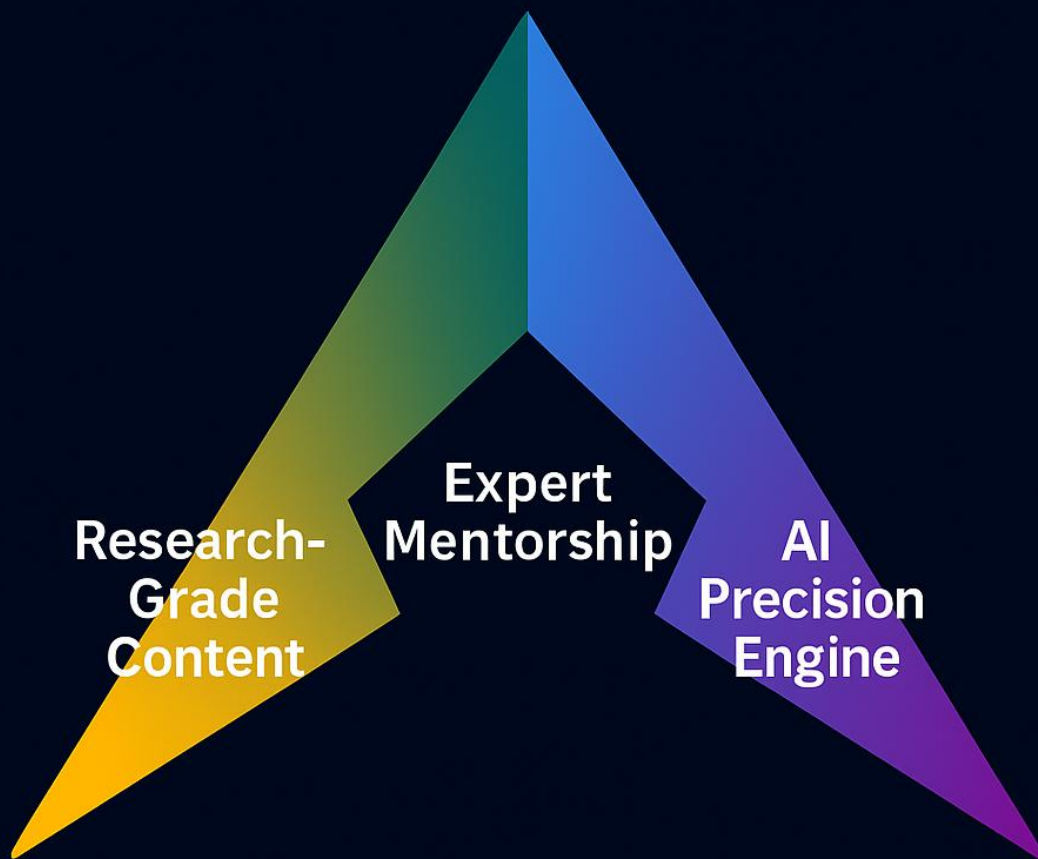


# PrepAlpine

**The Next-Generation UPSC Institution**

Where Research Meets Mentorship & Precision



**Preparation Meets Precision**

A Next-Generation Learning Institution

## **Copyright © 2025 PrepAlpine**

All Rights Reserved

No part of this publication may be reproduced, distributed, or transmitted in any form or by any means—whether photocopying, recording, or other electronic or mechanical methods—without the prior written permission of the publisher, except in the case of brief quotations embodied in critical reviews and certain non-commercial uses permitted by copyright law.

For permission requests, please write to:

**PrepAlpine**

Email: [info@PrepAlpine.com](mailto:info@PrepAlpine.com)

Website: PrepAlpine.com

## **Disclaimer**

The information contained in this book has been prepared solely for educational purposes. While every effort has been made to ensure accuracy, PrepAlpine makes no representations or warranties of any kind and accepts no liability for any errors or omissions. The use of any content is solely at the reader's discretion and risk.

