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Mains Marathon

1st Week May, 2026

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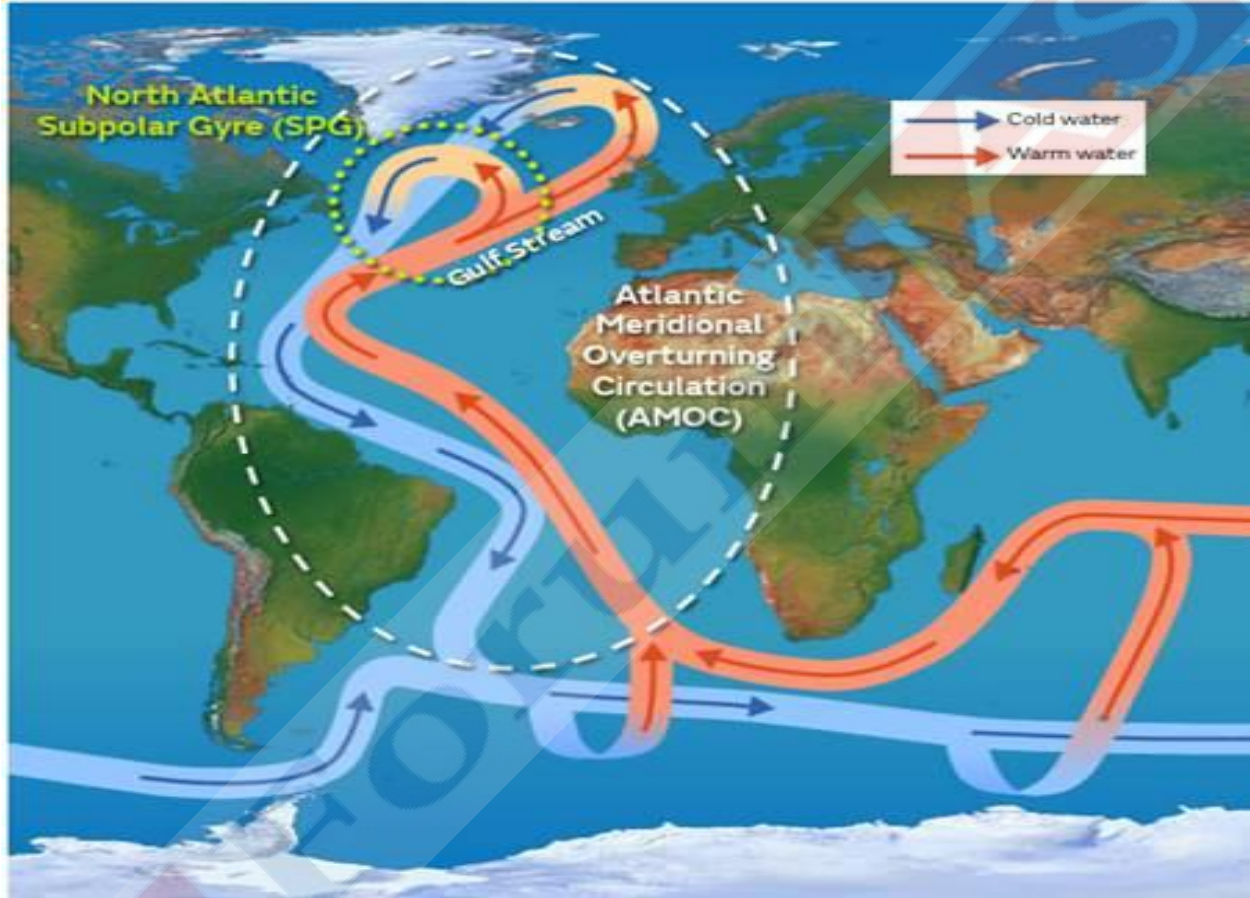
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Examine the mechanism of Atlantic Meridional Overturning Circulation (AMOC) and analyze how its potential collapse threatens the stability of Indian monsoon and regional food security.

Introduction

New research projects the Atlantic Meridional Overturning Circulation, the ocean's global heat conveyor, may slow by up to 59% by 2100, with collapse possible within this century. Its potential collapse threatens Indian monsoon stability, amplifying food insecurity, economic vulnerability, and long-term climatic disruptions.



Mechanism of AMOC and Its Potential Collapse

The AMOC operates as a thermohaline circulation system driven by temperature and salinity gradients:

1. **Normal Functioning:** Warm, salty surface water flows north via the Gulf Stream, cools in the North Atlantic, becomes denser, and sinks, driving the deep return flow.
2. **Freshwater Disruption:** Rapid Arctic and Greenland ice melt injects large volumes of freshwater, reducing salinity and density.
3. **Inhibition of Sinking:** Less dense water fails to sink effectively, slowing or halting the downwelling process that powers the entire circulation.
4. **Tipping Point Risk:** Studies indicate a possible 50-59% weakening by 2100, with collapse risks as early as mid-century under high-emission scenarios. Example: Reduced downwelling.

AMOC-Monsoon Teleconnection

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Though geographically distant, AMOC influences Indian monsoon through atmospheric-oceanic coupling:

1. **ITCZ Southward Shift:** Weakened AMOC cools the Northern Hemisphere, shifting the Inter-Tropical Convergence Zone southward and reducing moisture over India.
2. **Weakened Monsoonal Winds:** Altered temperature gradients diminish the land-sea pressure difference driving southwesterly winds.
3. **Increased Variability:** Collapse exacerbates unpredictable El Niño events, leading to erratic rainfall patterns and prolonged dry spells.
4. **Projected Rainfall Decline:** Models suggest 10-30% reduction in summer monsoon precipitation, with some estimates near 20%. Example: Drier conditions.
5. **El Niño Intensification:** AMOC slowdown disrupts Pacific heat balance. Leads to frequent/extreme El Niño events suppressing rainfall → ENSO disruption.
6. **Increased Variability:** Erratic rainfall patterns: floods + drought cycles → climate unpredictability.

Threats to Indian Monsoon Stability

1. **Rain-Fed Agriculture Impact:** Over 50% of India's net sown area depends on monsoon rains; reduced rainfall directly lowers Kharif crop yields like rice and pulses.
2. **Water Scarcity Amplification:** Weaker recharge of reservoirs and groundwater intensifies drought and affects irrigation.
3. **Socio-Economic Fallout:** Food price volatility, rural distress, and reversal of poverty reduction gains could follow sustained monsoon deficits.
4. **Marine and Coastal Effects:** Disrupted nutrient upwelling may reduce fish stocks, impacting coastal livelihoods. Example: Kharif crop failure.
5. **Spatial inequality:** Uneven rainfall distribution across regions → regional disparity. Economic Survey 2025-26 highlights increasing climate risks to agriculture-linked growth, reinforcing vulnerability.

Way Forward

1. **Strengthen Early Warning:** Invest in advanced monitoring of AMOC indicators and integrate into national climate models.
2. **Monsoon-Resilient Agriculture:** Promote drought-resistant seeds, micro-irrigation, and crop diversification under climate-smart programmes.
3. **Water Security Measures:** Accelerate rainwater harvesting, aquifer recharge, and inter-basin water transfer projects.
4. **Global Mitigation Leadership:** Push for aggressive global emission cuts while building domestic adaptation infrastructure.
5. **Food System Diversification:** Enhance buffer stocks, alternative protein sources, and supply chain resilience.

Conclusion

As Dr. APJ Abdul Kalam warned in India 2020: Nature's fury cannot be prevented, but its impact can be mitigated through science and preparedness. AMOC collapse is not India's fault but its consequences will be India's burden unless science, governance, and global solidarity converge in time.

Analyze the institutional competence of the judiciary in PILs arising from executive inaction. Evaluate if PIL jurisdiction warrants reconsideration in contemporary India.

