

Q 12. For effective justice delivery system, now Indian judicial system needs several reforms. Critically Comment 250 words

Intro. ✓
Judiciary plays important role of justice delivery, checks and balances in Indian governance system. However, like any other system, it is also not perfect. and faces issues.

Issues in Judicial System

① Judicial Accountability:

- Appointment of judges through collegium system lacks transparency.
- In-house panel for inquiry (corruption, harassment)
 - Judges judging themselves.
- Complex removal process.

② Transparency:

- RTI rules are not applicable to High courts and supreme courts. Their rules have several lacunae.

of fine and relevant points

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③ Pendency of cases - ~ 4 crore cases
- about 50 lakhs cases (> 10 years)

Economic Justice
2018-19

④ Vacancy of Judges in high courts,
and subordinate courts (~5500)

⑤ Suboptimal performance of subordinate courts (~87% cases pending there)

↓
The
relevant
points

⑥ Fast track courts and tribunals (though working good) face issue of funds, over-reliance

⑦ Shoddy criminal justice system including prisons poor condition in country.

Reforms

① NJAC - National Judicial Appointment Commission with executive role in appointment, inquiry, and removal.

② Executive - Judiciary cooperation in filling up vacancies - MoP between Govt & Supreme Court.
- All Indian Judicial Service

↓
Discards

relevant

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③ Pendency of cases -

- Case management system, eCourts

- Innovations like plea-bargaining

- Encouraging ADR - Arbitration, Negotiation, Lok Adalat; Mediation etc.

→ Coram Magistrate.

④ Funds, Infrastructure for new courts

[India spends only 0.09% of GDP on judicial system]

⑤ Improve criminal justice system (Malimath Committee)

⑥ Need for Prison Reforms (Law Commission Recommendation)

⑦ Encourage more para-legals, prosecutors to serve for legal-aid to poor (Article 39A)

Hence, a reformed judiciary can respond to changing times and bring social, political, economical justice to people.

7.0 / 10

Time

Govt

relevant content

You can do it

steps

Mathematical

judicial

→ Court mission mode
Recent deployment of technology etc.

→ 10 days, Govt effort
Concept
Guided
Content
→ Can be done

Q13. "Using criminal spyware is not only a mere violation of part III rights but also a serious blow to separation of powers, freedom of press, expression of dissent and fearlessness of lawyers in courts".
comment 250 words

off
fine
Report of Pegasus software ^{was} used for spying activist, journalist, political leaders. It has put question on powers and roles of governments.

Impact of use of criminal spywares

How Criminal Spywares done

- snooping (Pegasus)
- phone tapping
- cyber attacks to steal data.
- surveillance of private information and private life.

Impact

①. Freedom of speech & expression

- would deter ^{peaceful} protests which is against government interest.

- ~~can~~ wrongful conviction of leaders.

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- Curtails freedom of press

② Dissenting voices would be suppressed
through application of NSA, CADA

③ Used in recent CAA-NRC protest

③ Activists, whistle blowers would be frightened
with sensitive information.

④ These information if put in public domain
then it would attract media trials,
public intrusion in someone's personal
lives, threats of lives etc.

⑤ Arbitrary ^{power} and authoritarianism of
government

Advt - Puttaswami Judgment

What needs to be done?

→ Bringing privacy laws based on SN Srikumar
report for data privacy.

Indo Wilson
Anand

Advt
19/21

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→ surveillance for unlawful activities should be done by following procedure established by law.

Use of spyware for safety, security of state needs to be balanced by rights to privacy of individuals. Laws should be bring to inplace to check its arbitrary use.

ok find
Contextual discussion is ok
Context can be enriched by adding
relevant ~~SC~~ SC judgment / Issues, points etc.
↳ Refer model.