# DAILY CURRENT AFFAIRS DATED 08.06.2026

## GS Paper II: Polity

### 1. Ordinance-Created Supreme Court Judges' Posts

#### a. Introduction

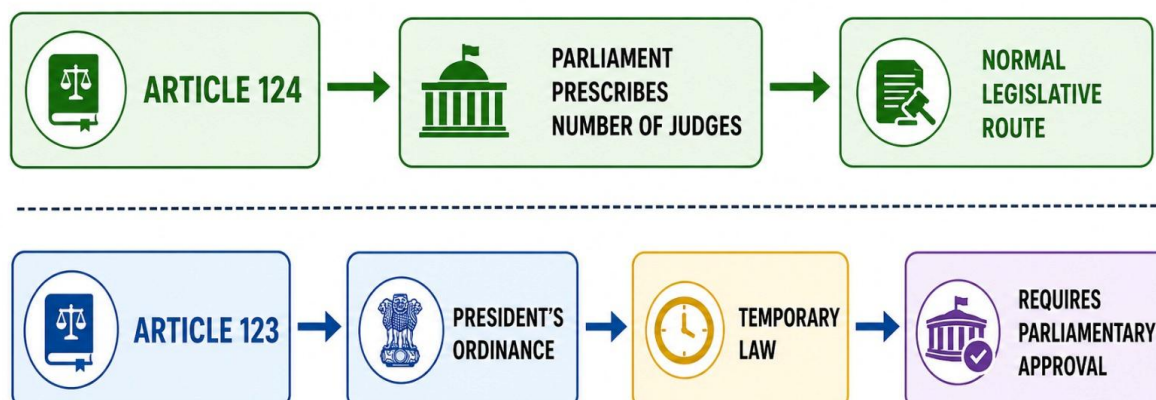
The recent swearing-in of five judges to the Supreme Court has raised an important constitutional debate. The issue is not concerned with the personal merit or competence of the judges appointed. Rather, the concern lies in the constitutional method through which some of these posts were created.

The sanctioned strength of the Supreme Court was increased from 34 to 38 through a Presidential Ordinance. While two of the appointments filled existing vacancies, three appointments were made to posts created by the Ordinance itself. This has raised questions about judicial independence, separation of powers, security of tenure and the proper use of ordinance-making power under the Constitution.

The controversy therefore goes beyond routine judicial appointments. It touches the deeper question of whether the highest court should accept expansion of its own institutional strength through a temporary executive instrument, especially when the Court has itself repeatedly warned against excessive reliance on Ordinances.

Thus, the issue is not merely about increasing judicial strength, but about the constitutional method through which such expansion is carried out.

#### CONSTITUTIONAL FRAMEWORK GOVERNING SUPREME COURT STRENGTH



#### b. Constitutional Background

- **Article 124 and Supreme Court Strength:** Article 124(1) of the Constitution provides that Parliament may prescribe the number of judges of the Supreme Court. This means that changes in the sanctioned strength of the Court are ordinarily expected to be made through parliamentary legislation.
- **Article 123 and Ordinance-Making Power:** Article 123 empowers the President to promulgate an Ordinance when Parliament is not in session and when immediate action is considered necessary. An Ordinance has the force of law, but it is temporary in character.
- **Temporary Character of Ordinances:** An Ordinance may be withdrawn by the President, disapproved by Parliament, or may cease to operate six weeks after Parliament reassembles if it is not replaced by a law.
- **Relevance to the Present Debate:** This temporary nature of an Ordinance is central to the present debate. If judicial posts are created through an Ordinance, and judges are appointed

to those posts before Parliament enacts a regular law, uncertainty may arise about the continued legal basis of those posts if the Ordinance lapses.

This constitutional background shows why the method of creating judicial posts is as important as the objective of reducing judicial pendency.

### c. Core Constitutional Issue

- **Question of Proper Institutional Method:** The central issue is whether judicial posts in the Supreme Court should be created through an Ordinance rather than through ordinary parliamentary legislation.
- **Formal Legality and Constitutional Propriety:** In formal terms, an Ordinance has the force of law while it operates. However, constitutional governance is not concerned only with formal legality. It also requires institutional propriety, deliberation and respect for the separation of powers.
- **Altering the Court Through Executive Law-Making:** When the strength of the Supreme Court is altered through an executive instrument, even temporarily, it raises concerns about the relationship between the judiciary and the executive.
- **Perception of Dependence:** The problem becomes sharper because judges appointed to Ordinance-created posts may appear to occupy positions whose continuation depends on subsequent action by the political branches. Even if this does not affect their actual independence, it may affect the perception of institutional independence.