Introduction

Public Interest Litigation (PIL) emerged in the 1970s (led by Justices P.N. Bhagwati and V.R. Krishna Iyer) as a tool to democratize access to justice by relaxing the rule of Locus Standi. However, in 2026, the transition from social action litigation to governance by the judiciary has sparked a debate on whether the courts are overstepping their mandate.

Historical Evolution of PIL

1. **Origin as Social Action:** Initiated by Justices P.N. Bhagwati and V.R. Krishna Iyer through cases like Hussainara Khatoon (1979) to protect undertrials and bonded labourers.
2. **Expansion of Locus Standi:** Allowed any public-spirited citizen to approach courts on behalf of disadvantaged groups.

Filling the Executive Vacuum

The judiciary often intervenes when the executive fails to fulfill its constitutional or statutory duties.

1. **Rights Protection:** PILs have been instrumental in protecting the environment, manual scavengers, and the rights of undertrials where the executive remained indifferent. Example: Hussainara Khatoon and MC Mehta (clean air).
2. **Policy Gaps:** In the absence of legislative or executive action, the judiciary has filled voids, acting as a sentinel on the qui vive. Example: Digital Privacy Protocols.

Thus, PIL became a constitutional safety valve against administrative failure.

Institutional Competence of Judiciary in PILs

While courts intervene in executive inaction, questions arise about their capacity to govern complex systems.

1. **Technical and Economic Complexity:** Modern governance involves specialized domains (AI regulation, climate policy, fiscal allocation). Courts lack domain expertise and data infrastructure. Example: Vehicle bans affecting economy, diesel ban Delhi.
2. **Polycentric Nature of Issues:** PILs often involve multiple stakeholders with competing interests. Judicial decisions may overlook ripple effects. Example: Slum eviction PILs excluding residents, Delhi demolitions.
3. **Absence of Administrative Machinery:** Unlike the executive, courts lack implementation capacity, leading to compliance gaps. Example: Waste management orders poorly enforced, solid waste rules.
4. **Democratic Legitimacy Concerns:** Judges are unelected; policymaking through PIL may dilute accountability. Example: Judicial directives shaping policy, firecracker bans.

Why Courts Still Intervene: Necessity Argument

Despite limitations, PILs remain indispensable due to persistent governance deficits.

1. **Executive Inaction and Rights Violations:** Courts act as “sentinel on the qui vive” when state fails constitutional duties. Example: Custodial violence monitoring, D.K. Basu guidelines.
2. **Expanding Article 21 Jurisprudence:** PILs enabled evolution of rights environment, health, privacy. Example: Right to clean environment, Ganga pollution.

3. **Accessibility for Marginalized:** Structural barriers to justice still exist (as noted in NITI Aayog governance reports). Example: Demolition victims lacking access, bulldozer actions.

Emerging Concerns

1. **Fivolous and Agenda-driven PILs:** Rise of PIL's burdens judiciary. Example: Politically motivated petitions.
2. **Exclusion of Affected Stakeholders:** Courts sometimes decide without hearing impacted groups. Example: Urban eviction cases of slum dwellers.
3. **Weak Enforcement:** Post-judgment monitoring is inconsistent. Example: Pollution directives non-compliance in air quality.

Arguments for Reconsideration

1. **Violation of Separation of Powers:** Excessive use of PILs can lead to Judicial Overreach, where the judiciary assumes the role of the Super-Legislature, eroding the accountability of the elected executive.
2. **Fivolous Litigation:** The transformation of PILs has sometimes devolved into Personal Interest Litigation or Publicity Interest Litigation, clogging an already overburdened judicial system.
3. **Lack of Enforcement:** When courts issue orders on complex administrative matters without executive buy-in, the orders often remain on paper, leading to a loss of judicial prestige.

Way Forward

1. **Fivolous PILs:** Mandatory pre-admission screening panel retired judge + domain expert; impose graduated costs on ambush petitions.
2. **Expert-Assisted Adjudication:** Use domain experts, committees for technical cases. Example: Environmental panels for scientific input.
3. **Stakeholder Inclusion:** Ensure affected parties are heard. Example: Rehabilitation hearings.
4. **Post-Judgment Monitoring:** Institutionalize compliance tracking. Example: Continuing mandamus periodic review.
5. **Limit Policy Prescription:** Courts should set principles, not detailed policy. Example: Leave legislation to Parliament like hate speech law.

Conclusion

As Justice P.N. Bhagwati PIL's architect held: PIL is a weapon to combat injustice, not a substitute for governance. The answer in 2026 is not abolition but reformation restoring PIL to its founding purpose: voice for the voiceless, not venue for the agenda-driven.

Examine why heatwaves are excluded from notified disasters. Evaluate the shift towards a resilience-driven vision for urban heat mitigation in India.

Introduction

In 2026, India is witnessing wet-bulb temperatures frequently breaching the limits of human survivability. While the Disaster Management Act (DMA), 2005, recognizes cyclones and floods, heatwaves remain a silent killer that lacks the status of a notified disaster, preventing the automatic release of National/State Disaster Response Funds (NDRF/SDRF).

What are Notified Disasters?

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1. Notified disasters list currently includes 12 categories like cyclones, floods, and earthquakes under the DM Act 2005.
2. Under the Disaster Management Act, 2005, disasters qualify for institutional funding (NDRF/SDRF) when they cause sudden, large-scale damage beyond coping capacity.

Why Heatwaves are Excluded as Notified Disasters

1. **Slow-Onset, "Invisible" Nature:** Heatwaves lack a clear event boundary or physical destruction, complicating assessment and relief targeting. Example: Gradual heat build-up no impact moment.
2. **Attribution and Measurement Challenges:** Deaths are often due to comorbidities aggravated by heat, making causality difficult to establish. Example: Heat + cardiac illness mixed causation.
3. **Fiscal Burden Concerns:** Finance Commissions fear open-ended liabilities (₹4 lakh compensation per death) due to widespread exposure. Example: Pan-India heat exposure fiscal stress.
4. **Historical Perception as Seasonal Phenomenon:** Traditionally viewed as routine summer conditions rather than disasters. Example: Annual heat cycles.
5. **Relief-Centric Policy Bias:** Existing disaster frameworks prioritise infrastructure damage over human health and productivity losses. Example: No asset damage policy.
6. **Administrative and Federal Constraints:** States can already allocate 10% SDRF for local disasters, reducing urgency for national classification. Example: Odisha heatwave relief a state-level response.

Why Inclusion is Being Reconsidered

Climate change has transformed heatwaves into systemic risks:

1. IMD projections show rising frequency and intensity extreme summers.
2. Wet-bulb temperatures nearing survivability limits.
3. Economic Survey: loss of labour hours affecting GDP productivity loss.
4. The Sixteenth Finance Commission recommendation to include heatwaves signals policy transition.

Shift to Resilience-Driven Vision

1. **From Reactive Relief to Preventive Planning:** Heat Action Plans (HAPs) focus on early warnings and preparedness. Example: Ahmedabad HAP success in mortality reduction.
2. **Urban Planning and Heat Mitigation:** Address structural drivers like Urban Heat Island (UHI) effect. Example: Cool roofs initiative reflective surfaces.
3. **Blue-Green Infrastructure:** Urban forests, wetlands, and water bodies reduce ambient temperature. Example: Urban lakes revival micro-cooling.
4. **Labour and Economic Adaptation:** Recognizing heat as an economic hazard affecting informal workers. Example: Shifted work hours midday breaks.
5. **Public Health Systems Strengthening:** Heatwaves treated as health emergencies, not just weather events. Example: Cooling centres urban shelters.

6. **Technological Interventions:** Use satellite mapping and AI-based heat forecasting. Example: Heat vulnerability mapping targeted action.
7. **Integrated Governance:** Need for inter-sectoral coordination between urban planning, labour, health, and disaster management. Example: Public cooling centres.