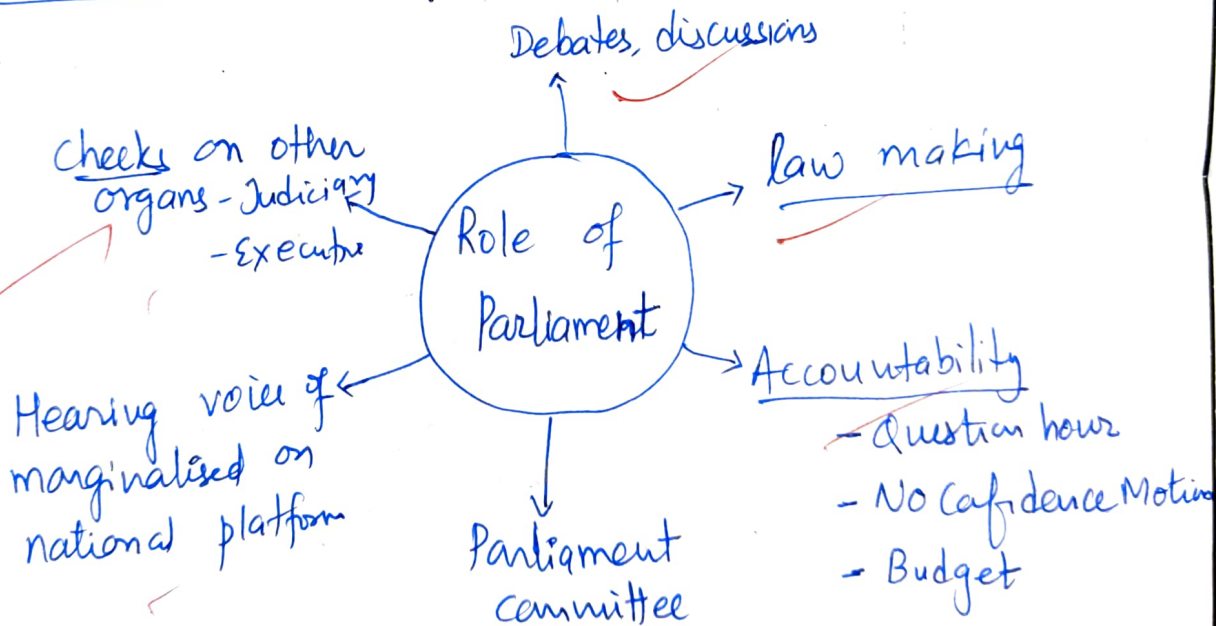
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Q14. In representative parliamentary democracy, parliament is at the Centre of democratic process in the country. In the light of above statement critically analyze efficiency of parliament functioning in recent past. 250 words

In 15th Lok Sabha, around 30% time for question hour was lost. While in ongoing Lok Sabha, question hours was suspended due to COVID-19 pandemic.



Recent functioning

- ① Loss of time due to disruptions
 - lack of debates & discussions.

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② Neglect of Parliamentary Committee

- less than 20% of bills referred in 16th LS
(while 75% in 15th LS).

③ Increased number of bills through ordinance routes to escape parliamentary scrutiny.

④ Increasing criminalisation of politics

- 43% of MPs have criminal records in (17th LS) - ADR.

⑤ Partial role of speaker alleged by opposition members.

⑥ Discontinuity or shortening of time due to pandemic

⑦ lesser women representatives (~14% in LS)

Impact

- Poor quality law making
- Accountability of government not ensured properly
- lack of cooperation
- Gap between public and their representative
- Reducing trust in Parliamentary process.

you can
feel
neglect
of
procedures
Content
enrichment
- ADR
- Issue of
Money
bill route
in certain
Cases -
Budget
discussion
related
issues in
last
budget
session

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Need for Reforms

① Working of House:

- NCRWC Annual calendar in advance \leftarrow LS = 120 days
RS = 100 days
- Giving space to political parties (20-25 days)

More power for
independent
function and
like U.K. speaker.

- Speaker - Power to punish miscreants
- Need neutrality
- More bills to select committees

② Opposition Parties:

- Ensuring cooperation with government
- Shadow cabinet U.K.

③ MPs \rightarrow sparingly use of Anti-Defection Law (ADL is said to discourage debates)

Add -
SC - Judgment for
tribunal

\rightarrow Need for research, library infrastructure

④ Penalty for MPs if disrupt house - (salary cut)

⑤ Promotions of Youth Parliament

⑥ Inner-Party Democracy

⑦ Women Reservation Bill (33%)

Diverse, representative, dynamic Parliament

It will work
like ADL
 \rightarrow need more
inclusiveness

will help deepen and strengthen democracy of India.

