



Mains Marathon
Compilation

9th to 14th January, 2023

Mains Marathon Compilation for the Month of January, (Second Week) 2023

- 1. Anti-microbial resistance is an impending health catastrophe and requires a multi-disciplinary approach and investment in R&D. Comment.**
- 2. The record-setting expansion of the road network is a positive development. But the ecosystem that facilitates safe travel has lagged far behind. Comment.**
- 3. The importance of the decennially conducted census cannot be overstated. The undue delay in the Census's commencement will severely affect the availability of vital information on the population. Discuss.**
- 4. The shift from a hybrid annuity scheme for infra projects to a low-debt, performance-linked model is encouraging govt and private majors to pivot to the business in a bigger way. Comment.**
- 5. Wetlands are nature's shock absorbers. Their degradation in cities is not good for the urban future. Discuss.**
- 6. The ozone 'hole', once considered to be the gravest danger to planetary life, is now expected to be completely repaired by 2066. What are the factors that are contributing to its recovery?**
- 7. Is the ASI equipped to protect national monuments, or does it hinder the process? Provide reasons for your arguments.**
- 8. Does the governor have the right to delete portions of his address to the legislative assembly? Discuss with various judicial and legal references.**
- 9. What is the Doctrine of Basic Structure of the Indian Constitution? What is its significance?**
- 10. India has made marked progress in LAC infra development. Highlight the progress in infrastructural development along LAC.**
- 11. Despite new finds in Sweden, China will remain the go-to supplier for the foreseeable future for rare earth materials. Comment.**
- 12. Discuss the concept of tort law. Also, highlight the significance and reasons behind its non-adoption in India.**

Q.1) Anti-microbial resistance is an impending health catastrophe and requires a multi-disciplinary approach and investment in R&D. Comment.

Indian Express

Introduction: Contextual introduction.

Body: Explain some challenges posed by Anti-microbial resistance. Also write some measures to tackle it.

Conclusion: Write a way forward.

Antimicrobial Resistance (AMR) occurs when microbes like bacteria, viruses, fungi and parasites change over time and no longer respond to medicines making infections harder to treat and increasing the risk of disease spread, severe illness and death. The WHO has declared it as one of the top 10 health threats facing humanity.

Challenges posed by Anti-microbial resistance:

- **Threat to the health care system:** Antimicrobials prevent infections post a routine surgery or cancer treatment. Their ineffectiveness would impair the modern health system. The problem is more serious for low- and middle-income countries (LMICs) of Asia and Africa where cheap antimicrobials have significantly reduced the mortality rates.
- **Loss of Human Lives:** It is responsible for upto 7 lakh deaths a year. E.coli and MRSA (Methicillin Resistant Staphylococcus Aureus) are among the drug-resistant bacteria that led to most deaths. It is estimated that 10 million annual deaths would be caused by it post 2050.
- **Economic Brunt:** Abundant capital would be required to manage the AMR crisis in future. As per an estimate it may cost up to US\$ 100 trillion by 2050.
- **Possibility of Next Pandemic:** Scientists are worried that the next global pandemic might be caused by a superbug e.g., in 2021 researchers found a superbug (C. Auris) on remote sandy beaches of Andaman Islands that was multi-drug resistant.

Measures:

- **Disease prevention and wellness:** We need to spearhead sanitation drives, ensure a clean water supply and support hospital-driven infection-control programmes.
- **Coordination** across the animal industry and environmental sectors to prevent the unnecessary use of antibiotics in farms is necessary.
- Development of **robust surveillance systems** that allow us to detect resistant pathogens of all kinds in the environment and hospitals that would eventually allow containment.
- The baseline **information on the antibiotic type**, the extent of usage, tracking agricultural practices that promote resistance needs to be generated. This will aid in better decision making and improve follow up actions.
- A novel approach, such as **'One Health'**, is required **to better understand** the environmental dimensions of AMR and take science-based decisions and actions.
- There is a need for robust **investment in research and development of new antibiotics**, rapid and affordable diagnostics, strengthening infection control etc. to swiftly tackle the AMR crisis.