Way Forward

1. **Notify Heatwaves:** Amend DM Act to include heatwaves as a notified disaster with dedicated mitigation funds.
2. **Strengthen HAPs:** Make city-specific Heat Action Plans mandatory with enforceable targets for green cover and cool infrastructure.
3. **Technological Integration:** Use satellite-based heat mapping and early warning systems for hyper-local interventions.
4. **Labour Protection:** Introduce heat-adjusted work schedules and social security for outdoor workers.
5. **Capacity Building:** Establish a National Heat Commissioner or dedicated NDMA cell for cross-ministerial coordination.

Conclusion

India cannot continue to treat heatwaves as a seasonal inconvenience. To achieve SDG 11 (Sustainable Cities) and SDG 13 (Climate Action) by 2030, the policy must evolve from counting deaths to preventing heat. A cooler India in 2026 requires a shift from the politics of relief to the science of resilience.

Examine the nexus between child nutrition and learning outcomes. Evaluate India's policy framework in fostering early brain development and future economic returns.

Introduction

Economic Survey 2025–26 highlights human capital as India's growth engine; yet NFHS-5 shows persistent malnutrition. POSHAN Pakhwada 2026 re-emphasizes that early childhood nutrition critically shapes learning outcomes and long-term productivity.

Biological Nexus of Nutrition as Foundation of Learning

1. **Early Brain Development:** Nearly 90% of brain development occurs before age five; nutrition fuels synapse formation and neural connectivity, directly influencing cognition. Example: iron deficiency.
2. **Stunting and Cognitive Deficits:** Chronic malnutrition reduces attention span, memory, and school readiness, leading to poor literacy and numeracy outcomes. Example: low reading scores.
3. **Health-Education Feedback Loop:** Malnourished children suffer frequent illnesses, increasing absenteeism and dropout risks. Example: repeated absence.

Social and Intergenerational Impact

1. **Cycle of Poverty:** Malnutrition limits educational attainment, perpetuating low-income traps across generations. Example: rural poverty.
2. **Gender Disparities:** Intra-household food allocation biases affect girls nutrition, undermining future maternal and child health outcomes. Example: girl child neglect.

3. **Care Economy Gap:** Informal workers lack childcare support, affecting both child development and women's workforce participation. Example: migrant labour.

India's Policy Framework for Early Brain Development

1. **POSHAN Abhiyaan:** Shifted focus to holistic nutrition through Jan Andolan, targeting stunting, anaemia, and low birth weight.
2. **ICDS & Anganwadi System:** Provides nutrition, immunization, and early learning, forming the backbone of Early Childhood Care and Education (ECCE).
3. **PM POSHAN Scheme:** Addresses classroom hunger, improving attendance and retention. Example: mid-day meals.
4. **PMMVY & First 1000 Days:** Targets maternal nutrition, ensuring better birth outcomes. Example: Integrated service delivery.
5. **NEP 2020 Integration:** Recognizes ECCE as foundational, aligning education with nutrition policy.

Economic Returns and Human Capital Dividend

1. **Heckman Curve Logic:** Nobel Laureate James Heckman showed highest returns on investment occur in early childhood (0-5 years).
2. **Future Earnings Potential:** Well-nourished children can earn up to 20% more as adults.
3. **Reduced Social Costs:** Better early development lowers future burden on healthcare, education, and justice systems. Example: High return-on-investment.
4. **Economic Survey Insight:** Links improved human capital to sustained growth and demographic dividend realization.

Governance and Implementation Challenges

1. **Quality over Quantity:** Focus remains on food distribution rather than cognitive stimulation. Anganwadi infrastructure exists, but quality of early stimulation and caregiving remains inconsistent.
2. **Hidden Hunger:** Micronutrient deficiencies persist despite calorie sufficiency. Example: vitamin deficiency.
3. **Fragmented Convergence:** Weak coordination among health, nutrition, and education sectors. Example: siloed delivery.
4. **Gender Disparity:** Intra-household bias often results in poorer nutrition for the girl child. Example: Unequal feeding.

Way Forward

1. **Convergence Strengthening:** Fully integrate ECCE under NEP 2020 with POSHAN 2.0 for nutrition-plus stimulation.
2. **Quality Enhancement:** Upgrade Anganwadi workers' training and introduce structured early learning modules.
3. **Targeted Interventions:** Focus on urban slums and high-stunting districts with community-based crèches.
4. **Monitoring Outcomes:** Track child development indicators beyond inputs like ration distribution.
5. **Public-Private Collaboration:** Partner with NGOs and corporates for scalable models like mobile creches.

Conclusion

Focus on early brain development is a strategic realization that India's Demographic Dividend will only pay out if it is backed by nutritional security. To build a Viksit Bharat, the state must ensure that every child's cognitive potential is nurtured through a Nutrition-Plus approach.

Evaluate the proposal for an India-led Asian energy security alliance post-Hormuz disruption. Examine its role in mitigating vulnerabilities across Indo-Pacific maritime chokepoints

Introduction

The 2026 Hormuz closure trapped 13 million barrels of petroleum 85% destined for Asia. The Philippines declared a national energy emergency; Japan cut ferry services; India rationed commercial LPG. This is not a supply disruption. It is a structural indictment of Asia's collective bargaining failure.

From Market Shock to Security Crisis

1. **Dependence on Gulf Oil:** Asia imports massive volumes through Hormuz, with India relying on the region for nearly 70% of crude oil.
2. **Asian Premium Surge:** Price differential widened sharply, exposing weak bargaining power of fragmented Asian buyers. Example: \$100+/barrel spike.
3. **Post-2026 Catalyst:** The selective blockade transformed energy security from economic concern to strategic emergency. Example: 13 million barrels trapped.

Rationale for an India-led Asian Energy Alliance (AECC)

1. **Collective Bargaining Power:** Aggregating demand from India, Japan, South Korea, and others to counter Middle East pricing premiums and quota politics.
2. **Safeguarding Navigation Rights:** Ensuring freedom of passage through critical straits via joint diplomatic and naval efforts. Example: open and secure sea-lane-of-communication.
3. **Strategic Autonomy:** Reduces overdependence on Western-led institutions like IEA. Example: OECD bias.
4. **Accelerating Green Transition:** Pooling technical, financial, and human resources for renewables and post-fossil pathways. Example: Asian Energy Collaborative Compact.

Maritime Security Chokepoints

1. **Strait of Hormuz:** Direct naval coordination and alternative routing through Chabahar to reduce single-point failure risks. Example: Ensuring innocent passage under UNCLOS.
2. **Malacca Dilemma:** Regional maritime security architecture to protect the lifeline for East Asian energy imports. Expanding India's capabilities via joint patrols and convoy systems. Example: Operation Sankalp.
3. **South China Sea and Taiwan Strait:** Multilateral mechanisms to prevent spillover disruptions and ensure unhindered trade flows. Example: Net security provider role.

India's Strategic Leadership and Capabilities

1. **Unique Positioning:** India's balanced diplomacy, naval presence via Operation Sankalp, and refining capacity make it a credible coordinator.
2. **Geopolitical Credibility:** Neutral stance during the 2026 conflict enhances trust among diverse Asian partners.

3. **Strategic Petroleum Reserves (SPR):** Expansion ensures short-term supply buffering. Example: stock drawdown.
4. **Diversification of Sources:** Shifting imports to West Africa, US, and Russia reduces Gulf dependence. Example: supplier shift.
5. **Green Transition Platform:** Leveraging Asia's strengths in solar, batteries, and critical minerals. Example: lithium chains.
6. **Budget 2026–27 Focus:** Increased allocation for energy transition and infrastructure resilience. Example: clean energy push.