Right to
dissent

and Code of
Conduct.

as Jim

Concept and Content Jim
Content can be enriched
 \rightarrow Kuper model

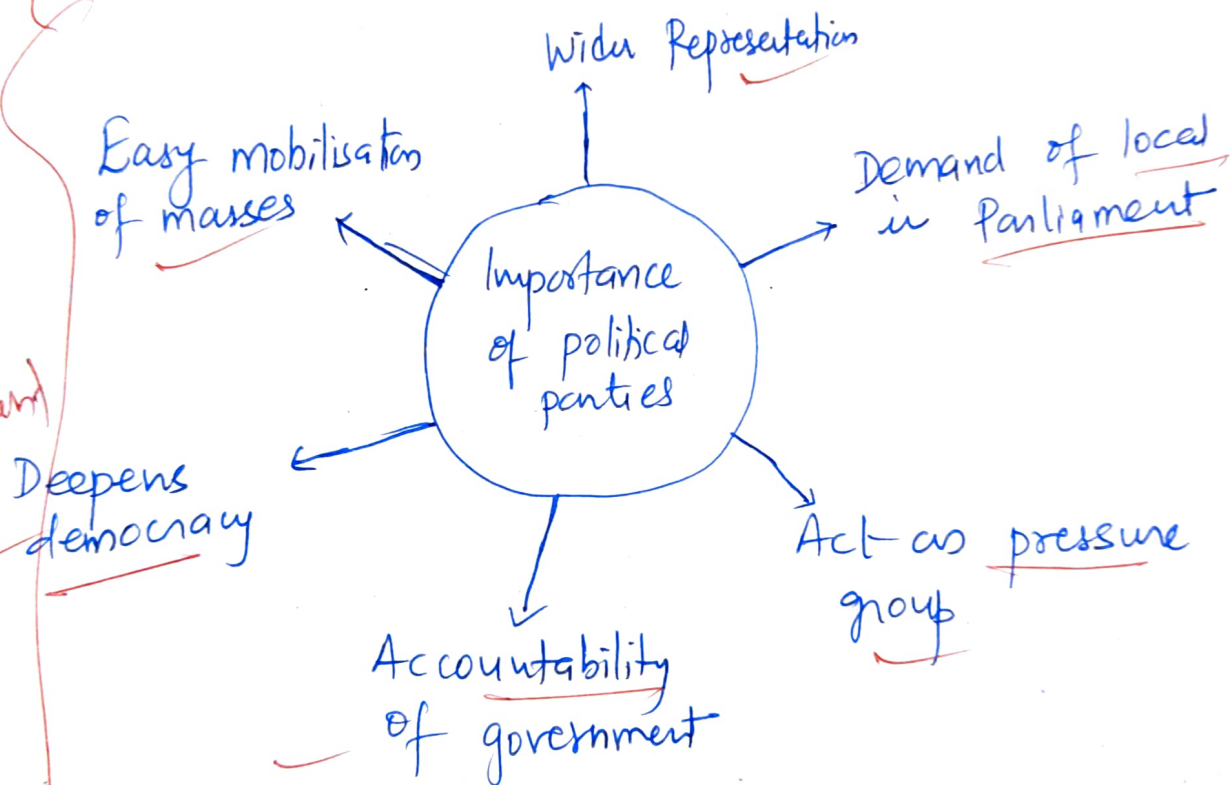
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Q15. "Political parties are the agents of democracy and safety valve in the Indian political system. In India political parties have extraconstitutional status and in recent time many of them blamed for undemocratic practices and lack political reforms". Do you think that making them constitutional bodies would serve the purpose? Justify your view with examples 250 words

India has multi-party system with multiple national, state parties with varying ideology.



Issues with these parties

① Lack of intra-party democracy

- Dynasty politics at national & state level
- Few influential people deciding party line

② Reducing ideological space

- Opportunistic and issue-based alignment

③ Non-transparency in funding

ADR: About 57% funds to parties through non-unknown sources

④ Not included in RTI Act

⑤ Criminalisation of politics

⑥ lack of women representative

eg few women were given tickets in recent Kerala elections.

Political Parties as Constitutional Bodies?

Pros

- Increase accountability

- Constitutional mandate of reform, be democratic, intra party democracy

- Regulations become easy

Cons

① Friction and lack of consensus on uniform law to govern all political parties

Add
Comment
Structure
provisions on
political

Add issues
related to
Central Law
and
religion based
politics.

② Human resources, funds require for administrative setup.

③ Working influence by political parties

④ Discourage independent members to contest elections.

Way Ahead

Political parties as constitutional bodies ~~is~~ can be long-term goal in political and electoral reforms. However in medium and short

terms reforms like intra-party democracy, transparency, inclusion in RTI should be given priority.

