Top 40 Important Essay for Judiciary Mains Examination (English Edition)

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1. Uniform Civil Code

Introduction

The **Uniform Civil Code (UCC)** stands as a significant and contentious issue in Indian legal and political discourse. It refers to the proposal of establishing a single set of laws governing personal matters such as marriage, divorce, inheritance, and adoption for all citizens, irrespective of their religion. The concept of a UCC aims to replace the existing system where personal laws are based on religious communities. This essay explores the rationale behind the UCC, its potential benefits and challenges, and its implications for Indian society.

Rationale Behind the Uniform Civil Code

India is a diverse nation with a rich tapestry of cultures and religions. Currently, personal laws differ significantly between Hindu, Muslim, Christian, and other communities. For instance, marriage and divorce laws for Hindus are governed by the Hindu Marriage Act of 1955, while Muslims follow the Muslim Personal Law (Shariat) Application Act of 1937. This multiplicity of laws can lead to inconsistencies and perceived injustices, particularly when personal laws of different communities come into conflict.

The UCC aims to promote equality and fairness by providing a unified legal framework for all citizens. Proponents argue that a single set of laws would simplify the legal system, ensure equal rights for all citizens, and enhance social cohesion. By eliminating religious-based legal disparities, the UCC seeks to reinforce the secular nature of the Indian state and ensure that every citizen is treated equally under the law.

Goa Civil Code Goa is the only Indian state to have a UCC in the form of common family law. The Portuguese Civil Code that remains in force even today was introduced in the 19th century in Goa and wasn't replaced after its liberation. Features- The Uniform Civil Code in Goa is a progressive law that allows equal division of income and property between husband and wife and also between children (regardless of gender). Every birth, marriage and death have to be compulsorily registered. For divorce, there are several provisions. Muslims who have their marriages registered in Goa cannot practice polygamy or divorce through triple talaq. During the course of a marriage, all the property and wealth owned or acquired by each spouse is commonly held by the couple. Each spouse in case of divorce is entitled to half of the property and in case of death, the ownership of the property is halved for the surviving member. The parents cannot disinherit their children entirely. At least half of their property has to be passed on to the children. This inherited property must be shared equally among the children. However, the code has certain drawbacks and is not strictly a uniform code. For example, Hindu men have the right to bigamy under specific circumstances mentioned in Codes of Usages and Customs of Gentile Hindus of Goa (if the wife fails to deliver a child by the age of 25, or if she fails to deliver a male child by the age of 30). For other communities, the law prohibits polygamy. Article 44 corresponds with Directive Principles of State Policy stating that State shall endeavour to provide for its citizens a uniform civil code (UCC) throughout the territory of India.

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5. Judicial Activism: (i.e. Legislation by Judiciary)

- Meaning
- भारत मे Judicial 2 Types
- Root source
- Benefit
- J/A Separation of power
- Way Forward –
  Protection is Admissible & Aggressions Denier

➢ What is Judicial Activism?

Protective judicial activism	Aggressive Judicial Activism
Active role of judiciary in upholding rights of citizens and preserving the constitutional and legal system of the country in order to do complete justice with the constitutional function assigned to it, is protective judicial activism." It includes taking active part wherever legislature failed to perform or unwilling to perform its pre-defined role. Example: Release of the Under-trial Prisoner, who are suffering in jail in spite of undergoing half of the maximum period of imprisonment for the offence under trial. *--(By Former CJI R.M. Lodha: Supreme Court, In 2014)*	when the judiciary steps into the shoes of the executive and the legislature and embarks on the work of law making rather than performing its main constitutional function, it is deemed to be judicial activism Example: the Supreme Court ordered the Assembly to conduct a Motion of Confidence and ordered the Speaker not to entertain any other business. These orders were made in spite of Article 212 of the Constitution which states that Courts are not to inquire into any proceedings of the legislature. *--(In 2005, Jharkhand Legislative Assembly case)*

The form of government introduced by our constitution at the union and the state is the parliamentary government According to this policy making is done by legislature, implementation is taken care by executive and judiciary is responsible for reviewing and also acts as guardian of constitution. The word 'Judicial Activism' is a new concept and its meaning is depend on the kind of judicial activism exists. In my view/submission, there are two kind of Judicial Activism in India: 'Protective Judicial Activism' and 'Aggressive Judicial Activism'.