Geopolitical and Institutional Challenges

1. **Revisionist and Hegemon Neighbor:** Competing interests with China and differing political systems may hinder consensus-building. Example: De-hyphenated diplomacy.
2. **Divergent National Interests:** Lack of ideological unity among Asian nations complicates consensus. Example: China factor.
3. **Diplomatic Balancing:** Managing relations with Iran, Gulf states, and Western powers simultaneously. Example: strategic neutrality.
4. **Institutional Design Issues:** Avoiding duplication with existing forums like IPEF or ASEAN mechanisms. Example: overlap risk.

Way Forward: Towards Energy Sovereignty

1. **Institutional Framework:** Formalise the Asian Energy Collaborative Compact with clear governance and dispute mechanisms.
2. **Naval Collaboration:** Expand joint patrols and information-sharing for critical sea lanes.
3. **Diversification Push:** Build strategic reserves and develop non-Gulf suppliers alongside green hydrogen corridors.
4. **Inclusive Membership:** Engage ASEAN, Japan, South Korea, and China on functional, non-political cooperation.
5. **Monitoring Mechanism:** Establish real-time intelligence sharing on chokepoint risks and market disruptions.

Conclusion

As EAM Jaishankar writes in *The India Way* (2020): The defining challenge of our times is to build a multipolar world with equitable rules. AECC is precisely this, Asia writing its own energy rules rather than absorbing the consequences of rules written elsewhere.

Examine the shift towards a woman-centered abortion jurisprudence. Evaluate the need for a rights-based legislative framework prioritizing dignity over rigid gestational limits.

Introduction

Economic Survey 2025–26 underscores gender equity as core to human capital; amid rising litigation under the MTP Act, 2026 Supreme Court rulings reposition reproductive autonomy as dignity-centric, rights-based constitutional entitlement.

Evolution of Abortion Jurisprudence

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1. **Colonial to Post-Independence:** Abortion was criminalised under IPC Sections 312-316; MTP Act 1971 introduced limited exceptions on medical and humanitarian grounds.
2. **1971-2021 Phase:** Provider-centric model required doctor approval, treating abortion as a regulated concession rather than a right.
3. **2021 Amendment Shift:** Expanded gestational limits (20–24 weeks) and categories but retained provider-centric approach.
4. **Judicial Pivot (2022–26):** Courts increasingly interpret abortion as a facet of personal liberty under Article 21.

Woman-Centered Jurisprudence: Key Constitutional Principles

1. **Bodily Autonomy & Privacy:** Courts now recognise unwanted pregnancy as violation of dignity, prioritising mental health alongside physical risk. Rooted in Justice K.S. Puttaswamy v. Union of India, affirming decisional autonomy.
2. **Reproductive Choice as Right:** X v. Principal Secretary (2022) extended rights to unmarried women, removing discriminatory barriers.
3. **Minor Survivors Focus:** In 2026 cases, SC allowed terminations beyond 24 weeks for rape survivors, stressing trauma and choice.
4. **Broad Mental Health Interpretation:** Forced continuation of pregnancy is viewed as grave injury to mental health. Permitting termination beyond 24 weeks prioritizing dignity over procedural rigidity. Example: 30-week termination case.
5. **Gender Justice:** Aligns with SDG-5 goals of bodily autonomy and equality. Example: reproductive rights.

Limitations of Current Legal Framework

1. **Arbitrary Time Limits:** 24-week cap ignores delayed reporting due to stigma, trauma, or lack of awareness in minor rape cases.
2. **Medical Board Gatekeeping:** Bureaucratic hurdles often push pregnancies beyond legal limits, endangering women.
3. **MTP-POCSO Conflict:** Mandatory reporting discourages minors from seeking safe abortion.
4. **Inconsistency with Rights:** Rigid timelines conflict with evolving Article 21 jurisprudence on privacy and dignity.
5. **Litigation Burden:** Over 1,000 petitions since 2021 indicate systemic inadequacy.

Need for a Rights-Based Legislative Framework

1. **Dignity Over Timelines:** Law should presume autonomy, with medical oversight as safeguard, not barrier. Example: choice model.
2. **Harmonisation with POCSO:** Mandatory reporting deters minor survivors; framework must balance protection and access.
3. **Decriminalization Approach:** Shift abortion from IPC exception to healthcare entitlement. Shift from exception-based regime to rights-based model reduces litigation burden on courts.
4. **Equity Focus:** Ensures vulnerable groups are not penalised by procedural rigidity. Example: Rights-based presumption.
5. **Alignment with Global Standards:** WHO advocates abortion on request with safeguards. Example: global norms.

Way Forward

1. **Amend MTP Act:** Remove upper gestational limits for rape survivors and minors; adopt “best interest of woman” standard.
2. **Time-Bound Processes:** Mandate fast-track medical and judicial review for late-term cases.
3. **Decentralised Access:** Strengthen rural healthcare infrastructure and training for safe services.
4. **Awareness Campaigns:** Reduce stigma and improve early reporting through community education.
5. **Monitoring Mechanism:** Establish national registry for transparent tracking of cases and outcomes.

Conclusion

As Justice D.Y. Chandrachud held in *K.S. Puttaswamy (2017)*: Individual autonomy as a core component of the fundamental right to privacy. Reproductive choice is the most intimate of these decisions the law must protect it, not obstruct it.

Analyze judicial intervention in the Forest Rights Act. Evaluate its role in protecting grazing rights and preventing arbitrary evictions of forest-dwelling communities.

Introduction

In 2026, judicial interventions (like those from the Allahabad and Madras High Courts) have emerged as critical safeguards, ensuring that administrative bodies like the District Level Committee (DLC) do not dilute the statutory protections of forest dwellers in the name of conservation.

Historical & Constitutional Context

1. **Colonial Legacy:** Enacted in 2006 to address colonial and post-independence denial of traditional rights to Scheduled Tribes and Other Traditional Forest Dwellers (OTFDs).
2. **Constitutional Morality:** Anchored in Article 21 (life with dignity) and Fifth Schedule protections, it recognizes land, livelihood, and cultural rights.
3. **Checks & Balances:** Judiciary acts as a counter-majoritarian institution, ensuring executive compliance with statutory mandates.

Judicial Correction of Administrative Overreach

1. **DLC arbitrariness:** Courts have repeatedly intervened where District Level Committees (DLCs) arbitrarily rejected claims.
2. **Allahabad HC Ruling (2026):** Quashed DLC rejection of Tharu community claims citing a 2000 Supreme Court order, declaring it invalid post-FRA.
3. **Gram Sabha Empowerment:** Courts ruled DLC cannot bypass Gram Sabha recommendations or act arbitrarily.
4. **Rejection Not Eviction:** Claim rejection does not authorise automatic eviction; due process and reasoned orders are mandatory. Example: Tharu community case.

Protection of Grazing Rights

1. **Community Forest Right:** Section 3(1)(d) recognises grazing as a vested right, not a concession.
2. **Balanced Approach:** Courts have restricted blanket bans, allowing regulated grazing outside core zones like tiger reserves.

3. **Livelihood Security:** Judicial orders protect pastoralist communities whose economy and culture depend on grazing. Example: Tamil Nadu grazing orders.

Protection Against Arbitrary Evictions

1. **Section 4(5) Safeguard:** Section 4(5) of FRA prohibits eviction until the recognition process is complete.
2. **Due Process Mandate:** Judiciary has stayed evictions where: Claims were pending or improperly rejected like procedural lapse. Authorities treated dwellers as “encroachers” without verification like label misuse.
3. **Reinforced principle: Forest clearance ≠ People clearance i.e.,** rights distinction.
4. **Critical Wildlife Habitat Clause:** Eviction allowed only on scientific proof of irreversible wildlife damage, not administrative whim. Example: Stay on coercive actions.