While the scientific community looks for solutions, governments must raise the standard of living for citizens, provide them accessible and affordable quality health care, besides regulating the sale and use of antibiotics.

Q.2) The record-setting expansion of the road network is a positive development. But the ecosystem that facilitates safe travel has lagged far behind. Comment.

Times of India

Introduction: Contextual introduction.

Body: Explain some issues with road safety. Also write some measures.

Conclusion: Write a way forward.

According to the **National Crimes Records Bureau (NCRB)** data, over 1.55 lakh lives were lost in road crashes across India in 2021 or 18 deaths every single hour. States of Tamil Nadu (57,000), Madhya Pradesh (49,500), Uttar Pradesh (36,500), Kerala (33,000) and Maharashtra (30,000) reported high number of accidents.

Issues with road safety:

- **Human Factors:** According to the NCRB report, most of the accidents and fatalities are attributable to human factors. These include **over-speeding**, **careless driving**, neglecting safety measures like not wearing helmets or seat belts etc.
- **Road Design:** Many roads have multiple **black spots** e.g., sharp corners in a straight road, a hidden junction on the fast road, etc. There are no separate lanes for 2-wheelers or very heavy vehicles. Urban areas lack separate lanes for pedestrians.
- There is **administrative and political apathy** toward road safety. Road users are lacking the understanding of the basic traffic rules and road signage.
- There is **easier access to driving licences** without a meaningful ground scrutiny of skills.
- At the macro level, various institutions of road safety are engaged in **routine paperwork** and lack **accountability**.

Measures for safer travel:

- There is a need to **enhance vehicle safety features** in India. e.g., The **European Union's General Safety Regulation** requires new vehicles to incorporate advanced emergency braking technology that launches automatically when a collision is imminent and intelligent speed assistance to reduce speed.
- The Government can implement the important recommendations of the **KS Radhakrishnan panel on Road Safety-** State Governments to perform a compulsory **Audit on road safety** to ensure adequate safety standards in the design, construction, and maintenance of roads; **Creating awareness among people** on road safety rules, insurance policies, etc.;
- There is a need for **regular and professional enforcement of rules. Swift and innovative solutions** by the administration could help in evolving a healthy safe-road culture.
- Parts of major roads and highways should be set up as **"ideal" road safety zones**. These zones will promote locally **suitable, comprehensive safe road practices**.
- There is a need to review the **design of rural and urban roads** and bring them into consonance with international best practices. E.g. separate lanes for 2-wheelers and heavy vehicles.

From policing to courts to transport department to public works to healthcare, a 'whole of government' approach can make citizens safer. Such improvements will represent the next generation of governance reforms that India must target.

Q.3) The importance of the decennially conducted census cannot be overstated. The undue delay in the Census's commencement will severely affect the availability of vital information on the population. Discuss.

The Hindu

Introduction: Contextual introduction.

Body: Explain importance of census. Also write some implications of the delay in census.

Conclusion: Write a way forward.

The census provides information on size, distribution demographic, socio-economic and other characteristics of the country's population. Since 1949 the census has been conducted by the **Registrar General and Census Commissioner of India** under the Ministry of Home Affairs. India's last census was carried out in 2011 when the country's population stood at 121 crore.

Importance of census:

- **Essential for state governance:** The Census is the **basic building block of many instruments of state policy** that are essential for ensuring a fair and just division of expenditure across regions and target groups.
- **Supreme over other surveys:** Surveys on households, jobs and other items can only complement the Census, not replace it.
- **Important for welfare state:** For instance, a recent directive from the Supreme Court regarding the distribution of benefits under the National Food Security Act underlines the centrality of the Census to India's welfare mechanisms.
- The Census alone can provide **population data for every village and town** in the country. Sample surveys can also provide reliable data on social and demographic indicators but only at higher geographic levels.
- The Census data are **used to determine the number of seats to be reserved for SCs and STs** in Parliament, State legislatures, local bodies, and government services. In the case of panchayats and municipal bodies.