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39. Sexual Harassment: The Hidden Truth in India

Introduction

Sexual harassment, a pervasive and insidious issue, remains a hidden truth in many societies, including India, where cultural norms, patriarchal structures, and systemic gaps often conceal its prevalence. Defined as unwelcome sexual behavior—physical, verbal, or non-verbal—that violates an individual's dignity, sexual harassment undermines personal safety, equality, and mental well-being. In India, despite progressive legal frameworks like the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act) and stricter penalties under the Bharatiya Nyaya Sanhita (BNS), 2023, the issue persists across workplaces, public spaces, and homes. This essay explores the hidden truth of sexual harassment in India, examining its causes, manifestations, impacts, legal framework, and strategies to combat it, while shedding light on why it remains a concealed crisis.

Understanding Sexual Harassment

Sexual harassment encompasses a range of behaviors, including unwanted physical contact, lewd comments, suggestive gestures, stalking, and online harassment. In India, it occurs in diverse settings:

- **Workplaces:** From corporate offices to informal sectors like construction and domestic work.
- **Public Spaces:** Streets, public transport, and markets, where "eve-teasing" (a euphemism for harassment) is common.
- **Educational Institutions:** Schools and colleges, where students face harassment from peers or authority figures.
- **Digital Spaces:** Social media platforms, where cyberstalking and sexting are rising.
- **Domestic Settings:** Homes, where marital rape and familial harassment remain underreported.

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Causes of Sexual Harassment in India

Several factors contribute to the persistence of sexual harassment:

1. **Patriarchal Mindset:** Deep-rooted patriarchal norms normalize male dominance and objectification of women, perpetuating a culture where harassment is trivialized.
2. **Social Stigma and Victim-Blaming:** Victims, particularly women, face blame and shame, deterring them from reporting due to fear of social ostracism. Media sensationalism often shifts focus from perpetrators to victims' lifestyles, further silencing survivors.
3. **Weak Enforcement of Laws:** Despite the POSH Act mandating Internal Complaints Committees (ICCs) in workplaces, only 50% of organizations with over 10 employees comply (Ministry of Women and Child Development, 2024). Police often dismiss complaints as minor, and judicial delays discourage victims.

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4. **Economic and Social Disparities:** Women in informal sectors, such as domestic workers or street vendors, face higher risks due to lack of legal protections. Over 90% of India's workforce is in the unorganized sector (NSS, 2021), where harassment is rampant. Rural women, with limited access to legal recourse, are particularly vulnerable.

5. **Digital Proliferation:** The rise of social media and smartphones has led to a surge in online harassment, with 40% of Indian women reporting cyberstalking.

Impacts of Sexual Harassment

The hidden truth of sexual harassment has far-reaching consequences:

1. **Mental Health:** Victims experience anxiety, depression, and post-traumatic stress disorder (PTSD). A 2025 NIMHANS study reported that 40% of harassment survivors show signs of psychological distress.

2. **Economic Consequences:** Workplace harassment leads to reduced productivity, absenteeism, and resignations. A 2024 ILO report estimated a 5% GDP loss in India due to workplace harassment impacting women's participation.

3. **Social Inequality:** Harassment reinforces gender disparities, discouraging women from pursuing education or careers. Female workforce participation remains at 33% (NSS, 2021), partly due to safety concerns.

4. **Erosion of Trust:** Persistent harassment undermines trust in institutions like workplaces, police, and judiciary, with only 20% of victims satisfied with legal recourse (UN Women, 2025)...