Therefore, the controversy lies at the intersection of legality, institutional propriety and public confidence.

### d. Judicial Independence and the Appearance of Independence

- **Judicial Independence as Basic Structure:** Judicial independence is part of the basic structure of the Constitution. It is not limited to freedom from direct executive control. It also includes security of tenure, institutional autonomy and public confidence that judges are not dependent on the executive or the legislature for their position.
- **Importance of Appearance:** A court must not only be independent; it must also appear to be independent. This principle is especially important for the Supreme Court because it is the final interpreter of the Constitution and the guardian of fundamental rights.
- **Concern of Temporary Posts:** If judges occupy posts created by a temporary Ordinance, and the continuation of those posts depends on whether Parliament later approves the measure, the situation may create an appearance of dependence on the political branches.
- **Institutional Rather Than Personal Concern:** The concern is not that individual judges will decide cases under pressure. The deeper concern is that institutional arrangements should not create even a reasonable perception that judicial office is linked to executive goodwill.

Thus, judicial independence must be protected both in substance and in public perception.

### e. Earlier Judicial Position on Ordinances

- **Cautious View of Ordinance-Making:** The Supreme Court has itself taken a cautious view of excessive ordinance-making.
- **D.C. Wadhwa Case:** In *D.C. Wadhwa v. State of Bihar*, the Court held that repeated re-promulgation of Ordinances to govern without proper legislation amounts to a fraud on the Constitution. The judgment emphasised that the ordinance-making power is an emergency power and cannot be used to bypass the legislature.
- **Krishna Kumar Singh Case:** In *Krishna Kumar Singh v. State of Bihar*, a seven-judge Bench further clarified that the power to promulgate Ordinances cannot become a parallel source of legislation. The Court recognised that Ordinances are constitutionally valid, but their use must remain exceptional and subject to legislative control.

- **Tension Between Doctrine and Conduct:** Against this background, the present controversy appears constitutionally sensitive. The Court has previously warned against executive law-making replacing parliamentary deliberation. Yet, in the present case, the institution itself has accepted an expansion of its strength through an Ordinance. This gives rise to a tension between the Court's constitutional doctrine and its institutional conduct.

This makes the issue important for understanding constitutional morality and consistency in institutional behaviour.

#### **f. Link with the National Judicial Appointments Commission Judgment**

- **NJAC and Judicial Independence:** The issue also has a connection with the National Judicial Appointments Commission judgment. In *Supreme Court Advocates-on-Record Association v. Union of India*, the Supreme Court struck down the National Judicial Appointments Commission on the ground that it threatened judicial independence by allowing executive participation in judicial appointments.
- **Present Paradox:** The present situation creates a paradox. On one hand, the Court has strongly defended judicial primacy in appointments to prevent executive influence. On the other hand, it has accepted judicial posts created through an executive Ordinance.
- **Not Automatically Unconstitutional:** This does not mean that the appointments are necessarily unconstitutional, but it does raise a question of constitutional consistency.
- **Broader Principle:** The broader principle is that judicial independence must be protected not only at the stage of appointment but also in the structure and conditions under which judicial office is created and continued.

Thus, the debate extends the idea of judicial independence from appointment procedure to institutional design.

#### **g. Security of Tenure Concern**

##### **Constitutional Protection of Judges**

- A Supreme Court judge enjoys constitutional security of tenure. A judge cannot be removed except through the special procedure prescribed by the Constitution. This security is essential to ensure fearless adjudication.

##### **Legal Basis of the Post**

However, the present debate raises a different concern. The question is not about the removal of a judge, but about the legal basis of the post itself. If a post is created through an Ordinance and the Ordinance later lapses, difficult constitutional questions may arise.