Delhi
Recommendations of Law Commission
MCKWC Report
2nd ARC

Refer model
for Centre enrichment

Conceptual Clarity
Contextual discussion

6.5

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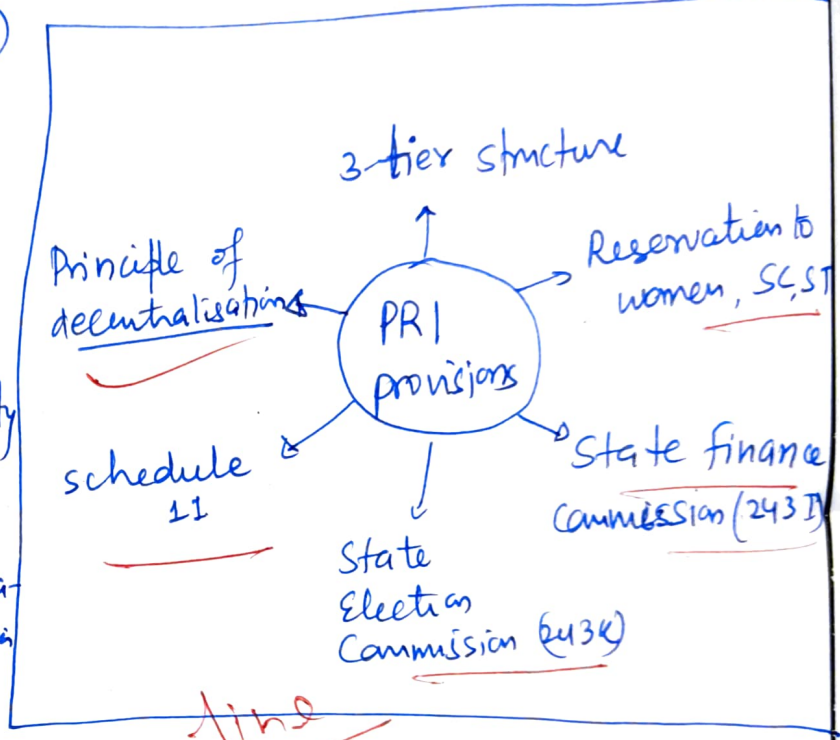
Q16. Provide critical review of the achievements and failures of the Panchayati Raj Institutions. 250 words

73rd Constitutional Amendment Act 1992 has given constitutional status to PRI (Panchayati Raj Institutions)

Intro and basic concept

Principles

- Principle of subsidiarity
- Principle of democratic decentralisation



Achievements

- ① Political empowerment tool → 2.5 lakh gram panchayats exercising their constitutional rights
- ② women Empowerment ~ 46% of total elected representatives are women
- More women sarpanchs *also Add status of SC ✓*

③ Power devolution - enabled to emerged as 'gram swaraj'

④ Many successful examples across the country

① Gavali Village in Maharashtra - water sewer
Hirwe Bazar, Palegaon Siddhi - Watershed
development

② Gram Panchayats devoluted powers to
impose covid social distancing rooms
and quarantine rules (Orissa, Andhra
Pradesh, Kerala)

⑤ Social mobilisation and ensuring accountability
↓
(Swatch Bharat Abhiyan) ↓
(Social Audit
under MGNREGS)

Issues with PRI

① Many PRI are not able to generate 10%
of resources needed. (Economic survey 2019)

② str lac Many states yet to devolve power

③ Infrequent elections

④ Non-formation of State Finance Commission
(SFC)

⑤ Inability of PRI to solve many issues -

- Add State Election Commission - Reland SC
Judgment related to State SFC Commissioner. In Goa
Case.

rural poverty, rural infrastructure development
irrigation structure building.

⑥ Meetings of Gram Sabha are not held in many cases.

Measures Needed

→ Funds - financial devolution, more grants from state

→ Functions - states need to devolve more powers to PRI

→ Functionaries - skilling of Human resources
digitisation, eGovernance in PRI

→ Functionality - Need to ensure accountability of PRI → by book keeping, audit.

Appropriate measures for empowerment of PRI can help make them instrument of rural development in true sense.