Challenges

1. **Policy Contradiction:** Conflict with Forest (Conservation) Amendment Act, 2023 diluting community consent.
2. **Legal Inconsistency:** Fragmented judicial interpretations across states on grazing and rights.
3. **Bureaucratic Inertia:** Administrative resistance and legacy mindset of encroachment.
4. **Data Deficit:** Technological gaps in mapping and digitization causing claim disputes.

Way Forward

1. **Uniform Guidelines:** Supreme Court should issue nationwide directions for consistent FRA application.
2. **Digitised Mapping:** Complete geo-referencing of claims to reduce disputes and delays.
3. **Capacity Building:** Train DLC members and forest officials on FRA provisions.
4. **Convergence:** Integrate FRA with MGNREGA and other schemes for sustainable livelihoods.
5. **Monitoring:** Strengthen State Level Monitoring Committees with civil society representation.

Conclusion

As Dr. B.R. Ambedkar held: The relationship between the rulers and the ruled must be that of trust. For forest communities, the FRA is that trust codified — when the executive breaks it, the judiciary must uphold it; but lasting protection requires legislative and administrative fidelity, not only judicial rescue. Top of Form

Evaluate India's LNG supply vulnerability in light of West Asian instability. Examine the role of strategic storage in ensuring national energy security.

Introduction

The 2026 West Asia war and the subsequent closure of the Strait of Hormuz have exposed a critical Achilles' heel in India's energy matrix. With liquefied natural gas (LNG) accounting for nearly half of India's gas consumption, and 60% of these imports transiting through a single, volatile chokepoint, energy security has transitioned from an economic goal to a national security imperative.

Structural Vulnerability in India's LNG Ecosystem

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1. **Energy Transition:** India meets ~50% of gas demand through LNG imports, reflecting rising dependence in a “gas-based economy” transition.
2. **Chokepoint Risk:** Nearly 60% of LNG imports transit through the Strait of Hormuz, making it a critical chokepoint.
3. **Supplier Dependence:** Heavy reliance on Qatar and UAE creates supply concentration risks.
4. **External Shock:** Economic Survey 2025–26 flags energy import dependence (~85% crude, rising gas share) as macroeconomic vulnerability.

Impact of West Asian Instability (2026 Crisis)

1. **Supply Shock:** Qatar LNG supply to India dropped drastically (~94%), disrupting long-term contracts.
2. **Price Volatility:** Spot LNG prices surged to \$20–25/mBtu (Million British Thermal Units), increasing import bills and inflationary pressures.
3. **Sectoral Prioritization:** Government diverted gas to essential sectors (PNG, CNG), curtailing industrial use.
4. **Industrial Impact:** Fertilizer, petrochemical, and power sectors faced operational stress.

Limitations of India's LNG Storage Infrastructure

1. **Operational vs Strategic:** India has ~23 LNG tanks, primarily for operational flow, not emergency reserves. Existing tanks at Dahej and Kochi serve only short-term regasification needs, not long-term shocks.
2. **No Dedicated SPR for Gas:** Unlike crude oil, India lacks large-scale strategic LNG reserves. LNG storage requires cryogenic infrastructure, making it capital-intensive and slow to scale.
3. **Just-in-Time Model:** Current model follows just-in-time consumption, leaving no cushion for disruptions. Heavy reliance on continuous imports leaves no buffer during geopolitical crises.

Strategic Storage: Role in Energy Security

1. **Shock Absorption:** Storage buffers supply during disruptions, preventing economic dislocation.
2. **Price Hedging:** Enables buying during low-price periods and releasing during crises.
3. **Sectoral Prioritisation:** Ensures uninterrupted supply to households (PNG/CNG) and critical industries like fertilisers. Example: Reduced industrial shutdowns. Budget 2026–27 emphasizes **energy security investments and infrastructure expansion.**

Economic and Social Implications

1. **Inflation Chain:** Gas shortages impact fertilizer production → food inflation, affecting poor households.
2. **Policy Target:** Disruptions threaten India's goal of increasing gas share to 15% by 2030.
3. **Growth Stability:** NITI Aayog highlights need for resilient energy systems to sustain growth.
4. **Social Equity:** Prioritisation protects household energy access but exposes informal sector workers to job losses.
5. **Geopolitical Lesson:** Highlights risks of over-reliance on volatile regions and single chokepoints.

Way Forward: Building a Resilient Gas Architecture

1. **Strategic Storage Expansion:** Develop underground gas storage (salt caverns, depleted fields). Expand LNG tank capacity at Dahej, Kochi, Odisha terminals.
2. **Diversification of Supply:** Increase sourcing from USA, Australia, Africa to reduce West Asia dependence. Strengthen long-term contracts over volatile spot markets.

3. **Strengthening Domestic Ecosystem:** Boost domestic exploration (KG basin, deepwater fields). Expand pipeline grid connectivity for efficient distribution.
4. **Technological & Policy Innovation:** Invest in floating storage regasification units (FSRUs) for flexibility. Promote green hydrogen and renewables to reduce gas dependence.
5. **Geopolitical Strategy:** Enhance naval presence and partnerships for energy route security. Participate in Indo-Pacific energy cooperation frameworks.

Conclusion

Energy independence is the first building block of national strength. Strategic gas storage is not an infrastructure project it is a sovereignty decision. India cannot be energy-secure while a single maritime chokepoint holds its fertilisers, kitchens, and industries hostage.

Critically analyze India's transition from an AI tenant to a producer. Evaluate if human capital and sovereign models can overcome hardware-led strategic constraints.

Introduction

Economic Survey 2025–26 flags India's AI paradox: top-three talent yet minimal frontier ownership only 2% of global AI training-data startups are Indian, against 40% in the US and 21% in the EU. India is building the buildings. The intelligence will not be India's.

India's Transition from AI Tenant to Producer

From IT Services to AI Ambitions

1. **IT Services Legacy:** India began as a global back-office for software services, excelling in deployment rather than core innovation. Firms like TCS and Infosys built global reputations through outsourcing, but limited investments in R&D (<1% of GDP) constrained deep-tech innovation.
2. **Post-2020 Acceleration:** Explosion in startups and developer community shifted focus toward building indigenous solutions.
3. **Policy Push:** IndiaAI Mission (2024) marked a strategic shift toward sovereign AI capabilities. (Example: From outsourcing to creation). Today, AI presents a second opportunity to move up the value chain. **Example:** IT outsourcing success value chain trap.

Strengths in Human Capital and Sovereign Models

1. **Talent Pool:** India leads in AI skill penetration with 263% talent growth since 2016 and ranks among top countries in GitHub AI contributions.
2. **Strength with Limits:** India's strongest asset is its human capital:
 - 1st in AI skill penetration; 2nd largest developer base.
 - 263% growth in AI talent since 2016.
 - 6 million employed in tech ecosystem.

NITI Aayog's AI for Inclusive Societal Development (2025) highlights AI's transformative potential for 490 million informal workers. However, talent alone does not guarantee innovation without research ecosystems and capital depth.

3. **Sovereign Initiatives:** BharatGen and other models under IndiaAI Mission develop multilingual, India-specific foundational models. The IndiaAI Mission (₹10,300+ crore) marks a decisive policy shift: Development of indigenous foundational models (e.g., BharatGen), AIKosh datasets and subsidized GPU access (₹65/hour) and Expansion to 38,000 GPUs.
4. **Startup Ecosystem:** Nearly 89% of new startups integrate AI, creating a vibrant innovation base. Example: 1.8 lakh startups.

Hardware-Led Strategic Constraints

1. **Import Dependence:** India relies on foreign chips and GPUs, lacking advanced fabrication facilities despite the India Semiconductor Mission. Example: No advanced semiconductor fabs and reliance on imported GPUs and chips.
2. **Compute Gap:** Frontier models require massive compute power that India currently accesses through global providers. Example: Only 2% of global AI data startups (Economic Survey).
3. **Geopolitical Risk:** Global chokepoints dominated by US firms and Taiwan's fabrication ecosystem, limit India's ability to scale frontier models, which require massive compute and capital. **Example:** Taiwan fabs strategic chokehold.