- Would the sanctioned strength revert to the earlier number?
- Can a judge appointed to an Ordinance-created post continue in office?
- Would judgments delivered by such judges remain valid?

##### **De Facto Doctrine**

- The de facto doctrine may protect judgments already delivered by such judges. This doctrine generally protects acts performed by a person who appears to hold office under colour of authority, even if some defect is later found in the appointment or office.

##### **Limits of the Doctrine**

- However, such a doctrine can only address the validity of past decisions. It does not fully resolve the larger question of institutional legitimacy and constitutional propriety.
- Therefore, tenure certainty must include clarity about both the judge's office and the legal existence of the post.

## h. Governance Dimension

- **Broader Trend of Executive Law-Making:** The controversy reflects a broader trend in Indian constitutional governance: the increasing use of executive law-making through Ordinances. Ordinances are not unconstitutional by themselves. They are specifically provided for in the Constitution to deal with urgent situations when Parliament is not in session.
- **Risk to Parliamentary Deliberation:** However, their routine use can weaken parliamentary deliberation and reduce democratic accountability.
- **Greater Sensitivity in Judicial Matters:** When an Ordinance is used to alter the composition of the highest constitutional court, the concern becomes more serious. The Supreme Court is not an ordinary institution. It adjudicates disputes involving the executive and legislature, protects fundamental rights, and reviews the constitutionality of laws and executive action.
- **Constitutional Values Involved:** Therefore, any change in its structure must be made through a process that inspires confidence and avoids the appearance of executive dependence. This issue brings together three important constitutional values: judicial independence, parliamentary supremacy in law-making and separation of powers.

Thus, the controversy is a test of constitutional governance, not merely administrative convenience.

## i. Way Forward

- **Prefer Parliamentary Legislation:** Changes to the sanctioned strength of the Supreme Court should ordinarily be made through parliamentary legislation. Regular law-making allows debate, scrutiny and political accountability. It also avoids uncertainty about the status of posts created through temporary executive action.
- **Strengthen Institutional Consultation:** Institutional consultation should be strengthened. Any proposal to increase judicial strength should involve transparent engagement among the judiciary, the executive and Parliament. The objective should be to improve access to justice and reduce pendency while maintaining constitutional propriety.
- **Protect Tenure Certainty:** Tenure certainty must be protected. Judges should not be appointed to posts whose legal basis may become uncertain if an Ordinance lapses. The security of judicial office must include not only protection from removal but also clarity about the continued existence of the post.
- **Keep Ordinance-Making Exceptional:** The use of Ordinances should remain exceptional. Ordinance-making is meant for urgent circumstances, not as a substitute for normal parliamentary law-making. This principle becomes even more important when the subject concerns constitutional institutions.
- **Preserve Appearance of Independence:** The judiciary must also preserve the appearance of independence. Even if an action is legally defensible, it may still be institutionally undesirable if it creates a perception of dependence on the executive. Constitutional courts must be especially careful about such perceptions.
- **Clarify Legal Consequences:** Finally, Parliament or the Court may need to clarify the legal consequences of appointments made to temporary statutory posts if the enabling Ordinance lapses. Such clarity would help prevent future uncertainty and protect institutional legitimacy.

A responsible way forward must therefore combine regular legislation, institutional consultation, tenure clarity and restraint in ordinance-making.

## Conclusion

The controversy over Ordinance-created Supreme Court posts is not merely about increasing the number of judges. It is about constitutional method. Judicial independence depends not only on appointment procedures but also on secure tenure, institutional autonomy and public confidence.

Expanding the Supreme Court through an Ordinance may be formally possible because an Ordinance has the force of law while it operates. However, it raises serious concerns about separation of powers, the temporary nature of executive law-making and the appearance of judicial detachment from the political branches.

In a constitutional democracy, the strength and structure of the highest court should ideally be determined through regular parliamentary legislation. This would better preserve judicial independence, respect legislative deliberation and uphold public confidence in the constitutional order.

