

31<sup>st</sup> January 2026: DSC

## Menstrual Health in Schools and the Right to Life

### Why in News?

The Supreme Court ruled that the absence of adequate **menstrual hygiene management (MHM)** facilities in schools violates **Article 21 of the Constitution**, and directed all States and Union Territories to ensure **free availability of sanitary napkins in educational institutions**.

### Relevance

- **GS I (Society):** Gender inequality, menstruation-related stigma, adolescent health, girls' access to education
- **GS II (Polity & Governance):** Article 21 (life with dignity), Articles 14–15, State's positive obligations, judicial intervention
- **GS II (Social Justice):** Child rights, women's rights, Centre–State responsibility in health and education

### Background and Context

Historically, menstrual health in India has been addressed as a **welfare or hygiene concern**, not as a matter of enforceable rights. This approach has resulted in uneven access, persistent stigma, and exclusion of menstruating girls from educational spaces.

Through judicial scrutiny, the Supreme Court recognised that lack of MHM infrastructure leads to **humiliation, loss of dignity, and educational exclusion**, amounting to a direct infringement of the right to life.

### Constitutional and Legal Dimensions

The Court reaffirmed that **Article 21 extends beyond survival**, encompassing dignity, bodily autonomy, privacy, and conditions necessary for equal participation in public life, including education.

Importantly, the judgment places a **positive obligation on the State**—not merely to refrain from violations, but to actively create enabling conditions for the exercise of fundamental rights.

Inadequate MHM disproportionately burdens girls, constituting **indirect gender discrimination** and violating the guarantees of equality and non-discrimination under **Articles 14 and 15**.

### Educational and Social Impact

Lack of sanitary products, privacy, water, and disposal facilities contributes to **school absenteeism, dropouts, and learning gaps**, particularly among rural and economically disadvantaged girls.

Menstrual stigma in schools inflicts **psychological harm**, generating shame, anxiety, and lowered self-esteem, which negatively affects long-term educational aspirations.

Girls from poorer households face compounded disadvantages due to inability to afford sanitary products, making schools crucial sites for menstrual health support.

## Public Health Perspective

Poor menstrual hygiene increases risks of **reproductive tract infections, urinary infections, and long-term gynaecological complications**.

School-based MHM interventions function as **preventive public health measures**, reducing disease burden and promoting health awareness during adolescence.

## Governance and Administrative Challenges

Despite schemes such as the **Menstrual Hygiene Scheme** and **Swachh Bharat**, implementation remains fragmented due to weak monitoring and lack of coordination across departments.

Many schools lack basic infrastructure—functional toilets, water supply, disposal systems, and vending facilities—limiting the effectiveness of product distribution alone.

Given that health and education fall under **concurrent/state domains**, coordinated Centre–State action is essential, with judicial directions reinforcing accountability.

## Ethical and Human Rights Lens

Denial of menstrual hygiene facilities amounts to **institutionalised indignity**, violating ethical principles of justice, equality, and bodily integrity.

From a child-rights perspective, MHM is integral to children’s rights to health, education, and development, consistent with India’s obligations under the **UN Convention on the Rights of the Child**.

## Global and SDG Linkages

Ensuring menstrual hygiene aligns with **SDG 3 (Health), SDG 4 (Education), SDG 5 (Gender Equality), and SDG 6 (Sanitation)**.

International best practices increasingly treat MHM as **essential educational infrastructure**, not discretionary welfare.

## Key Gaps

- Overemphasis on sanitary products without addressing awareness, waste management, or cultural sensitivity
- Sharp urban–rural disparities in infrastructure and supply chains
- Environmental concerns related to disposal of single-use products

## Way Forward

- Integrate menstrual health explicitly into the **Right to Education framework**
- Adopt a holistic MHM strategy combining products, infrastructure, education, and teacher sensitisation
- Institutionalise monitoring indicators within school audits and accreditation
- Normalise menstruation through curriculum integration and community engagement

## Conclusion

By locating menstrual health within Article 21, the Supreme Court has decisively shifted the discourse from welfare to **constitutional entitlement**, making dignified education for girls a binding State obligation.

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## UGC Equity Rules and Article 15

### Why in News?

The Supreme Court has stayed the **UGC (Promotion of Equity in Higher Education Institutions) Regulations, 2026**, following petitions alleging “reverse discrimination” and questioning their constitutional validity.