Implications of the delay:

- The **Finance Commission allocates funds to States** on the basis of Census figures and any delay could put them at a disadvantage.
- Outdated Census information often becomes **unreliable and affects** those who do and do not receive the benefits of welfare schemes. E.g. According to the 2011 Census, PDS beneficiaries were approximately 80 crore (67% of the country's population) but in 2020's projected population of 137 crore, it should have increased to around 92 crore people.
- **Other sample surveys** use the Census data as a list from which a representative sample of the population is selected for surveys. E.g. **National Family Health Survey (NFHS)**.
- The Census is crucial to determine the population of migrants and **migration patterns**. The pandemic saw a sea of migrants.
- **Delimitation** of parliamentary and Assembly constituencies would also continue to be based on the 2001 Census till data from a Census after 2026 are published.

The government should fast-forward the census collection. This is because the upcoming elections and delimitation of constituencies in 2027 will further delay the census work.

Q.4) The shift from a hybrid annuity scheme for infra projects to a low-debt, performance-linked model is encouraging govt and private majors to pivot to the business in a bigger way. Comment.

Business Standard

Introduction: Contextual introduction.

Body: Explain some issues with hybrid annuity scheme. Also write some measures.

Conclusion: Write a way forward.

Infrastructure development involves huge investments, procedural delays and returns spread over a long period of time. HAM is a mix of the Engineering, Procurement and Construction (EPC) and Build, Operate, Transfer (BOT) models. HAM **combines 40% EPC and 60% BOT**-Annuity. Hybrid annuity means that payment is made in a fixed amount for a considerable period and then in a variable amount in the remaining period.

Issues with hybrid annuity scheme:

- It does not take care of the cost and **time overruns** due to issues of administrative efficiency etc.
- The major risk for HAM is the **prevailing low bank rates** adversely affecting the overall project viability and returns. Such interest receipts account for around 45% of total inflows.
- The other problem is related to **delayed and inadequate interest rate transmission**— there is a transmission lag for the project loan (linked to MCLR of banks).
- With the increasing number of HAM projects, funding can be an important issue because in long term it could be **challenging for the government to allot funds** to all the projects in short span of time.

The following measures are required to pivot to the business in a bigger way:

- Due to rising NPAs and owing to Covid-19, banks have developed cold feet with regard to financing various projects. Therefore, the government needs to either come up with a bond guarantee or **enhance credit funds** for the projects so that the bond market is rejuvenated to fulfil the financing requirements of the sector.
- **Technologies** such as augmented reality (AR), UAV and drones, 3D printing, Internet of Things (IoT) and Building Information Modelling (BIM) come in handy when **fast-tracking construction projects**.
- There is a need for a **better regulatory environment and consistency in the tendering process**. Lack of consistency and policy coherence across different government departments should be addressed as a priority.
- **User charges** are crucial because in many areas, partly because of zero or very low user charges, there is over-use and wastage of the precious resources (for instance, groundwater).
- The model can be made better with steps such as **efficient dispute redressal mechanism**, faster environmental clearances etc.

The development of India's infrastructure presents a huge task as well as a huge opportunity. The newly established **Infrastructure Finance Secretariat** is a step in the right direction.

Q.5) Wetlands are nature's shock absorbers. Their degradation in cities is not good for the urban future. Discuss.

Times of India

Introduction: Contextual introduction.

Body: Explain why degradation of wetlands is not good for the urban future.

Conclusion: Write a way forward.

Wetlands include mangroves, peatlands and marshes, rivers and lakes, deltas, floodplains and flooded forests, rice-fields, and even coral reefs. According to estimates by **Wetlands International (WI)**, nearly two of every five wetlands in India have lost their natural existence in the last 30 years.

Why its degradation is not good for the urban future?