## GS Paper II: Current Affairs

### 2. Northeast as India's Strategic Resource Frontier

#### a. Introduction

The northeastern region is increasingly being discussed in India's strategic and economic policy discourse as a potential repository of critical minerals. Recent official communication by the Ministry of Mines described Manipur as a "quiet mineral frontier," Arunachal Pradesh as a "resource-rich frontier," and projected other northeastern States such as Meghalaya and Mizoram through similar resource-oriented narratives.

This development is significant because critical minerals are now central to India's economic security, energy transition, defence preparedness and supply-chain resilience. At the same time, the framing of the Northeast as a mineral frontier raises important governance questions. The region is not an empty resource space. It is a politically sensitive, ecologically fragile and socially complex region shaped by tribal land systems, ethnic identities, customary institutions, borderland realities and historical experiences of conflict.

Therefore, the issue is not merely about mineral exploration. It is about how India can pursue strategic resource security without weakening federalism, community rights, ecological safeguards and internal stability in the Northeast.

Thus, the Northeast must be understood not only as a possible mineral-rich region, but as a living political and ecological landscape where resource policy must be built on trust, consent and responsibility.



#### b. Critical Minerals and Their Strategic Importance

- **Meaning of Critical Minerals:** Critical minerals are minerals that are essential for modern technologies but are vulnerable to supply disruption. Minerals such as lithium, cobalt, graphite, nickel, vanadium and rare earth elements are increasingly important for batteries, electric mobility, renewable energy systems, semiconductors, defence technologies and advanced manufacturing.
- **Link with Technology Supply Chains:** Their importance has grown because global economic power is now closely linked with control over technology supply chains. Countries that have secure access to critical minerals are better placed to build electric vehicles, solar and wind energy systems, defence equipment, electronics and strategic industrial capabilities.

- **India's Import Dependence:** India remains dependent on imports for several critical minerals. This creates vulnerability in a world where mineral supply chains are concentrated in a few countries and are increasingly shaped by geopolitical competition. Domestic exploration has therefore become an important policy priority.
- **Northeast in India's Mineral Exploration:** In this context, the Northeast has begun to attract greater policy attention. According to the article, the Geological Survey of India undertook 43 critical mineral exploration projects across northeastern States during the 2022–23, 2023–24 and 2024–25 field seasons. These projects covered minerals such as graphite, vanadium, lithium, rare earth elements, nickel and cobalt. Exploration has expanded across Arunachal Pradesh, Meghalaya, Assam, Nagaland and Manipur, with recent projects in Manipur involving nickel, cobalt and chromium.

This shows why the Northeast is emerging as an important region in India's larger strategy for strategic resource security.

### c. Strategic Significance of the Northeast

- **Economic Security and Strategic Autonomy:** The emerging role of the Northeast in India's critical mineral strategy is important for several reasons. First, critical minerals are now directly linked with economic security and strategic autonomy. If India can identify and develop domestic sources of such minerals, it can reduce excessive dependence on external suppliers and improve resilience in strategic sectors.
- **Support for Future Industries:** Second, the region may support India's ambitions in green energy, electric mobility, defence production and advanced manufacturing. Critical minerals are essential for technologies that will shape the future of energy, mobility and national security.
- **Changing Strategic Imagination:** In this sense, the Northeast is no longer viewed only through the lens of border security and insurgency. It is also being imagined as a strategic economic asset.
- **Development Potential:** Third, mineral-led development may create opportunities for infrastructure, employment and investment in States that have historically faced development deficits. If managed responsibly, resource development can strengthen roads, logistics, skill development, industrial activity and local revenue generation.
- **Shift in National Discourse:** Fourth, this shift reflects a wider change in the national imagination of the Northeast. For decades, the region was discussed mainly through the language of borders, connectivity, insurgency and geopolitics. It is now increasingly being framed through the language of resources, industrial security, energy transition and strategic extraction.

This shift is important, but it also requires caution. A new economic imagination must not reproduce old patterns of centralised decision-making and inadequate local participation.