### Relevance

- **GS II (Polity):** Article 15, substantive equality, reasonable classification, constitutional morality
- **GS II (Governance):** Regulation of higher education, role of UGC, institutional accountability
- **GS I (Society):** Caste-based exclusion and discrimination in elite institutions

### Background and Context

The 2026 Regulations were prompted by cases such as those of **Rohith Vemula and Payal Tadvi**, which exposed systemic caste discrimination and institutional apathy within universities.

The core constitutional question is whether **targeted safeguards for SC/ST/OBC students** violate equality, or whether they operationalise Article 15’s mandate to correct historical injustice.

### Article 15: Constitutional Logic

- **Article 15(1)** ensures formal non-discrimination but cannot alone address entrenched social hierarchies.
- **Article 15(2)** specifically targets caste-based exclusion from public institutions.
- **Articles 15(4) and 15(5)** constitutionally enable special provisions to achieve **substantive equality**, recognising unequal starting positions.

### Judicial Understanding of Equality

The Supreme Court has consistently held that equality under Articles 14–15 is **substantive, not merely formal**. Differential treatment is constitutionally valid when aimed at correcting structural disadvantage.

In **Sukanya Shantha v. Union of India (2024)**, the Court affirmed that the law must actively dismantle historical injustice where caste continues to shape institutional outcomes.

Universities are not socially neutral spaces; caste hierarchies manifest through evaluation practices, mentoring, discipline, and informal networks—justifying targeted regulation.

### UGC Equity Regulations in Practice

The Regulations aim to institutionalise **equity and inclusion** by addressing caste discrimination that disproportionately affects marginalised groups.

They reflect a rational application of Article 15, recognising that caste-based vulnerability is **systemic and asymmetric**, not evenly distributed.

### **The 'Reverse Discrimination' Argument**

Claims of reverse discrimination rest on a **misreading of equality as identical treatment**. The Constitution does not prohibit asymmetrical safeguards when necessary to secure equal dignity.

General-category students already benefit from universal protections against ragging and harassment; caste-specific safeguards address **structural exclusion**, not isolated incidents.

### **Reasonableness and Validity**

The Regulations satisfy Article 14's test of **intelligible differentia** and **rational nexus**, grounded in historical and sociological evidence.

They advance constitutional morality by embedding equity into institutional governance rather than relying on episodic judicial redress.

### **Governance and Ethical Dimensions**

The shift from post-facto justice to **preventive regulation** recognises that discrimination often flows from institutional power asymmetries.

Diluting this logic risks reducing Article 15 to a procedural guarantee, undermining its **transformative intent** and silencing marginalised students.

### **Way Forward**

Judicial calibration may refine procedures but must preserve the **substantive equality core** of Article 15.

Universities should adopt data-driven grievance systems, transparency mechanisms, and sensitisation programmes aligned with constitutional values.

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## **Stem Cell Therapy and Autism: Science, Ethics, and Regulation**

### **Why in News?**

The Supreme Court held that **stem cell therapy cannot be offered as a clinical treatment for Autism Spectrum Disorder (ASD)** due to lack of proven safety, efficacy, and regulatory approval.

### **Relevance**

- **GS III (Science & Technology):** Limits of biomedical innovation, research vs clinical application
- **GS II (Governance):** Regulation of medical practice, Clinical Trials Rules, 2019

### **Scientific Context**

ASD is a **neurodevelopmental condition** requiring behavioural, educational, and supportive interventions. There is no established biomedical cure.

Stem cell therapy, while approved for limited conditions like blood disorders, remains **scientifically unvalidated for autism**, where causal pathways are poorly understood.

### Key Judicial Findings

- Absence of credible, peer-reviewed evidence disqualifies stem cell therapy from routine clinical use in autism
- Experimental interventions are permissible **only within regulated clinical trials**
- Consent without reliable evidence does not constitute informed consent, especially for vulnerable patients

### Regulatory Framework

Under the **Clinical Trials Rules, 2019**, unapproved therapies cannot be offered outside registered trials with ethics clearance.

The Court directed the Union government to designate a **central authority** to monitor and act against unauthorised stem cell practices.

### Ethical Concerns

Promotion of unproven therapies exploits parental vulnerability and violates core medical ethics—**non-maleficence, beneficence, and autonomy**.

