



Mains Marathon

Day 57: Full Length Test GS II

Question 1. "Increasing the age of the Supreme court judges will help to a great extent in reforming the higher judiciary." Discuss. (150 words)

Question 2. Doubts regarding the impartiality of the Election Commission might represent a threat to democracy. Explain. (150 words)

Question 3. The I2U2 Initiative is referred to as the 'West Asian Quad'. Discuss the significance of the I2U2 Initiative in the context of India. (150 Words)

Question 4. What challenges does the transgender community in India face? How much would The Transgender Persons (Protection of Rights) Bill, 2019 be able to do to solve these issues and provide this group with justice? (150 words)

Question 5. The National Commission for Scheduled Tribes (NCST) was established to advance the interests of STs, however throughout the past four years, it has been dysfunctional and has not produced a single report. Discuss NCST problems in this context and offer ideas for improving it. (150 words)

Question 6. Describe what does social audit entails. Explain how social audit links policy objectives to outcomes. (150 words)

Question 7. Analyze the National Human Rights Commission's (NHRC) contribution to the defence and advancement of human rights in India. (150 Words)

Question 8. Examine the concept of universal basic income in light of its probable advantages and consider the potential benefits and drawbacks of the idea of universal basic income in a developing nation like India. (150 words)

Question 9. Education is a potent and pervasive tool for both individual and society change. In light of the aforementioned remark, consider the New Education Policy, 2020 (NEP, 2020). (150 Words)

Question 10. "Sri Lanka is going through the worst economic crisis which it has ever faced". In this context discuss the reasons behind the Sri Lankan crisis and the role played by India. (150 Words).

Question 11. What are the key achievements of the Goods and Services Act (GST) in the last five years and highlight the major challenges with the GST System? Discuss (250 Words)

Question 12. BRICS has made progress, but it now faces a number of obstacles. Discuss the actions that should be implemented in this situation to ensure the group's sustainability. (250 words)

Question 13. "The Special Category Status (SCS) is a classification given by the Centre to assist in the development of some states characterized by a number of features necessitating special consideration." In this context discuss the benefits that come up by conferring SCS status, also discuss the criteria for granting this status and issues associated with SCS status. (250 Words)

Question 14. "Economic inclusion and social transformation are both made possible by information and communication technologies (ICTs)." Discuss the role of ICTs in bringing about economic inclusion and social transformation in developing economies. (250 words).

Question 15. "During the recent BIMSTEC Summit in Sri Lanka the member countries adopted the charter, now the BIMSTEC has an international personality". Do you think it can emerge as an alternative to SAARC? (250 Words)

Question 16. "During the covid-19 World Health Organization's (WHO) role came under severe criticism for its inefficient handling of the situation". Discuss (150 Words)

Question 17. "Over the years the freebies have become an integral part of the politics in India; be it for making promises in the electoral battles or providing free facilities to remain in power". Critically analyse. (250 Words)

Question 18. "Simultaneous elections in India represents the idea of One Nation One Election but it comes with Numerous challenges". Discuss. (250 Words)

Question 19. "The Tribunals help to reduce the workload of courts and to expedite decisions, but they are failing in their mission of speedy justice". In this context discuss the idea of National Tribunals Commission (NTC) as a panacea of the problems faced by the tribunals. (250 Words)

Question 20. "The Parliamentary Opposition plays a crucial role in preserving the true essence of democracy and raising the concerns of a larger number of people in the country." In this context discuss the significance and issues with the present parliament opposition. (250 Words)

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Approach / Explaination / Answer

Solution 1.

Approach:

- Start your answer by mentioning some commission or bill which calls for increasing the age of judges.
- Discuss the need for increasing the age of judges.
- Discuss the positive consequences of increasing the age of judges.
- Conclude your answer by giving a way forward.

Answer:

- The **Venkatachaliah Report (Report of the National Commission to review the working of the Constitution, 2002)** recommended that the retirement age of the Judges of the High Court should be increased to 65 years and that of the Judges of the Supreme Court should be increased to 68 years.
- The **Constitution (114th Amendment) Bill was introduced in 2010** to increase the retirement age of High Court judges to 65. However, it was not taken up for consideration in Parliament and lapsed with the dissolution of the 15th Lok Sabha.

Need for increasing the age of judges:

- The **judge-population ratio in India is among the lowest** in the world at 19.66 judges per million (10 lakh) people as of today. In 2016, the U.K. had 51 judges per million people, the U.S. had 107, Australia had 41, and Canada had 75.
- It is also necessary to increase the number of judges in the pool to enable the judiciary to **deal with the enormous pendency of cases**.
- According to **National Judicial Data Grid data**, more than 2.84 crore cases are pending in the subordinate courts, 43 lakh cases are pending before the High Courts, and 57,987 cases are pending before the Supreme Court.
- Moreover, legislations provide for retired High Court and Supreme Court judges to **man tribunals till the age of 70 as chairman and 65 as members**. There is no reason why these judges should be retired so early.
- One aspect which has not been factored in is that as the **Indian economy grows**, the ratio of litigation to population will increase exponentially. Advanced economies such as Australia, Canada, France, the U.S., the U.K., and Japan have much **higher litigation-to-population ratios**.
- **Equality in retirement age of the judges of Supreme Court and High Court: For one, it is high time that we did away with the disparity between the retirement ages of High Court and Supreme Court judges; High Court judges now retire at 62 and Supreme Court judges at 65. There is no good reason for this difference.**

Positive Consequences

- This will have significant benefits. Senior serving judges will bring with them **years of experience**.
- It will ensure the continued presence of a **strong talent pool of experienced judges**.
- New judges can be appointed without displacing existing judges.
- It will address the **problem of mounting arrears**.
- It will be a buffer against **impending litigation explosion**.
- It will render **post-retirement assignments unattractive** and, as a consequence, **strengthen the rule of law and the independence of the judiciary**, both of which are crucial to sustain democracy.

Negative Consequences

- **Chances of Misuse of the position: The occupation of the seat for longer time can lead to chances of misuse of the position by the person Who holds it.**
- Missing Opinion of Young Generation: The holding of the higher positions by seniors will lead to neglect of opinions and wishes of the new generation and will lead to lack of diversity of opinion of younger generation on important social topics.

Way Forward

- India faces the **perennial issue of backlog of cases**. Increasing the age of Judges will certainly help in addressing this issue. The retirement age of judges of the Supreme Court and High Courts could be increased, but with the **option of quitting before reaching the age of superannuation -- a practice prevailing in Zimbabwe**, where a top court judge is appointed to retire at 65 years but can opt to continue till 70.
- Moreover, merely increasing the retirement age of the Judges is **not a solution for problems** in Indian Judiciary. Other issues like **lack of transparency (particularly in the appointment of judges), under trials of the accused, lack of information and interaction among people and courts must also be addressed**.

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