- **Tsunami prevention:** Mangroves absorb and disperse tidal surges associated with these events a mangrove can reduce the destructive force of a tsunami by up to 90%.
- **Flood prevention:** Wetlands act as nature's shock absorbers. In the river basins, they act as **natural sponges**, absorbing rainfall, creating wide surface pools and reduce the impact of flooding in rivers.
- **Natural water filters:** Wetlands are the world's water filters which trap pollutants such as phosphorus and heavy metals in their soils, transform dissolved nitrogen into nitrogen gas, and break down suspended solids to neutralize harmful bacteria.
- **Regulation of stream flow:** Wetlands are often compared to sponges, in their ability to absorb water in wet periods, and release it during dry periods. E.g. encroachment and construction on urban wetlands like the Pallikaranai marsh in Chennai have made cities susceptible to flooding.
- **Sediment trapping:** Wetlands reduce runoff velocity, and wetland vegetation is effective in trapping and retaining sediment.
- **Phosphate and nitrate assimilation:** Wetland removes the phosphates and nitrates carried by runoff water through its vegetation and the action of anaerobic bacteria.
- **Erosion control:** Wetlands can limit the extent of erosion, predominantly through the protection provided by vegetation, and through their ability to reduce stream flow velocity.
- **Industrial benefits:** Wetlands also provide important benefits for industry. For example, they form nurseries for fish and other freshwater and marine life and are critical to **commercial and recreational fishing industries**.
- Wetlands not only support **high concentrations of biodiversity**, but also offer a wide range of important resources and **ecosystem services** like food, water, fiber, groundwater recharge, water purification, carbon storage and climate regulation.

Unless greater awareness is created about the benefits of wetland conservation and urban planning actively incorporates preservation of these bodies – Delhi Master Plan 2041 is a good start – the situation will worsen. A multi-pronged approach that brings together various stakeholders is the need of the hour.

Q.6) The ozone 'hole', once considered to be the gravest danger to planetary life, is now expected to be completely repaired by 2066. What are the factors that are contributing to its recovery?

Indian Express

Introduction: Contextual introduction.

Body: Explain some factors that are contributing to the recovery of ozone hole.

Conclusion: Write a way forward.

Ozone (O₃) is found mainly in the stratosphere, between 10 and 50 km from the Earth's surface. It **absorbs ultraviolet rays** coming from the Sun. The latest scientific assessment has said that if current policies continued to be implemented, the ozone layer was expected to recover to 1980 values by 2066 over Antarctica, by 2045 over the Arctic, and by 2040 for the rest of the world.

The following factors are contributing to the recovery of ozone hole:

- **Montreal Protocol:** It **banned man-made gases** that damage the fragile high-altitude ozone layer, found long-term decreases in the atmospheric abundance of controlled **ozone-depleting substances** and the ongoing recovery of stratospheric ozone. It's the only UN treaty that has been **ratified by all 198 UN member states**.
- This progress over the past three decades was achieved by **international compliance** with controls on production and trade of ozone-depleting substances.
- In 2019, the protocol was strengthened with the ratification of the **Kigali Agreement** which limits the production of hydrofluorocarbons (HFCs), ozone safe compounds that are potent greenhouse gases.
- The assessment has reported that nearly 99 per cent of the substances banned by the Montreal Protocol have now been eliminated from use. The **elimination of ozone-depleting substances** has an important climate change co-benefit as well.

The Montreal Protocol has done much more than shrink the ozone hole; it has shown how environmental governance can respond to science, and how countries can come together to address a shared vulnerability. The same spirit of common cause and greater leadership to implement the Paris Agreement on climate change is the need of the hour.

Q.7) Is the ASI equipped to protect national monuments, or does it hinder the process? Provide reasons for your arguments.

Indian Express

Introduction: Contextual introduction.

Body: Explain significance of ASI. Also write some issues with its functioning.

Conclusion: Write a way forward.