Can Human Capital Offset Hardware Gaps?

Yes, partially:

1. India can lead in applied AI, open-source innovation, and frugal engineering.
2. Strong domestic demand enables large-scale deployment.
3. Edge AI, RISC-V processors (Shakti/Ajit), and software optimisation can partially bridge the gap. Example: Sovereign edge computing.

But not fully:

1. Frontier AI requires compute, capital, and research ecosystems.
2. Without domestic fabs, India remains a tenant for high-end training, limiting strategic autonomy in defence and critical sectors.

Thus, human capital + sovereign models are necessary but insufficient without hardware depth.

Example: Open-source AI—"partial autonomy".

Way Forward

1. **Semiconductor Push:** Accelerate India Semiconductor Mission with incentives for advanced fabs and chip design.
2. **Compute Infrastructure:** Scale IndiaAI Mission to 1 lakh+ GPUs with public-private partnerships.
3. **Talent-to-Product Pipeline:** Link research institutions with startups for end-to-end indigenous model development.
4. **Open Ecosystem:** Promote open-source models and data commons while ensuring data sovereignty.

5. **Strategic Funding:** Create a dedicated sovereign AI fund with patient capital for deep-tech R&D.

Conclusion

As Dr. APJ Abdul Kalam held in Wings of Fire: A nation's strength ultimately consists in what it can do on its own. India is pouring concrete foundations in Visakhapatnam, the test is whether it builds the cognition to fill them, or leases intelligence forever from those who did.

Examine how the 12-week FDI approval SOP enhances transparency. Evaluate its impact on balancing accelerated investment inflows with necessary security-based scrutiny.

Introduction

Amid volatile global capital flows and net FDI outflows in early 2026, India's 12-week SOP—aligned with Economic Survey 2025–26 reform priorities—seeks to reconcile investor facilitation with national security imperatives and regulatory transparency.

Evolution of India's FDI Approval Framework

1. India's FDI regime has evolved from restrictive licensing (pre-1991) to liberalized automatic routes. Example: LPG reforms.
2. The 2017 SOP introduced timelines, but lacked strict enforcement and digital integration. Example: procedural delays.
3. The 2026 SOP marks a shift toward rules-based, time-bound governance. Example: 12-week cap.

Enhancing Transparency through the 12-Week SOP

1. **Time-Bound Decision-Making:** DPIIT must circulate proposals within 2 days; ministries must respond in 8 weeks, with final decision in 12 weeks. Example: reduced pendency.
2. **Digital Single-Window System:** Fully paperless processing via National Single Window System. Minimizes bureaucratic opacity and duplication. Example: online tracking.
3. **Institutional Accountability:** Dedicated Oversight: Each ministry to establish an FDI Cell headed by a Joint Secretary for faster coordination. Regular DPIIT review meetings (4–6 weeks). Example: inter-ministerial coordination.
4. **Deemed Approval Logic:** Non-response within timelines treated as no objection. Prevents strategic delays by departments. Example: silent clearance.

Balancing Speed with Security

1. **Continued Security Screening:** Mandatory clearance from MHA for sensitive sectors: defence, telecom, space. Reflects national security doctrine in investment policy. Example: telecom scrutiny.
2. **Risk-Based Differentiation:** Higher scrutiny for: Border-sharing countries and large-value investments. Relaxation for $\leq 10\%$ equity from such countries ensures flexibility. Example: China stake cap.
3. **Cabinet-Level Oversight:** Large proposals routed to Cabinet Committee on Economic Affairs. Maintains sovereign control over strategic assets. Example: mega projects.

4. **Equity Increase Ease:** No prior approval needed for foreign equity hikes up to ₹5,000 crore if percentage remains unchanged. Example: Sensitive sector checks.

Economic and Geopolitical Implications

1. **Boosting Investor Confidence:** Predictable timelines reduce policy risk premium. Critical amid global FDI competition (ASEAN faster regimes). Example: Vietnam 15 days.
2. **Addressing Declining FDI Trends:** Net outflows and rupee depreciation signal urgency. SOP aligns with Budget 2026–27 focus on manufacturing FDI. Example: capital goods.
3. **Manufacturing Push:** Faster clearances in 40 priority items across six sectors support PLI scheme goals.
4. **Strategic Positioning in Global Supply Chains:** Fast-tracking sectors like rare earths, batteries, electronics. Supports “China+1” diversification strategy. Example: EV components.

Challenges Remaining

1. **Security vs Speed:** Rigorous scrutiny in sensitive areas may still cause delays despite timelines.
2. **Implementation Gap:** Coordination between multiple ministries remains a practical hurdle.
3. **Quality of Inflows:** Faster approvals must not dilute strategic safeguards against risky investments. Example: Inter-agency delays.

Way Forward

1. **Single Window Strengthening:** Fully integrate all clearances under National Single Window System.
2. **Capacity Building:** Train FDI Cells and streamline inter-ministerial data sharing.
3. **Post-Approval Monitoring:** Introduce robust compliance tracking to ensure investments deliver on commitments.
4. **Sectoral Fast-Track:** Expand automatic route for non-sensitive, high-employment sectors.
5. **Investor Feedback Loop:** Periodic review of SOP based on global best practices and stakeholder inputs.

Conclusion

As Dr. Manmohan Singh noted in his 1991 Budget speech: No power on earth can stop an idea whose time has come. India's FDI reforms are that idea, but ideas need execution. The 12-week SOP sets the clock; investment will come when the entire system runs on time, not just the approval window.

Analyze the rationale of Emergency Credit Line Guarantee Scheme (ECLGS) 5.0 in mitigating geopolitical shocks. Evaluate its role in addressing liquidity mismatches for MSMEs and the aviation sector.

Introduction

ECLGS 5.0, targeting ₹2.55 lakh crore in additional credit, draws directly on the ECLGS COVID precedent that benefitted 1.19 crore borrowers with ₹3.61 lakh crore in guarantees. The question is whether a scheme designed for pandemic-era demand collapse can effectively cushion a supply-side geopolitical shock.

Rationale Behind ECLGS 5.0

1. **Geopolitical Trigger:** West Asia conflict and Strait of Hormuz disruptions caused sharp input cost spikes and supply shortages.
2. **Liquidity Bridge:** Provides additional working capital up to 20% of peak utilisation (capped at ₹100 crore for MSMEs).
3. **Sectoral Prioritisation:** Includes ₹5,000 crore guarantee for airlines facing high fuel costs and reduced operations. Example: Hormuz blockade impact.

Addressing Geopolitical Supply-Chain Disruptions

1. **Crisis Response Mechanism:** Acts as a safety net during external shocks when normal credit channels freeze.
2. **Confidence Building:** 100% guarantee reduces lender risk, encouraging credit flow during uncertainty.
3. **Economic Stabiliser:** Prevents cascading defaults in MSME clusters dependent on West Asian supply chains. Example: Fertiliser industry stress. India, being heavily dependent on imported energy, faces inflationary pressure and input-cost escalation.
 - MSMEs using imported raw materials face working-capital stress. Example: chemicals, textiles.
 - Aviation sector faces higher Aviation Turbine Fuel (ATF) costs and route disruptions. Example: airline rerouting.

The Economic Survey 2025–26 highlighted that India must develop shock absorption mechanisms against geopolitical uncertainty.

