

Daily Answer Writing Model Answer 18-09-2025

GS Paper 2 (Governance / Health / Criminal Justice)

Question:

“Patient safety and access to justice remain under-addressed dimensions of India’s social sector reforms.” Discuss with reference to recent initiatives such as the National Patient Safety Implementation Framework (2018–25) in healthcare and the Supreme Court’s endorsement of a cooling period and Family Welfare Committees in Section 498A matters.

Model Answer

Introduction

Patient safety in healthcare and timely access to justice in criminal matters are two pillars of human development and governance. While India has launched multiple reform initiatives—such as the **National Patient Safety Implementation Framework (2018–25)** in health and judicial guidelines like the **two-month cooling period and Family Welfare Committees (FWCs)** in Section 498A cases—structural gaps continue to undermine citizens’ trust in institutions.

Body

1. Patient Safety in India’s Healthcare System

- **Significance:** World Patient Safety Day (17 September) highlights the global focus on reducing preventable harm in medical care. In India, rising chronic disease burden increases risks.
 - **Key Issues:**
 - Hospital-acquired infections, unsafe medication use, delayed diagnoses.
 - Overburdened doctors and nurses → fatigue and errors.
 - Passive patient participation, weak grievance mechanisms.
 - Only ~5% hospitals accredited under NABH.
 - **Government Initiatives:**
 - **National Patient Safety Implementation Framework (2018–25):** policy roadmap for embedding safety protocols.
 - **Accreditation systems (NABH), Pharmacovigilance networks, Patient Safety & Access Initiative.**
 - **Patient advisory councils** to improve communication.
 - **Challenges:** Implementation gap, limited resources for small hospitals, low public awareness, inadequate integration in medical education.
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2. Access to Justice in 498A/BNS 85 Matters

- **Background:** Section 498A (now BNS 85) addresses cruelty by husband/relatives. Misuse concerns led to judicial experimentalism.
 - **Recent Development:** Supreme Court upheld **Allahabad High Court guidelines** → 2-month cooling period + referral to Family Welfare Committees before coercive action.
 - **Positive Intent:**
 - Prevents misuse of law by filtering frivolous cases.
 - Reduces immediate arrests; balances rights of accused and complainant.
 - **Concerns:**
 - **Delays access to justice** for genuine victims; coercive action is deferred.
 - **Undermines institutional autonomy** of police/investigation agencies.
 - No statutory basis for FWCs; earlier similar attempt (Rajesh Sharma case, 2017) was struck down.
 - **Existing Safeguards Already Present:** Lalita Kumari (pre-FIR scrutiny), Arnesh Kumar (2014) guidelines restricting arrests, Satender Kumar Antil (2022) for bail.
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3. Common Challenges Across Both Sectors

- **Implementation Deficit:** Policies/frameworks exist but lack ground-level execution.
 - **Institutional Overload:** Doctors, judges, and police officers face high case/patient loads.
 - **Awareness & Participation:** Patients hesitate to ask questions; victims face social stigma in reporting.
 - **Resource Gaps:** Accreditation in health and FWCs in justice both demand more funding, training, and monitoring.
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Conclusion

India's governance reforms in health and justice show **policy intent but limited institutional capacity**.

- In healthcare, patient safety must be mainstreamed into curricula, accreditation, and technology-enabled error detection.
- In justice, reforms must **balance misuse safeguards with speedy victim relief**, avoiding extra-legal bodies that dilute statutory authority.

Way forward: Embed patient safety into national health priorities, scale accreditation, promote patient awareness; in justice, revisit FWC/cooling guidelines, strengthen investigative autonomy, and improve fast-track support for vulnerable victims.

Thus, patient safety and access to justice need to move from being “add-on reforms” to becoming central elements of India’s inclusive governance framework.