Line -
- Concept is ok
- Contentual discussion and attempts are ~~not~~ relevant
- Content is sufficient, but can be enriched with fresh more marks

6.5
15

Ardou
Kerala
of Panchayat
14th and
15th
Commission
recommendations
of AR C

1/2
ok

1/2
1

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Q17. The COVID-19 pandemic has exposed and aggravated the cracks in India's healthcare systems and also brought to light the significance of the health sector in a country. In this context, evaluate the need for the constitutional 'Right to Health for all'. 250 words

COVID pandemic has shown how a health crisis can convert into social and economic crisis. There are many issues and cracks in Indian healthcare system.

Issues

① Funds - only 1.5% of GDP is spent on health.

② Bed, Hospitals, Nurses, doctors → all are below prescribed strength. → Can add WHO data

③ Out of pocket expenditure (~60%) - WHO

④ Poverty and high cost private healthcare

⑤ low spending and capacity of states in health sector (health is state subject)

Added

Intro → Academic / Financial / Physical / Technological... etc

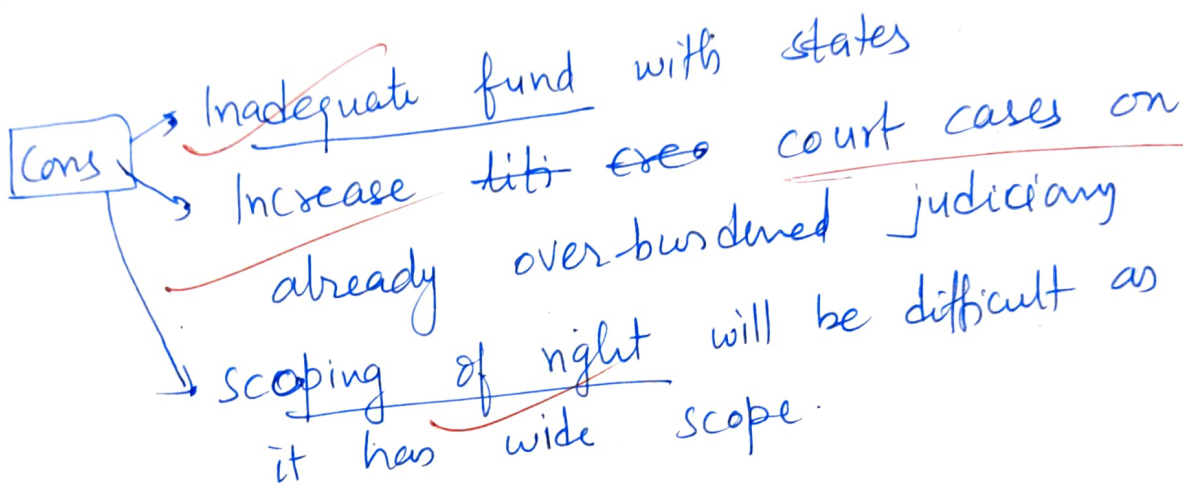
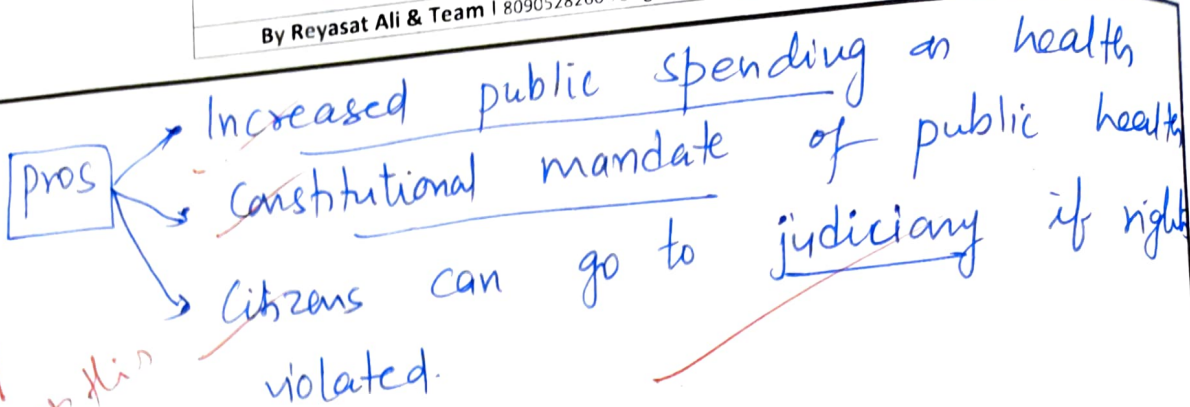
Constitutional Right to Health for All

- Right to health is fundamental right under article 21. However making it explicit have its pros & cons.