### Public Health and Governance

Unregulated stem cell interventions pose serious risks—immune reactions, infections, tumour formation—without proven benefit.

The judgment exposes enforcement gaps that allow medical quackery despite existing regulations.

### Science Policy Perspective

The ruling reinforces **evidence-based medicine**, protecting patients while safeguarding legitimate biomedical research by clearly separating experimentation from treatment.

### Way Forward

- Establish a national oversight framework for stem cell research
- Strengthen enforcement and penalties
- Promote public awareness of evidence-based autism care

### Core Insight

Medical innovation cannot bypass scientific validation or ethical safeguards. The judgment protects vulnerable patients while upholding the primacy of evidence-based healthcare.

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## CEA Proposal to Ease Green Norms for Pumped Storage Projects (PSPs)

### Why in News?

The **Central Electricity Authority (CEA)** proposed easing environmental and forest clearance norms for **pumped-storage projects (PSPs)** to accelerate energy storage deployment amid rapid renewable expansion.

### Relevance

- **GS III (Environment & Energy):** Renewable transition, energy storage, climate–environment trade-offs
- **GS III (Economy):** Infrastructure, power sector reforms, storage economics

### Context

India's target of **500 GW non-fossil capacity by 2030** necessitates large-scale, long-duration energy storage to manage solar and wind intermittency.

PSPs offer **6–10 hours of storage**, grid inertia, and rapid ramping—capabilities batteries currently struggle to deliver at scale.

### Current Status

India has about **4.8 GW operational PSP capacity**, with over **100 GW potential** identified. However, regulatory and environmental hurdles have slowed development.

CEA estimates India will need **336–340 GW of storage by 2047**, with PSPs forming the backbone.

### Environmental Clearance Bottleneck

Most viable PSP sites lie in **eco-sensitive hill regions**, triggering complex forest and wildlife clearances and prolonged litigation.

### CEA's Proposal

- Differentiate **off-river and closed-loop PSPs** from conventional hydropower
- Permit use of **degraded forest land** with compensatory measures
- Streamline clearances where ecological disruption is minimal

### Environmental Arguments

Off-river PSPs avoid continuous river diversion, reducing downstream ecological impacts and displacement.

### Concerns

Environmental groups warn of cumulative impacts, habitat fragmentation, and risks in fragile regions like the Western Ghats and Himalayas.

### Governance Challenge

The issue reflects tension between **climate mitigation goals** and constitutional environmental duties under Articles 48A and 51A(g).

### Way Forward

Adopt site-specific, science-based clearances, prioritise off-river PSPs, and establish a dedicated, time-bound clearance framework.

## Illegal Electric Fencing and the Emerging Threat to Big Cats

### Why in News?

In January 2026, a **2.5-year-old male tiger** was electrocuted by **illegal electric fencing** near **Valmiki Tiger Reserve (VTR)**, Bihar. This was the **first recorded electrocution of a tiger** in the State's only tiger reserve.

### Relevance

- **GS III (Environment):** Wildlife conservation, human–wildlife conflict, enforcement failures
- **GS III (Biodiversity):** Tiger corridors, buffer zones, conservation outside protected areas

### Context and Background

**Valmiki Tiger Reserve**, spread across nearly **899 sq km** in West Champaran district, is strategically located along the **India–Nepal border**, forming part of a transboundary tiger landscape with Uttar Pradesh and Nepal.

Tiger numbers in the reserve increased from **28 (2014) to 54 (2024)**—a 75% rise—earning it a **“Very Good”** rating from the National Tiger Conservation Authority (NTCA). However, population recovery has intensified **human–wildlife interface pressures**.

### Illegal Electric Fencing: Nature of the Threat

Farmers in fringe areas increasingly use **unauthorised grid electricity** to energise fences intended to protect crops from herbivores such as **nilgai and wild boar**.

Unlike **solar-powered, low-voltage fencing**, these illegal setups often carry **high-voltage alternating current**, making them instantly lethal to large mammals including **tigers, leopards, and elephants**.

### Why Big Cats Are Vulnerable

Tigers—especially **young dispersing males**—frequently move beyond core forest areas into:

- Buffer zones
- Wildlife corridors
- Agricultural landscapes

Contemporary conservation science recognises that **30–40% of tiger movement occurs outside protected areas**, exposing them to anthropogenic hazards such as roads, railways, poisoning, and electric fencing.