### d. The Problem with the Frontier Imagination

- **Frontier as a Political Term:** The term "frontier" is not neutral. Historically, frontiers have often been imagined as empty or underused spaces waiting to be integrated, developed or extracted. Such language may appear administrative or economic, but it can carry a deeper political meaning. It may reduce living societies into resource zones.
- **Northeast as a Living Social Space:** The Northeast cannot be understood in this way. It is home to diverse communities, customary landholding practices, ethnic identities, local governance systems and historical memories of marginalisation. Land in the region is not merely an economic asset. It is connected with identity, authority, culture, ancestry, community rights and political autonomy.
- **Customary Land Systems:** This is especially important because many areas in the Northeast follow customary systems of land ownership and community control. In such contexts, mineral exploration cannot be treated as a purely technical exercise. Even preliminary exploration may create anxiety if communities fear dispossession, ecological damage or loss of control over land.

- **Conflict Sensitivity in Manipur and Other Areas:** In States such as Manipur, where violence, displacement and competing claims over land have already deepened mistrust, mineral exploration can become politically sensitive. If local communities feel that resource decisions are being made without them, mineral development may intensify social tension rather than promote development.

Therefore, the language of resource development must be careful, respectful and rooted in local democratic consent.

#### e. Environmental and Ecological Concerns

- **Ecological Fragility of the Region:** The Northeast is one of India's most ecologically sensitive regions. It contains rich biodiversity, fragile hill ecosystems, dense forests, important river systems and areas vulnerable to landslides and climate-related hazards.
- **Risks of Poorly Regulated Extraction:** Poorly regulated extraction can damage forests, disturb water systems, increase soil erosion and weaken ecological resilience. Mining and mineral development in hill regions require special caution.
- **Higher Environmental Cost in Hill Landscapes:** The environmental cost of extraction may be much higher in such landscapes than in relatively stable plains. Even if extraction is technologically feasible, it must pass the test of ecological sustainability.
- **Northeast and Environmental Security:** The region also has an important role in India's environmental security. Its forests, watersheds and biodiversity support not only local communities but also wider ecological stability. Therefore, critical mineral policy must not treat environmental safeguards as procedural hurdles. They must be seen as essential conditions for sustainable development.

This ecological dimension shows that strategic resource security cannot be pursued by weakening environmental security.

#### f. Governance Dimension

- **Central Governance Question:** The central governance question is whether India can pursue critical mineral security without repeating extractive models of development.
- **Historical Gap Between National Priorities and Local Realities:** For decades, national priorities and local realities in the Northeast have often moved at different speeds. Strategic concerns have sometimes overshadowed local participation. Connectivity projects have sometimes arrived without sufficient local economic ecosystems. Security-based governance has sometimes weakened trust between communities and the State.
- **Similar Risk in Mineral Development:** The same risk exists in mineral development. If exploration and extraction move faster than community consultation, environmental assessment and institutional safeguards, the result may be social resistance, ecological damage and political alienation.
- **Key Questions of Resource Governance:** Therefore, the issue is not whether critical mineral exploration should happen. The more important questions are how it should happen, who controls the process, who gives consent, who bears the cost and who receives the benefits.
- **Need for Democratic Legitimacy:** A responsible framework must combine national strategic interests with local democratic legitimacy. Resource security cannot be built on local distrust.

Thus, critical mineral policy in the Northeast must be designed as a governance project, not merely as a geological or industrial project.

#### g. Internal Security and Federalism Linkage

- **Strategic Borderland Context:** The Northeast's strategic location makes the issue even more sensitive. The region shares international borders with several countries and has a history of insurgency, ethnic conflict, borderland anxieties and Centre-State tensions. Resource extraction in such a region cannot be separated from internal security.

- **Risk of Alienation:** If local communities perceive mineral development as externally imposed, it may strengthen feelings of alienation. In conflict-prone areas, rumours about land acquisition, demographic change or resource control can quickly acquire political intensity. Thus, critical mineral governance must be conflict-sensitive.
- **Federalism and Local Institutions:** Federalism is equally important. State governments, autonomous councils, traditional institutions and local communities must be meaningfully involved. In several northeastern States, constitutional and customary protections shape land and resource governance.
- **Limits of Uniform National Templates:** A uniform national template may not work. Mineral policy must be adapted to local institutions and legal arrangements, including Sixth Schedule areas and tribal land systems wherever relevant.