Key Features of ECLGS 5.0

1. **Credit Guarantee Architecture:** Implemented through National Credit Guarantee Trustee Company Limited (NCGTC). 100% guarantee for MSMEs, 90% guarantee for non-MSMEs and airlines. Targeted credit flow: ₹2.55 lakh crore, including ₹5,000 crore for airlines. This reduces lender risk and encourages banks to continue credit flow during uncertain periods.
2. **Liquidity Support Model:** The scheme provides additional working-capital credit: up to 20% of peak working capital for businesses and up to 100% for airlines (capped). Thus, ECLGS functions as a counter-cyclical fiscal instrument.

Role in Addressing MSME Liquidity Mismatches

1. **Working Capital Support:** Helps MSMEs manage inventory and input cost surges without immediate repayment pressure.
2. **Moratorium Provision:** One-year moratorium provides breathing space for repayment.
3. **Targeted Reach:** Focuses on small businesses hit hardest by energy price volatility and logistics disruptions. (Example: MSME cluster defaults)

This complements Budget 2026–27 measures such as TReDS expansion, MSME Growth Fund and CGTMSE-backed financing.

Role in Supporting the Aviation Sector

Mains Marathon Compilation [First Week] May 2026

1. **Fuel Cost Shock:** Airlines facing ATF price spikes and flight cuts receive dedicated ₹5,000 crore guarantee.
2. **Higher Guarantee Cover:** 90% coverage with two-year moratorium addresses sector-specific vulnerabilities.
3. **Operational Continuity:** Prevents grounding of fleets and job losses in a strategically vital sector. Example: Reduced international flights.

This is crucial as aviation supports trade, emergency logistics and regional connectivity under schemes like UDAN.

Challenges

1. **Fiscal Burden:** Potential increase in contingent liabilities for the government.
2. **Moral Hazard Risk:** Repeated schemes may weaken credit discipline among borrowers.
3. **Implementation Gap:** Reaching last-mile MSMEs in Tier-2/3 cities remains challenging. Example: Repayment concerns.

Way Forward

1. **Exit Strategy:** Design clear sunset clauses and performance-linked repayment to avoid perpetual dependence.
2. **Credit Discipline:** Link guarantees with improved due diligence and digital credit scoring.
3. **Complementary Measures:** Combine with production-linked incentives and supply chain diversification.
4. **Long-term Resilience:** Accelerate strategic petroleum and LNG reserves alongside domestic manufacturing push.
5. **Monitoring Framework:** Regular NITI Aayog-led reviews to assess scheme effectiveness and fiscal impact.

Conclusion

ECLGS 5.0 is a testament to India's evolving Crisis Management architecture. It moves away from reactive bailouts toward a market-linked guarantee model.

Evaluate the shift from capacity creation to technological depth under India Semiconductor Mission (ISM) 2.0. Examine its role in securing India's strategic and economic sovereignty.

Introduction

The ISM 2.0, unveiled in the 2026 Union Budget, signals a transition from capacity building to technological depth. ISM 2.0 targets the upstream components equipment, specialty materials, and indigenous IP to firewall India against global supply chain weaponization.

Evolution from ISM 1.0 to ISM 2.0

1. **ISM 1.0 Focus:** Primarily attracted fabrication, assembly, and testing units with ₹76,000 crore incentives, approving 10 projects worth ₹1.60 lakh crore.
2. **ISM 2.0 Shift:** ISM 2.0 marks a decisive transition from manufacturing presence to technological depth. Moves upstream to semiconductor equipment, specialty materials, chemicals, and full-stack Indian IP design.
3. **Policy Continuity:** Builds on successful approvals like Tata-PSMC fab while addressing gaps in design sovereignty and supply chain resilience. Example: From assembly to IP ownership.

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Technological Depth Under ISM 2.0

1. **Indigenous Ecosystem:** Emphasis on developing full-stack Indian IP, RISC-V processors (Shakti/Ajit), and advanced nodes (3nm/2nm roadmap).
2. **Equipment and Materials:** Supports domestic manufacturing of tools, gases, and chemicals required for fabs, reducing import dependence.
3. **Integration and Design-Led Growth:** This reflects vertical integration across the semiconductor value chain. Example: DHRUV64 processor. Strengthens Design Linked Incentive scheme to nurture fabless companies and startups. Example: BharatGen-like models.

Economic Sovereignty Through Semiconductor Ecosystem

1. **Value Chain Integration:** Targets \$100+ billion market by 2030, generating high-skilled jobs and attracting global players under “China+1” strategy. ISM 2.0 seeks to convert India from a consumption hub into a production and innovation hub.
2. **Approved investments:** ₹1.60 lakh crore across 12 semiconductor projects. Spread across Gujarat, Assam, Uttar Pradesh, Odisha and Andhra Pradesh.
3. **Key Projects Include:** Tata-PSMC semiconductor fab, Gujarat, Micron ATMP facility and HCL-Foxconn OSAT unit, Uttar Pradesh. This promotes regional industrialisation and manufacturing diversification. Example: Dholera semiconductor cluster.
4. **Employment and Human Capital:** The programme promotes high-value employment: 62,000+ engineers trained under SMART Labs, 67,000 students using advanced EDA tools and target: one lakh semiconductor professionals. AICTE semiconductor-focused programmes and FutureSkills PRIME strengthen India’s knowledge economy. Example: VLSI training ecosystem.

From Make in India to Design in India

1. The Design Linked Incentive (DLI) Scheme signifies the movement toward indigenous innovation.
2. Achievements include: 24 semiconductor startups supported, ₹430 crore venture capital mobilized, 122 academic chip tape-outs and 85 patents filed by institutions and startups.
3. ISM 2.0 aims to enable at least 50 fabless companies, reducing royalty dependence on foreign firms. Example: fabless innovation ecosystem.

India in the Global Chip Realignment

1. Amid US-China technological rivalry and China+1 diversification, India positions itself as a trusted semiconductor partner.
2. Major economies like the US, EU and Japan are investing heavily through: US CHIPS Act, EU Chips Act and Japanese semiconductor subsidies.
3. ISM 2.0 aligns India with this global restructuring while strengthening supply-chain resilience. Example: friend-shoring strategy.

Challenges

1. **Intensity:** Advanced nodes require massive investment beyond current incentives.
2. **Infrastructure Gaps:** Needs ultra-reliable power, water, and logistics for high-tech fabs.
3. **Talent Depth:** Requires specialised researchers for frontier R&D, not just engineers. Example: Fab ecosystem gaps.

Way Forward

1. **Incentive Calibration:** Increase support for equipment and materials under ISM 2.0 with performance-linked milestones.

2. **R&D Ecosystem:** Establish more Centres of Excellence linking academia, startups, and industry.
3. **Supply Chain Security:** Develop alternative sourcing and strategic reserves for critical materials.
4. **Talent Pipeline:** Scale specialised semiconductor courses and attract global experts.
5. **Global Partnerships:** Forge technology collaborations while safeguarding core IP and sovereignty.

Conclusion

ISM 2.0 is the definitive leap from Made in India to Innovated in India. To achieve true self-reliance, the government must now ensure that the India Semiconductor Mission moves in lockstep with the National Quantum Mission and IndiaAI, creating a unified, high-tech sovereign stack.

Analyze the Supreme Court's ruling on medical negligence claims surviving a doctor's death. Comment on its implications for patients rights and heirs liabilities.

Introduction

In May 2026, the Supreme Court of India clarified the application of the legal maxim *Actio personalis moritur cum persona* (a personal action dies with the person) in medical negligence. The Court ruled that while personal claims abate upon a doctor's death, pecuniary (financial) claims survive and can be pursued against the doctor's estate and legal heirs.

Context and Significance of the Judgment

1. In *Dr PB Lall Case (2026)*, the Supreme Court clarified the scope of the common-law maxim *Actio personalis moritur cum persona*, a personal action dies with the person.
2. The Court distinguished between personal claims and pecuniary claims, holding that financial liabilities arising from medical negligence survive against the deceased doctor's estate. Example: treatment expenses.
3. The ruling overturned the restrictive interpretation adopted in *Balbir Singh Makol v Sir Ganga Ram Hospital (2001)* by the National Consumer Disputes Redressal Commission (NCDRC). Example: NCDRC reversal.