### Conservation and Governance Gaps

- Weak enforcement against illegal electricity use
- Poor coordination between forest departments, power utilities, and local administration
- Lack of affordable, safe crop-protection alternatives for farmers

These gaps transform conflict-mitigation tools into **unintended killing devices**.

### Way Forward

- Strict enforcement against illegal electrification and power theft
- Promotion of **wildlife-safe fencing**, solar deterrents, and crop compensation schemes
- Community-based conflict mitigation and early-warning systems
- Landscape-level conservation planning beyond reserve boundaries

### Core Insight

As tiger conservation increasingly succeeds, threats are shifting **from poaching to infrastructure and conflict-related hazards**. Preventing electrocution deaths requires integrating wildlife protection into everyday rural governance, not just forest management.

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### Recognising Village Commons as a Distinct Land-Use Category

#### Why in News?

The **Economic Survey 2025–26** proposed recognising “**village commons**” as a **separate land-use category**, enabling systematic mapping, monitoring, and policy intervention to reverse long-term degradation of common property resources.

#### Relevance

- **GS I (Society)**: Rural livelihoods, common property resources, social safety nets
- **GS II (Governance)**: 73rd Constitutional Amendment, decentralisation, Gram Sabha authority

#### What Are Village Commons?

Village commons refer to **community-managed common property resources (CPRs)** such as:

- Grazing lands and pastures
- Village ponds, tanks, and water bodies
- Forest commons and wastelands

These resources are collectively used for **fodder, fuelwood, water, livelihoods, and ecosystem services**, especially by landless households, pastoralists, and marginal farmers.

#### Scale and Significance

- Commons cover about **15% of India’s geographical area** (~6.6 crore hectares)
- Support nearly **35 crore rural people**
- Act as critical livelihood buffers during droughts, floods, and agrarian stress

The Economic Survey estimates that commons generate an **annual economic value of about USD 9.05 crore**, while their ecological benefits remain largely unaccounted for in GDP metrics.

### **Ecological and Social Importance**

Village commons contribute to:

- Groundwater recharge
- Soil conservation
- Carbon sequestration
- Biodiversity preservation
- Micro-climate regulation

Socially, they reduce vulnerability by providing **low-cost subsistence resources** to the poorest households.

### **Governance and Classification Problem**

Currently, commons are often recorded as:

- Wastelands
- Revenue lands
- Unclassified government lands

This misclassification makes them vulnerable to **encroachment, diversion, and neglect**, weakening the constitutional role of **Gram Sabhas and Panchayats** under the **73rd Amendment**.

### **Evidence of Decline**

According to ISRO's **Desertification and Land Degradation Atlas**:

- Degraded land increased from **94.53 million ha (2003–05)** to **97.85 million ha (2018–19)**
- About **0.22 million ha** are degraded annually

Key drivers include encroachment, overgrazing, erosion of community institutions, and groundwater over-extraction.

### **Why Separate Land-Use Recognition Matters**

Formal recognition would:

- Enable accurate **GIS-based mapping and monitoring**
- Prevent arbitrary conversion and land-use change
- Facilitate targeted funding and scheme convergence
- Strengthen community claims and local stewardship

### **Best Practices**

States like **Karnataka and Rajasthan** have demonstrated that combining:

- Digital land records
- GIS mapping
- Panchayat-level governance

can significantly improve protection and management of commons.

### **Scheme Convergence Opportunities**

Recognised commons can anchor initiatives such as:

- **SVAMITVA Yojana**
- **Mission Amrit Sarovar**
- **Jal Shakti Abhiyan – Catch the Rain**
- **PMKSY (Har Khet Ko Pani)**

### **Challenges**

- Limited technical and administrative capacity of Panchayats
- Risk of elite capture and exclusion of women and pastoralists
- Need for sustained funding and monitoring

### **Way Forward**

- Notify village commons as a formal land-use category with sub-classifications
- Strengthen Gram Sabha control over access and dispute resolution
- Deploy satellite imagery and drone surveys for monitoring
- Invest in community institutions and women's self-help groups

### **Core Insight**

Recognising village commons marks a shift from **land as a private asset to land as shared ecological and social capital**, essential for rural livelihoods, climate resilience, and sustainable development.