The **Archaeological Survey of India (ASI)**, under the Ministry of Culture, is the premier organization for the archaeological researches and protection of the cultural heritage of the nation.

ASI is the successor of The Asiatic Society of India. It was founded in its current form in 1861 by Sir Alexander Cunningham with the help of the then Viceroy Canning.

Significance of ASI:

- It **regulates all the archaeological activities** in the country as per the provisions of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (**AMASR Act**).
- The iconic monuments in India, Taj Mahal, Ajanta Caves, The Great Stupa at Sanchi and the Sun Temple of Konark, among others are designated as "ancient monuments of national importance" and protected under the AMASR Act.

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- It also **regulates Antiquities and Art Treasure Act, 1972**. For the maintenance of ancient monuments and archaeological sites and remains of national importance the entire country is divided into 24 circles.

Issues:

- CAG in its 2013 Report on 'Performance Audit of Preservation and Conservation of Monuments and Antiquities', had reported that 92 monuments are missing.
- The ASI lacks in **enforcement powers** such as in the Forest Act which could empower it to act against those encroaching at protested sites.
- **Encroachments and illegal construction** close to the monuments were happening on a large-scale and ASI has to depend on law enforcement authorities to remove encroachments.
- Not **clear distinction** between the prohibited and regulated areas. There are many public works and development projects which are stopped due to the AMASR Act's blanket ban on constructions.
- The ASI budget for exploration and excavations is less than 1 percent of the total budget.
- ASI, in many cases, has been working in **violation of the provisions of the Monuments (AMASR) Act**. At Humayun's tomb, a CAG inspection revealed commercial construction being undertaken in the prohibited area.
- The poor state of conservation at ASI-protected sites and the **lack of follow-up**.

ASI has to adopt more innovative investigative, interrogative and conservation methods. It has to decentralise its activities and work with local bodies – academic, governmental, etc. – to protect monuments better and, equally importantly, increase awareness at the grassroots.

Q.8) Does the governor have the right to delete portions of his address to the legislative assembly? Discuss with various judicial and legal references.

Indian Express

Introduction: Contextual introduction.

Body: Explain some judicial and legal references about governor's right to delete portions of his address to the legislative assembly.

Conclusion: Write a way forward.

Governor is the **Constitutional head of the state**. The Governor has to exercise his powers and functions with the **aid and advice of the council of ministers** headed by the chief minister. He has an important constitutional role to play in the governance of the state and in strengthening federalism. **Article 176** has provisions of **Special address by the Governor**. The following judicial and legal references explain whether governor has the right to delete portions of his address to the legislative assembly or not:

- According to the **constitutional convention**, the President or the Governor should not depart from the text, as it is nothing but a statement of policy of the elected government.
- The Constitution gives **no discretion** to governors in the matter of convening the session of the assembly. **Parliamentary democracy being the basic structure** of our Constitution, though Article 174 does say that the governor from time to time summons the assembly to meet at such time and place "he thinks fit". Governors have **no business to question the purpose** of convening the sessions of the House.
- The **Supreme Court in Nabam Rebia (2016)** had observed that the Governor had **no discretion in convening the assembly session**.
- It was subsequently held by Justice B N Banerjee of the Calcutta High Court in **Andul Gafoor Habibullah v. Speaker, West Bengal Assembly (1966)** that the governor cannot **decline to deliver his address** and refuse to fulfil his constitutional duty. However, when

the governor fails to deliver his address under Article 176 and walks out of the House, it cannot be questioned under Article 212.

- The Calcutta HC held the governor has the **right to delete or not read** irrelevant portions or portions **which do not deal with the policy** of the government. Governor can exercise his discretion in leaving out of his address the irrelevant matter.

The governor is a key intermediary in the Centre-state relationship. He reigns but does not rule. All governors too must remain true to their oath of “preserving, protecting and defending the Constitution

Q.9) What is the Doctrine of Basic Structure of the Indian Constitution? What is its significance?