Strategies to Combat Sexual Harassment

To address the hidden truth of sexual harassment, India must adopt a multi-pronged approach:

1. **Strengthening Legal Enforcement:** Ensure 100% compliance with POSH Act by mandating ICCs in all workplaces, including informal sectors. Train police and judicial officers to handle cases sensitively, reducing victim-blaming.

2. **Public Awareness and Education:** Integrate gender sensitization and sexual harassment awareness into school curricula under NEP 2020.Launch media campaigns on social media platforms to challenge patriarchal norms and promote reporting.

3. **Support Systems**: Establish helplines and counseling services for victims, as piloted by Aarogya Setu in 2025.Provide legal aid and safe shelters for survivors, particularly in rural areas.

4. **Cultural Shift:** Promote gender equality through media and education to dismantle patriarchal attitudes. Encourage men as allies in anti-harassment campaigns, fostering collective responsibility.

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Impact on Indian Society

Sexual harassment's hidden truth has profound implications:

- **Gender Equality:** Persistent harassment hinders women's workforce participation, perpetuating inequality.
- **Mental Health Crisis:** Survivors face long-term psychological trauma, straining healthcare systems.
- **Economic Loss:** Workplace harassment reduces productivity, costing India 5% of GDP (ILO, 2024).
- **Social Trust:** Underreporting and weak enforcement erode trust in institutions, undermining social cohesion.

Conclusion

Sexual harassment in India remains a hidden truth, concealed by patriarchal norms, and systemic gaps, despite robust laws like the POSH Act and BNS. The issue persists across workplaces, public spaces, and digital platforms, impacting mental health, economic productivity, and gender equality. While recent developments—such as e-FIRs, stricter penalties, and awareness campaigns—signal progress, challenges like underreporting, weak enforcement, and cultural taboos keep the problem obscured. By strengthening legal enforcement, promoting awareness, enhancing digital safety, and fostering cultural change, India can unveil and address this hidden truth. As the nation strives for a just and equitable society, dismantling the barriers that conceal sexual harassment is essential to ensure dignity, safety, and equality for all.

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40. Social Media and Child Development in India: Opportunities and Challenges

Introduction

Social media has become an integral part of modern life, profoundly influencing how individuals, including children, communicate, learn, and perceive the world. For children, social media offers unprecedented access to information, creative expression, and global connectivity, but it also poses significant risks to their cognitive, emotional, and social development. The impact of social media on child development is a critical issue, given that children aged 10–18 constitute a significant portion of India's population, with over 250 million in this age group (Census 2011, adjusted projections). This essay explores the multifaceted effects of social media on child development in India, examining its benefits, challenges, and recent developments while proposing strategies to ensure a balanced approach to its use.

The Role of Social Media in Child Development

Social media refers to online platforms that enable users to create, share, and engage with content. For children, these platforms serve as tools for education, entertainment, and socialization. The developmental stages of childhood—early childhood (ages 5–10), pre-adolescence (ages 11–13), and adolescence (ages 14–18)—are particularly sensitive to external influences, making the impact of social media significant. The effects can be categorized into cognitive, emotional, social, and physical domains, each presenting both opportunities and risks.

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Benefits of Social Media for Child Development

Social media offers numerous advantages that can positively influence child development when used appropriately:

1. **Educational Opportunities**

   Social media platforms provide access to a wealth of educational resources:

   - **Learning Platforms:** Channels on YouTube and educational accounts on Instagram offer tutorials, science experiments, and language lessons.
   - **Skill Development:** Social media exposes children to skills like coding, graphic design, and digital marketing through tutorials and communities. In 2025, over 10 million Indian children enrolled in online courses via social media platforms (NITI Aayog).
   - **Global Awareness:** Platforms like X enable children to follow global events, fostering awareness of issues like climate change and human rights.

