy by causing healthcare costs, productivity losses, and GDP losses worth 1.36% annually.

**Q3.** What human activities worsen Delhi's air quality?

**Ans.** Human activities such as vehicle emissions, construction dust, industrial pollution, and stubble burning worsen Delhi's air quality.

**Q4.** What unique opportunity exists for Delhi and NCR states now?

**Ans.** A unique opportunity exists because Delhi and the NCR states are governed by the same political party, allowing coordinated action.

**Q5.** How can citizens contribute to cleaner air?

**Ans.** Citizens can contribute to cleaner air by adopting responsible behaviour and participating in awareness and community initiatives.

**Source:** **The Hindu**

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## The POCSO Act is Gender-Neutral by Design

### Context

- The Supreme Court recently issued notice in a case involving a woman accused of **penetrative sexual assault** under Section 3 of the Protection of Children from Sexual Offences (POCSO) Act, 2012.
- This decision has reignited debate on **whether the law applies equally to all genders**.
- While the petitioner asserts that the Act is **gender-specific**, a comprehensive examination shows that **POCSO is inherently gender-neutral**.

### Interpretation of the Supreme Court's Judgement: A Gender-Neutral Reading of Section 3

- **The General Clauses Act and Gendered Pronouns**
  - The petition argues that Section 3 applies only to male offenders because it uses the pronoun
  - However, Section 13(1) of the **General Clauses Act (GCA), 1897** states that **words importing the masculine gender shall be taken to include females**.
  - Since the POCSO Act does not explicitly restrict perpetrators to men, the law must be read in a **gender-neutral**
- **Breadth of Acts Defined Under Section 3**
  - Section 3 defines penetrative sexual assault in a manner that encompasses:
    - **Digital penetration**

- **Object penetration**

- **Oral penetration**

- Acts where a person **induces the child to perform sexual acts** with themselves or others
- These are offences that **can be committed by individuals of any gender**, reinforcing that the statute's construction is **gender-inclusive**.

## **Legislative Intent: Evidence of Deliberate Neutrality**

- **Government Clarifications**

- The Ministry of Women and Child Development has repeatedly affirmed that POCSO is a **gender-neutral Act**.
- These official responses demonstrate a **clear legislative intention**.

- **The 2019 Amendment's Statement of Objects and Reasons**

- When the **POCSO Amendment Bill (2019)** was introduced, it explicitly described the Act as **gender-neutral**, leaving little room for restrictive interpretations.

- **Why Gender-Specific Interpretation Would Be Incorrect**

- While one parliamentary reply emphasised that the Act protects **boys also**, this cannot be misread to imply that only victims are gender-neutral while perpetrators are not.
- For comparison, Section 63 of the **Bharatiya Nyaya Sanhita (BNS), 2023** (erstwhile IPC Section 375) uses the explicitly gendered terms **a man** and **a woman**.
- The **absence of such language** in POCSO reflects a **deliberate legislative choice** to ensure **broad applicability**.

## **Normative Justifications: Upholding the Law's Protective Purpose**

- **Recognising Diverse Forms of Abuse**

- In **Sakshi v. Union of India (2004)**, the Supreme Court observed that child sexual abuse includes a **wide range of sexual conduct**, many of which do not depend on the perpetrator's gender.

- **Acknowledging Female Perpetration**

- Although most reported cases involve male perpetrators, research shows that **women can and do commit sexual offences against children**.
- A gender-specific reading would make such experiences **invisible** and deny certain victims **justice**.

- **Protecting Children Above All**

- The central purpose of POCSO is to **safeguard children from sexual abuse, irrespective of the sex or gender identity of the offender.**
- A gender-neutral interpretation ensures **no gaps in protection** and **no category of offender escapes accountability.**

## Conclusion

- A holistic analysis of the statute, its legislative history, and its protective intent demonstrates that the **POCSO Act is designed to be gender-neutral.**
- Interpreting Section 3 to apply only to male offenders would contradict both the **letter** and **spirit** of the law.
- To fulfil its core objective, **comprehensive protection of children**, the Act must continue to be applied **irrespective of the perpetrator's gender.**

## The POCSO Act is Gender-Neutral by Design FAQs

**Q1.** Is the POCSO Act gender-neutral in its application to perpetrators?

**Ans.** Yes, the POCSO Act is gender-neutral and applies to perpetrators of all genders.

**Q2.** Why does the use of the pronoun “he” in Section 3 not restrict the law to male offenders?

**Ans.** It does not restrict the law because the General Clauses Act states that masculine words include females unless the context indicates otherwise.

**Q3.** What evidence shows that Parliament intended POCSO to be gender-neutral?

**Ans.** Official statements from the Ministry of Women and Child Development and the 2019 Amendment's Statement of Objects and Reasons clearly describe the Act as gender-neutral.

**Q4.** Can women commit offences defined under Section 3 of POCSO?

**Ans.** Yes, women can commit these offences because the acts defined under Section 3, such as digital or oral penetration, are not gender-specific.

**Q5.** Why is a gender-neutral reading of POCSO important?

**Ans.** A gender-neutral reading is important because it ensures all children receive protection and justice, regardless of the offender's gender.

**Source:** **The Hindu**

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