Indian Express

Introduction: Contextual introduction.

Body: Explain Doctrine of Basic Structure of the Indian Constitution. Also write its significance.

Conclusion: Write a way forward.

The “Basic Structure” doctrine is a doctrine made from judicial innovation specific to Indian context. The doctrine prescribes that certain features of the constitution are beyond the **limits of the amending powers of the Parliament**. The word “Basic Structure” is **not mentioned in the Constitution of India**.

Doctrine of Basic Structure:

- The doctrine was evolved by the Supreme Court in the 1973 landmark ruling in **Kesavananda Bharati v State of Kerala**. A 13-judge Constitution Bench ruled that the ‘basic structure’ of the Constitution is inviolable, and could **not be amended by Parliament**.
- If a law is found to “damage or destroy” the “basic features of the Constitution”, the Court declares it unconstitutional.
- The test is applied to constitutional amendments to ensure the amendment **does not dilute the fundamentals of the Constitutional itself**.
- The test is widely regarded as **a check on majoritarian impulses of the Parliament** since it places substantive limits on the power to amend the Constitution.
- In the *Kesavananda* ruling, the Supreme Court cited several aspects of the Constitution that could be identified as “basic features” of the document. For example, judicial review, rule of law, federalism, and democratic republic structure are identified as basic features.

Significance of Basic Structure:

- The basic structure doctrine **grants the fine balance between flexibility and rigidity** that should be present in the amending powers of any Constitution.
- The basic structure doctrine is a testimony to the theory of Constitutionalism **to prevent the damage to essence of COI** by brute majority of the ruling majority.
- The basic doctrine **saved the Indian democracy** as it acts as a limitation of constituent power or else unlimited power of parliament might have turned India into a totalitarian.
- It **strengthens our democracy** by delineating a true separation of power where Judiciary is independent of other two organs. It has also given immense untold unbridled power to Supreme Court and made it the most powerful court in the world.
- By restraining the amending powers of legislative organ of State, it **provides basic Rights to Citizens** which no organ of State can overrule.
- Being dynamic in nature, it is **more progressive and open to changes** in time unlike the rigid nature of earlier judgements.

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The basic structure doctrine though subject to intense debate from the date of its inception and lack of textual basis of the same still continues to hold forte to hold up delicate constitutional balance of powers.

Q.10) India has made marked progress in LAC infra development. Highlight the progress in infrastructural development along LAC.

The Hindu

Introduction: Contextual introduction.

Body: Explain some infrastructural developments along LAC.

Conclusion: Write a way forward.

At present, Line of Actual Control (LAC) is the line separating Indian areas of Ladakh from Aksai Chin. It is concurrent with the Chinese Aksai Chin claim line. There are several disputed areas along the Line of Actual Control (LAC), including in Himachal, Uttarakhand and Sikkim.

Infrastructural development along LAC:

- In the past five years, the Border Roads Organisation has constructed close to **6,000 km of roads**; of this, 2,100 km has been along the northern borders.
- The frontier road, which runs a total of 1,800 km, will connect various valleys in Arunachal Pradesh. The plan has been re-energised and funding has been assigned. Some work on it is already underway.
- **Atal tunnel:** Atal tunnel has been inaugurated and Shinku la tunnel along the Nemu-Padam-Daricha road is in the final stages of approval. The tunnel is the **world's longest highway tunnel above the altitude of 10,000 feet** (3000 metres). This pass may be considered as an entry point to Lughak Valley in Zaskar.
- **Zojila tunnel:** The Zojila tunnel and the Z-Morh tunnel, which will link the valley to Ladakh and will be operationalised by the end of the year. The tunnel will **connect Baltal in Kashmir with Minamarg in Ladakh**. This will reduce travel time by two-and-a-half hours.
- **Sela tunnel:** The Sela tunnel will be the **longest twin-lane tunnel above 13,000 feet** in the world and will provide all-weather connectivity to Tawang. Moreover, the project will also allow **faster deployment of weapons and soldiers** to forward areas in the Tawang sector.