Therefore, mineral governance in the Northeast must respect both national strategic needs and the region's federal, customary and community-based institutions.

## h. Way Forward

- **Build Policy on Consent and Transparency:** India should pursue critical mineral exploration in the Northeast through a model based on consent, transparency and institutional trust. Local communities, traditional institutions and State governments must be involved from the planning stage, not merely informed after decisions have already been made.
- **Respect Customary Land Systems:** Customary land systems must be respected. Mineral policy in the Northeast should recognise that land is often held and governed through community-based systems. Legal and administrative processes must be adapted to these realities rather than imposed through standardised frameworks.
- **Strengthen Environmental Safeguards:** Environmental safeguards must be strengthened. Exploration and extraction should be subject to rigorous ecological assessment, especially in fragile hill regions. Forest impact, water security, biodiversity, landslide risk and cumulative ecological damage must be carefully evaluated.
- **Design Benefit-Sharing Mechanisms:** Benefit-sharing mechanisms should be clearly designed. Local communities must receive tangible gains through employment, revenue-sharing, infrastructure, education, health facilities and social development. Without visible local benefits, resource extraction may deepen resentment.
- **Develop Regional Value Chains:** The Northeast should not become only a site of extraction. Regional value chains should be developed through processing units, skill development centres, logistics networks and allied industries. This would ensure that the region participates in value creation rather than merely supplying raw materials.
- **Ensure Trust-Based Governance:** Trust-based governance is essential. Transparent communication, grievance redressal, public disclosure of exploration data, social impact assessments and conflict-sensitive administration can reduce mistrust.
- **Balance Security and Development:** Finally, India must balance security and development. Critical mineral policy should integrate strategic autonomy, internal security, federalism, local rights and environmental sustainability. Treating these as separate concerns would weaken both national policy and regional stability.

A responsible way forward must therefore combine strategic resource planning with consent, ecological safeguards, benefit-sharing and regional value creation.

## Conclusion

India's search for critical minerals is strategically necessary. Lithium, cobalt, graphite, nickel, vanadium and rare earth elements will shape the future of energy, mobility, defence and advanced manufacturing. The Northeast may play an important role in this transformation.

However, the region must not be treated merely as a resource frontier beneath national strategic ambitions. It is a living political and ecological region with complex histories, community rights and fragile landscapes. Critical mineral development will be sustainable only if it respects the people, land, institutions and environmental limits of the Northeast.

The way forward lies in an inclusive, federal and ecologically sensitive model of resource governance. India's strategic resource security must be built not only on minerals beneath the soil, but also on trust, consent and justice above it.

## Reader's Note — About This Current Affairs Compilation

Dear Aspirant,

This document is part of the PrepAlpine Current Affairs Series — designed to bring clarity, structure, and precision to your daily UPSC learning.

While every effort has been made to balance depth with brevity, please keep the following in mind:

### 1. Orientation & Purpose

This compilation is curated primarily from the UPSC Mains perspective — with emphasis on conceptual clarity, analytical depth, and interlinkages across GS papers.

However, the PrepAlpine team is simultaneously developing a dedicated Prelims-focused Current Affairs Series, designed for:

- factual coverage
- data recall
- Prelims-style MCQs
- objective pattern analysis

This Prelims Edition will be released separately as a standalone publication.

### 2. Content Length

Some sections may feel shorter or longer depending on topic relevance and news density. To fit your personal preference, you may freely resize or summarize sections using any LLM tool (ChatGPT, Gemini, Claude, etc.) at your convenience.

### 3. Format Flexibility

The formatting combines:

- paragraphs
- lists
- tables
- visual cues

—all optimised for retention.

If you prefer a specific style (lists → paras, paras → tables, etc.), feel free to convert using any free LLM.

### 4. Monthly Current Affairs Release

The complete Monthly Current Affairs Module will be released soon, optimized to a compact 100–150 pages — comprehensive yet concise, exam-ready, and revision-efficient.

PrepAlpine