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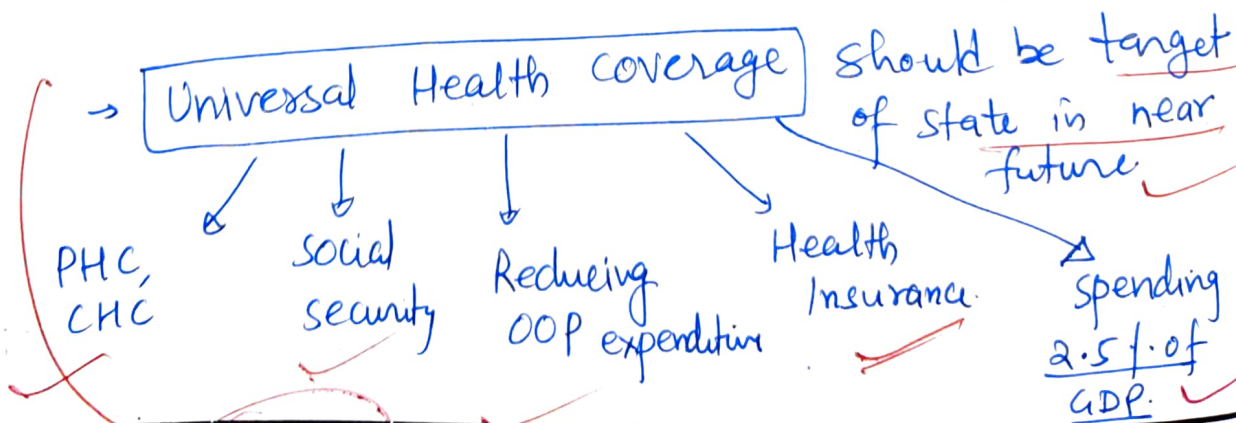
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Del
Govt
Schemes/
Initiatives on this
line



Way Ahead

→ 'Right to Health for All' is desirable. But in current situation of economic revival, state can focus on ext improving system.



fine

must include

65
15

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Q18. Provide critical analysis on hunger and malnutrition status in India. 250 words

Plz prepare this topic statistically, it is
imp. for this yr. main.

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Q19. As almost all parts of the country facing water scarcity, recently ministry of Jal Shakti has set up a committee to draft new national water policy, hence new policy must include integrated water management by including all stakeholders in decentralized manner. Comment 250 words

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Q20. "The Covid pandemic has exposed the weakness of bureaucracy. Healthcare professionals who are specialist made to work under generalist officers and the policy options have been left to the generalist when they should be in the hands of the specialist". In the light of above statement highlight critically examine need for specialist along with merits and demerits in civil services in this context. Also, suggest some measures. 250 words

Debate of generalist vs specialist in civil services is long one. In pandemic situation, it was said that medical experts would have handled better.

Specialists Need in Civil Services

Specialist are those who have domain expertise. For example an economist handling RBI matters is case of specialist in civil services. Need for specialists -

- ① Increasing complexities of issues
- climate change, cyber issues, IR4.0 on disruptive technology
- ② Holistic policy making

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③ Past successful examples @ Kelkar, former PM Mamohan Singhji

④ Incentivise current civil servants to upgrade skill and compete with specialist

⑤ Issues with Generalists - hierarchical, procedural, status-quoist etc.

Merits of specialist

- Expert policy making
- Paradigm shift in governance
- Dynamism in bureaucracy
- Efficient & resource utilisation

Demerits

- Narrow approach (domain expertise) as governance is interrelated
- lack of ground experience / field work
- cultural difference.

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→ Entry of specialist - methods - It should not become tool for political favouritism

Measures

① Lateral Entry and evaluation of their performance by third party.

② Making generalist → specialist.

②.1 Domain specific training - For example person can train and serve in social sector (health, education) throughout higher career.

②.2 Mission Karmayogi - Mid careers (iGOT) training, skill building Recent effects in policy.

②.3 Private sector deputation to learn the business.

③ Collaboration of civil servants (young) with NGOs working in specific domain (Nora Committee) 2nd ARC

Civil servant need to become multi-dimensional with changing complexities and time.

as time

$\frac{6.5}{15}$