2. **Creativity and Self-Expression**

   Social media encourages creativity:

   - **Content Creation:** Social media platforms allow children to create videos, art, and music, boosting creativity. In 2024, over 30% of Indian teens aged 13–17 reported creating content on social media (Pew Research).

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Strategies to Balance Social Media's Impact on Child Development

To maximize the benefits of social media while mitigating its risks, the following strategies are essential:

1. **Parental Guidance and Monitoring:** Parents should set screen-time limits and use parental control apps like Google Family Link to monitor children's social media activity. Open communication about online risks can help children navigate platforms safely.
2. **Mental Health Support:** Schools and communities should offer counseling services to address social media-related mental health issues. Awareness campaigns can educate children about the psychological effects of excessive social media use.
3. **Promoting Offline Activities:** Encouraging sports, hobbies, and family time can reduce dependence on social media, fostering holistic development. Government programs like Khelo India can engage children in physical activities, countering sedentary lifestyles.

Impact on Indian Society

Social media's impact on child development has broader implications for Indian society:

- **Educational Equity:** Social media has democratized education, but the digital divide limits its benefits for rural children.
- **Cultural Shifts:** It exposes children to global cultures, promoting inclusivity but also raising concerns about cultural erosion.
- **Future Workforce:** Digital skills acquired through social media prepare children for tech-driven careers, aligning with India's Industry 4.0 goals.
- **Social Cohesion:** While social media fosters connectivity, cyberbullying and misinformation can strain social harmony.

Conclusion

Social media is a double-edged sword in the context of child development in India, offering immense opportunities while posing significant risks. As a boon, it enhances education, creativity, and social connectivity, empowering children to engage with the world. However, as a bane, it threatens mental health, social skills, and physical well-being, particularly when unregulated. Recent developments, such as new cybercrime laws, digital safety campaigns, and educational integration, reflect India's efforts to harness social media's potential while addressing its challenges. By promoting digital literacy, parental guidance, and platform accountability, India can ensure that social media supports holistic child development. As the country progresses toward its vision of a developed nation by 2047, a balanced approach to social media use will be crucial in nurturing a generation that is informed, creative, and resilient.

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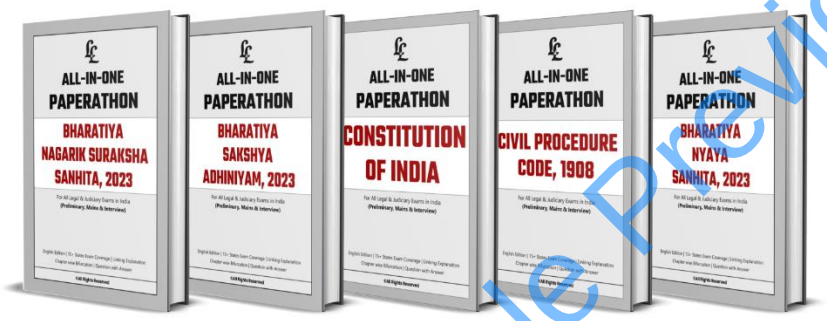

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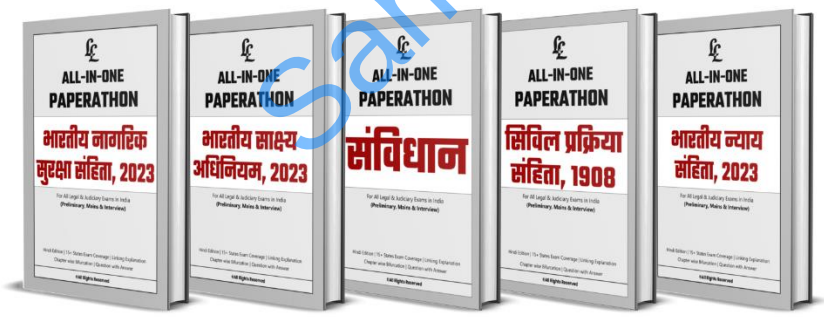

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