02<sup>nd</sup> February 2026: Daily MCQs

**Q1.** With reference to the Supreme Court's ruling on menstrual hygiene management (MHM) in schools, consider the following statements:

1. The Court held that lack of access to menstrual hygiene facilities violates Article 21 of the Constitution.
2. The judgment treats menstrual hygiene exclusively as a public health concern rather than a constitutional issue.
3. The ruling imposes positive obligations on the State, not merely a duty of non-interference.

Which of the statements given above is/are correct?

- A. 1 and 2 only
- B. 1 and 3 only
- C. 2 and 3 only
- D. 1, 2 and 3

**Answer: B**

**Explanation:** Statement 1 is correct as the Supreme Court linked menstrual hygiene to the right to life with dignity under Article 21. Statement 2 is incorrect because the Court shifted the issue from a welfare or public health lens to a rights-based constitutional framework. Statement 3 is correct since the judgment emphasised the State's positive obligation to create enabling conditions for dignified education.

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**Q2.** Consider the following statements regarding Article 15 of the Constitution and the UGC (Promotion of Equity in Higher Education Institutions) Regulations, 2026:

1. Article 15(1) alone is sufficient to address structural caste discrimination in higher education institutions.
2. Articles 15(4) and 15(5) permit asymmetric safeguards to achieve substantive equality.
3. The argument of "reverse discrimination" is based on an assumption of identical treatment as equality.

Which of the statements given above is/are correct?

- A. 1 and 2 only
- B. 2 and 3 only
- C. 1 and 3 only
- D. 1, 2 and 3

**Answer: B**

**Explanation:** Statement 1 is incorrect because Article 15(1) ensures only formal equality and cannot address entrenched structural discrimination. Statement 2 is correct as Articles 15(4) and 15(5) constitutionally enable special provisions for backward classes. Statement 3 is correct since the reverse discrimination argument ignores the doctrine of substantive equality.

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**Q3.** With reference to the Supreme Court's decision on stem cell therapy for Autism Spectrum Disorder (ASD), consider the following statements:

1. Stem cell therapy for autism is legally permissible in India on the basis of informed consent alone.
2. Experimental biomedical interventions are allowed only within approved clinical trials.
3. Consent obtained without reliable evidence of safety and efficacy cannot be considered informed consent.

Which of the statements given above is/are correct?

- A. 1 only
- B. 2 and 3 only
- C. 1 and 3 only
- D. 1, 2 and 3

**Answer: B**

**Explanation:** Statement 1 is incorrect because informed consent cannot legitimise unproven or unapproved medical therapies. Statement 2 is correct as experimental treatments may be administered only through regulated clinical trials. Statement 3 is correct since consent without evidence-based information is legally and ethically invalid.

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**Q4.** Consider the following statements about pumped storage projects (PSPs):

1. PSPs provide long-duration energy storage as well as grid inertia.
2. Off-river and closed-loop PSPs generally have a lower ecological footprint than conventional hydropower projects.
3. Pumped storage is expected to play only a marginal role in India's long-term energy storage strategy.

Which of the statements given above is/are correct?

- A. 1 and 2 only
- B. 2 and 3 only
- C. 1 only
- D. 1, 2 and 3

**Answer: A**

**Explanation:** Statement 1 is correct because PSPs offer long-duration storage along with grid stability services. Statement 2 is correct as off-river PSPs avoid continuous river diversion and large-scale ecological disruption. Statement 3 is incorrect since the Central Electricity Authority projects pumped storage as a dominant component of India's future storage capacity.

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**Q5.** Consider the following statements:

1. Illegal electric fencing poses a higher risk to dispersing male tigers than to established territorial adults.
2. A significant proportion of tiger movement occurs outside core protected forest areas.
3. Village commons are currently recognised as a distinct land-use category in India's land records.

Which of the statements given above is/are correct?

- A. 1 and 2 only
- B. 2 and 3 only
- C. 1 only
- D. 1, 2 and 3

**Answer:** A

**Explanation:** Statement 1 is correct as young dispersing male tigers frequently move through human-dominated landscapes, increasing exposure to hazards like electric fencing. Statement 2 is correct since nearly 30–40% of tiger movement occurs outside protected areas. Statement 3 is incorrect because village commons are often misclassified as wastelands or revenue land and lack formal land-use recognition.