The creation of infrastructure would help integrate these areas with the hinterland, create a positive perception of care by the country and encourage people to stay on in the border areas leading to safe and secure borders.

Q.11) Despite new finds in Sweden, China will remain the go-to supplier for the foreseeable future for rare earth materials. Comment.

Business Standard

Introduction: Contextual introduction.

Body: Explain why China will remain the go-to supplier for the foreseeable future, despite new finds in Sweden.

Conclusion: Write a way forward.

Recently Sweden has discovered more than one million tonnes of **rare earth oxides in the northern area** of the country. This is the **largest known deposit in Europe**. Currently, no rare earths are mined in Europe and 98 percent of rare earths used by the European Union were sent by China. These elements are important in technologies of consumer electronics, computers and networks, clean energy, advanced transportation among others.

Due to following reasons China will remain the go-to supplier for the foreseeable future:

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- According to data from the US Geological Survey, China accounted for **more than 60 per cent of all rare earths production**.
- Experts suggest that it can take **years to start operations** at the Kiruna mine in Sweden, where the deposits have been found.
- In Europe, there are **heavy regulatory barriers to the mining and production** of critical raw materials and it does not currently mine raw earths.
- Sweden still needs **a lot of drilling, testing**, and they don't have the full information about what quality the ore grade is.
- It would take between 10 and 15 years to **develop a mine**, which is in line with the company's own estimates.
- Once they have the mining, they also need to **establish the processing industry** as isolating and refining rare earths are complex and hugely energy intensive processes.

Rare earths are used in small quantities but have qualities that make them essential. The multifarious uses of rare earth elements in new age technologies show that their demand is going to rise in future.

Q.12) Discuss the concept of tort law. Also, highlight the significance and reasons behind its non-adoption in India.

Times of India

Introduction: Explain tort law.

Body: Explain its significance and reasons behind its non-adoption in India.

Conclusion: Write a way forward.

The word tort is derived from the Latin word tortum which means wrong. Tort law is the body of laws that enables people to seek **compensation for wrongs committed against them**. When someone's actions cause some type of harm to another, whether it be **physical harm** to another person, or harm to someone's **property or reputation**, harmed or injured person or entity may seek damages through the court. Generally the compensations are **monetary awards** ordered by the court to be paid to an injured party, by the party at fault.

Significance:

- Once the concept of tort is well established, it can be applied to damages caused to a person's health and safety, his environment, his property, his economic interests, or his reputation.
- With these broad guidelines in place, the application of tort is a matter of common sense – not every action that a plaintiff alleges has caused damage can be automatically seen as grounds for receiving compensation.
- Every case where damage is alleged need not be treated as a criminal matter, especially when criminal intent is difficult or impossible to prove.

In India the law of torts has not been totally codified. There are following reasons behind its non-adoption in India:

- **Uncertainty of law:** There is **no uniformity** and certainty in its rules and doctrines. There are law of torts are available in England on many points, those cannot be applied in Indian situations.
- **Lack of political consciousness:** Most of the people in India are **unaware of their rights** because of their illiteracy.
- **Illiteracy:** Indian literacy rate has grown to 79.31% (2011 census). An old 1990 study estimated that it would take until 2060 for India to achieve universal literacy at then-current rate of progress.

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- **Poverty:** Despite being one of the fastest-growing economies in the world, India has a significant problem of poverty. So most of the people are not capable of meeting high costs of litigation for enforcement of their legal rights.
- **Expensive and dilatory judicial system:** the judicial system in India is very expensive and it is dilatory. Court fee and Advocates' fee is very high. Therefore, the poor people are ready to suffer their violation rights instead of going to court.

In numerous cases, Indian courts have ruled that the country's law of tort is crucial to the progress of Indian society. By reducing court-fee, and by adopting simple procedure to dispose of tort based cases, there is very chance to protect the civil rights of the people of India.