Core Legal Principles Clarified by the Supreme Court

1. **Distinction Between Personal and Pecuniary Claims:** Claims involving: pain, suffering, mental agony, loss of reputation abate upon death since they are intrinsically personal. Example: emotional damages. Claims involving: medical expenses, loss of income, corrective treatment costs survive because they constitute economic loss recoverable from the estate. Example: financial restitution.
2. **Harmonizing Procedural and Substantive Law:** Order XXII CPC governs substitution of parties after death. Section 306 of the Indian Succession Act determines whether the right to sue survives. The Court emphasized that procedural continuation depends on substantive rights. Example: survival doctrine
3. **Rights-Based Interpretation:** The Court adopted a welfare-oriented interpretation consistent with: Article 21 (Right to Life), Consumer Protection principles, access to justice jurisprudence. Example: constitutional morality.

Implications for Patients' Rights

1. **Strengthening Restorative Justice:** Victims' families are protected from losing compensation merely due to the doctor's death during prolonged litigation. Example: delayed trials.
2. **Preventing Litigation Fatigue:** Medical negligence cases often continue for decades. Automatic abatement would unfairly penalize patients. Example: procedural fairness.
3. **Reinforcing Accountability in Healthcare:** The judgment recognizes medical negligence as not merely a personal wrong but also a professional-economic liability. Example: professional responsibility.
4. **Consumer Protection Enhancement:** Supports the pro-consumer philosophy underlying the Consumer Protection Act. Example: patient empowerment.

Implications for Legal Heirs and Medical Professionals

1. **Limited Liability of Heirs:** Legal heirs are not personally negligent. Liability extends only to the inherited estate. Example: estate-bound liability.
2. **Importance of Professional Indemnity Insurance:** Encourages doctors and hospitals to maintain stronger insurance coverage. Example: risk management
3. **Evidentiary Challenges:** Defending negligence claims becomes difficult without the doctor's testimony. Greater reliance on: medical records, expert evidence and institutional protocols. Example: documentary evidence.
4. **Institutional Accountability:** Hospitals may increasingly adopt: electronic health records, audit systems and standardized treatment protocols. Example: digital governance.

Challenges and Concerns

1. Determining estate valuation may create disputes. Example: inheritance complexity.
2. Small practitioners may face higher compliance burdens. Example: rural clinics.
3. Possibility of defensive medicine due to fear of litigation. Example: overtreatment risk.

Way Forward

1. **Legislative Clarity:** Amend laws to explicitly distinguish pecuniary and personal claims in medical negligence.
2. **Standardised Procedures:** Issue guidelines for faster substitution of legal heirs in ongoing cases.
3. **Insurance Mandate:** Make comprehensive indemnity cover compulsory for practising doctors.
4. **Awareness Drive:** Educate medical fraternity and public on surviving claims and estate liability.
5. **Judicial Training:** Sensitise judges on balancing patient rights with heirs' limited liability.

Conclusion

By ensuring that financial compensation survives the doctor, the law protects vulnerable patients from being twice victimized, once by negligence and once by the legal system. It transitions medical accountability from a purely personal liability to a standardized professional obligation that respects the sanctity of the patient's right to restitution.

Analyze building fire hazards in India. Evaluate the National Building Code's efficacy and the implications of transitioning fire safety standards into advisory guidelines.

Introduction

Following recurrent urban fire tragedies and the National Building Code (NBC) into a more advisory framework under the new National Building Construction Standards (NBCS) 2026 reforms, India faces a critical dilemma: balancing ease of construction with enforceable fire safety, amid rising high-density urbanization, infrastructure deficits, and constitutional obligations under Article 21.

Building Fire Hazards in India

1. **Electrical Overload:** Primary cause (over 70-85% of fires) due to faulty wiring and AC overuse during heatwaves.
2. **Combustible Materials:** Extensive use of ACP cladding and glass facades turns buildings into fire chimneys.
3. **Infrastructure Deficits:** Narrow roads and setback violations prevent fire tender access in dense areas.
4. **High-Rise Vulnerability:** Poor compartmentation and blocked escape routes amplify casualties in multi-storey buildings.

Efficacy of National Building Code (NBC)

1. **Comprehensive Framework:** NBC 2016 Part 4 provides detailed guidelines on fire zoning, exits, sprinklers, and alarms.
2. **Implementation Gap:** Remains largely recommendatory as fire safety is a State/Municipal subject, leading to uneven adoption.
3. **Positive Impact:** Where enforced, it has reduced fire spread in compliant buildings.
4. **Limitations Exposed:** One-time Fire NOC system fails to ensure continuous compliance.

Limitations in Implementation

1. **Advisory Nature:** Fire safety falls under State List Entry 5 and municipal governance under the Twelfth Schedule. Consequently, NBC functions merely as a model code, requiring state adoption for enforceability. Many states adopted it partially or weakly. Example: *Fragmented compliance*.
2. **Weak Institutional Capacity:** The National Disaster Management Authority (NDMA) and NIDM reports repeatedly flagged: 65-80% shortages in fire stations. Inadequate hydraulic platforms for skyscrapers. Severe manpower deficits. Example: *Urban fire infrastructure gap*.
3. **Corruption and Compliance Evasion:** Builders often obtain occupancy certificates without actual compliance, while periodic inspections remain irregular. Example: *Paper compliance*.

Implications of Transition to Advisory Guidelines (NBCS 2026)

1. **Dilution of Standards:** Replacing "shall" with "should" reduces mandatory compliance for buildings under 24 metres.
2. **Increased Risk:** Medium-rise residential and commercial structures, housing most urban population, now face lower oversight.
3. **Ease vs Safety Trade-off:** Favours faster construction and business but compromises occupant safety.
4. **Fragmented Enforcement:** States may adopt varying standards, creating a patchwork of safety levels.

Emerging Concerns

Mains Marathon Compilation [First Week] May 2026

- 1. Dilution of Accountability:** Raising mandatory compliance thresholds from 15m to 24m leaves many mid-rise apartments outside strict safety regulation. Example: *Middle-class vulnerability*.
- 2. Constitutional Concerns:** Under Article 21, the State has a duty to protect life and safety. Weakening enforceability may conflict with the constitutional obligation to ensure safe living conditions. Example: *Right to life*.
- 3. Uneven Federal Standards:** States may adopt divergent norms, creating regulatory fragmentation across urban India. Example: *Patchwork governance*.
- 4. Increased Burden on Citizens:** Resident Welfare Associations (RWAs) and occupants may bear greater responsibility without adequate technical expertise. Example: *Citizen-led compliance*.

Way Forward

- 1. Strengthening Urban Fire Governance:** Enact a comprehensive National Fire Safety Framework Law. Make third-party annual fire audits mandatory for all buildings above 12m. Example: *Independent audits*.
- 2. Mandatory Adoption:** Make NBC/NBCS Part 4 binding through central legislation or model state laws.
- 3. Third-Party Audits:** Introduce annual independent fire safety audits linked to insurance premiums.
- 4. Technological Integration:** Mandate AI-based early detection and smart firefighting systems in new buildings.
- 5. Capacity Building:** Increase fire stations, modern equipment, and regular community drills.
- 6. Performance-Based Regime:** Shift from prescriptive rules to outcome-focused safety standards with incentives for compliance.

Conclusion

Fire safety in India must move from a Prescriptive Regime (following rules on paper) to a Performance-Oriented Regime (actual safety outcomes). The 2026 move to dilute mandatory standards for mid-rise buildings requires a re-evaluation to ensure that deregulation does not come at the cost of human life.