

Evaluation Summary

Questions Found

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Total Score

6.0 / 15

Question 1: Ques:- Instances of President's delay in commuting death sentences has come under public debate as denial of justice. Should there be a time specified for the President to accept/reject such petitions? Analyse. (250 Words)

6.0/15

(Pages 1 - 2)

OVERALL EVALUATION

Your answer correctly identifies the core issue and presents arguments for and against a time limit. However, the absence of the crucial Shatrughan Chauhan case is a major gap. Improve by citing key judgments and structuring the conclusion distinctly.

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Answer Questions in NOT MORE THAN the Word Limit specified for each in the Parenthesis. (Specimen Answer Booklet - For Practice Purpose Only)

प्रतिकर्ता को इस कॉपी में नहीं लिखना चाहिए। Candidates must not write on this margin.

Ques:- Instances of President's delay in commuting death sentences has come under public debate as denial of justice. Should there be a time specified for the President to accept/reject such petitions? Analyse. (250 words)

→ Under Article 72 of Indian Constitution, the President has the authority to grant pardons and to suspend, remit, deprive or commute sentences on the advice of Council of Ministers. However, there is no specified time limit for the President to accept or reject any mercy petitions. This delay has been a subject of public debate and criticism bcz "Justice delayed is Justice denied."

Argue that the time limit should be established for the President to decide on mercy petitions due to following reasons:-

- Right to Speedy Justice
Delay in deciding mercy petitions infringes Right to life and personal liberty under Article 21 of the Constitution.
- Humanitarian concerns
Long delay can exacerbate the mental health of the convict.

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Good start by mentioning the relevant constitutional article to set the context.

To make this point stronger, you must cite the landmark Supreme Court judgment in Shatrughan Chauhan vs. Union of India (2014).

This is the core legal argument. Substantiate it by explaining how prolonged uncertainty violates the right to dignity inherent in Article 21.

This is a good point, showing a clear understanding of the President's role as acting on executive advice.

Use more direct subheadings like 'Arguments for a Time Limit' for better clarity and structure.

Good point. Elaborate by mentioning the 'death row phenomenon,' which refers to the severe psychological trauma and mental agony faced by convicts.

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However, argue against setting a time limit due to -

- Complexity and Sincerity of case:-
Cases involving capital punishment are complex and decision to pardon or commute death sentence is delicate that's why President has to take sufficient time.
- Political Implications:-
Decisions on mercy petitions can have political implications. A time limit may rush the decision which aren't full considered.

In Devender Pal Singh Bhullar case, his mercy petition was pending before the President for over 9 years before it was rejected.

While there is a need to ensure speedy justice and eliminate the suffering of convicts allowing a decision on their mercy petitions, it is also important to allow sufficient time for a comprehensive review of all aspects of the case.

A potential way forward would be to establish guidelines or norms for deciding mercy petitions within a reasonable timeframe, without making it a rigid requirement.

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A better subheading would be 'Arguments Against a Rigid Time Limit'.

Excellent use of a specific case to substantiate your argument. This adds significant value to the answer.

This is a very good and balanced way forward, which aligns with the judicial view on the matter.

Also mention that the pardoning power is the final safeguard against a potential miscarriage of justice, which necessitates a thorough, unhurried review.

This entire section is your conclusion. It should be presented as a separate paragraph after discussing both sides of the argument for better structural clarity.