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SIMPLIFYING IAS EXAM PREPARATION

SECURE SYNOPSIS

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IAS SELF STUDY GUIDE

NOTE: Please remember that following '*answers*' are *NOT* '*model answers*'. They are NOT synopsis too if we go by definition of the term. What we are providing is content that both meets demand of the question and at the same time gives you extra points in the form of background information.

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GENERAL STUDIES - II

Topic: Indian Constitution- historical underpinnings, evolution, features, amendments, significant provisions and basic structure.

Q1) To fully understand what secularism in the Indian context means, we must read the Constitution in its entirety. Comment. (250 Words)

The Hindu

Background:-

- India is witnessing a growth of intolerance in the society and insecurity among the minority communities whether India is really secular and recently statements by an elected representative put this question in the forefront again.

Why constitution needs to be read in entirety to understand secularism?

- According to some India has never been a secular state because the Constitution, as it was originally adopted, did not contain the word “secular”. They also point to B.R. Ambedkar’s pointed rejection of proposals during the Constitution’s drafting to have the word “secular” included in the Preamble.
- However Secularism is inbuilt in the foundations of constitutionalism. Constitution doesn’t acquire its secular character merely from the words in the Preamble, **but from a collective reading of many of its provisions, particularly the various fundamental rights that it guarantees.**
- Other provisions included in the Constitution which show the secular nature of it are:**
 - Freedom of Religion as guaranteed under article 25, 26, 27 and 28, supporting the idea of practicing any religious practice as long as it does not harm the social and moral order of society.
 - Article 29 and 30 provides special protection to religious minorities and their educational institutions.
 - Article 44 in DPSP makes a constitutional obligation on State to bring uniform civil code.
 - Article 51A call upon the citizens to upholds principles of fraternity and brotherhood, and to endure religious diversities
- Not mentioning secular word in the constitution** was not on account of any scepticism that the drafters might have had on the values of secularism. The assembly virtually took for granted India’s secular status.
- Constitutional makers felt that any republic that purports to grant equality before the law to all its citizens, that purports to recognise people’s rights to free speech, to a freedom of religion and conscience simply cannot be un-secular.
- There have also been instances under which judiciary made wide interpretation of Constitution and provided judgements related to Secularism as well.

Secularism in India (Extra) :-

- Within the Assembly, there existed a conflict between two differing visions of secularism:
 - One that called for a complete wall of separation between state and religion
 - Second demanded that the state treat every religion with equal respect.
 - A study of the Constitution reveals that ultimately it was the latter vision that prevailed.
- Secularism in the Indian setting calls for is the maintenance of a “principled distance” between state and religion. This does not mean that the state cannot intervene in religion and its affairs, but that any intervention should be within the limitations prescribed by the Constitution.
- According to K.M. Munshi the non-establishment clause (of the U.S. Constitution) was inappropriate to Indian conditions as Indian state could not possibly have a state religion, nor could a rigid line be drawn between the state and the church as in the U.S

Q2) What do you understand by the statement that the Constitution is a living document? Why calling the Constitution as a living document gains significance in the present social and political scenario? Critically comment. (250 Words)

[The Wire](#)

Background:

- The Constitution of India was adopted on 26 November 1949. Its implementation formally started from 26 January 1950. More than fifty-five years after that, the same constitution continues to function as the framework within which the government of our country operates.

Constitution is a living document :-

- **Constitution accepts the necessity of modifications according to changing needs, situations and circumstances of the society** arising from time to time.
- In the actual working of the Constitution, there has been enough **flexibility of interpretations**.
- Both political practice and judicial rulings have shown maturity and flexibility in implementing the Constitution. **These factors have made Indian Constitution a living document rather than a closed and static rulebook.**
- Founding fathers recognised that in the future, this document may require modifications.
 - The Indian Constitution is a combination of both the approaches mentioned above: **that the constitution is a sacred document and that it is an instrument that may require changes from time to time.**
 - In other words, **Constitution is not a static document, it is not the final word about everything; it is not unalterable.**
- Like a living being, **the Constitution responds to experience**. Even after so many changes in the society, the Constitution continues to work effectively because of this ability to be dynamic, to be open to interpretations and the ability to respond to the changing situation. **This is a hallmark of a democratic constitution.**
- The Constitution is **open to interpretation by the Supreme Court after understanding the society and the basic foundational values of the constitution.**

Why this aspect of constitution is important in current social and political scenario :-

- **The progressive values enshrined in the constitution like fraternity, justice, liberty and equality** as very valid even today and are a necessity in India at present
- There have been instances of cow vigilantism, discrimination against dalits etc. The constitution with **right to equality, right against discrimination irrespective of caste, sex etc. ,right against Untouchability is still valid today**. On this basis itself there is discussion of rights of LGBT communities as well.
- **Freedom of expression** is strictly upheld in constitution so the bans on creativity ,art are invalid.
- This particular aspect of Indian constitution is important especially when India is seeing a phase of **growing intolerance like communal riots, insecurity of the minority communities ,Cow vigilantism by majority community gender and caste discrimination.**
- **The right to privacy is interpreted as a fundamental right based on the provisions of the constitution itself**
- **The judgement on triple talaq by the supreme court upholds the tenets of the constitution**
- The formation of Telangana reiterates the principle of India as an indestructible union of destructible states.

Topic: Separation of powers between various organs dispute redressal mechanisms and institutions

Q1) The government is the biggest litigant in India. Examine the underlying causes, consequences and solutions. (250 Words)

[The Hindu](#)

Background:-

- According to the Ministry of Law and Justice, government departments are a party to around 46 percent of court cases brings the litigation issue to the forefront again

Why government is the biggest litigant:-

- **Public vs government:-**
 - Data for the year 2016 show that **writ petitions constitute nearly 60% of all fresh cases filed** before the Karnataka High Court.
 - Further, a study of the respondent profile of writ petitions filed over five years (2012-16) shows that nearly 80% of them are filed against a combination of the State Government; parastatal agencies.
- **Various government departments prefer to settle their disputes in courts and that there was a lack of coordination between them.**
- There exists no mechanism to deal with these acts of the government.
 - The draft National Litigation Policy which seeks to address the issue **through a multi-pronged strategy appears to have been lost in oblivion** after being passed by the committee of secretaries.
- The tendency of the government to automatically make appeal for the decisions adversary to it and then pursue this litigation relentlessly all the way to the highest reachable judicial system of courts.
 - In its 1988 report, the Law Commission of India cited “utter indifference and callousness bordering on vendetta” as reasons for the government pursuing “tortuous litigation” against its employees and retired persons.
- Also the purpose and objective of Section 80 of the CPC was to develop a system which gave the government time to settle disputes out of court, but this rarely happens.

Consequences:-

- The fact that so many Indian citizens have grievances against the State is a consequence of **poor governance**.
- This is responsible for nearly half of the three crore cases pending in courts across the country.
 - The cases which can easily resolved through internal arbitration especially within the departments also go to courts increasing the burden on courts.
 - Every case filed irrespective of merits is burdening the judiciary, **costing the exchequer and increasing the pendency of case.**
- Government litigation **crowds out the private citizen from the court system.**
 - People lose trust in government apparatus when government itself is the highest litigant.

Solutions needed:-

- Inspiration has to be taken from other countries who are following a model approach toward government litigation.
 - Mainly France, which has effectively achieved a system dealing with government litigation
 - A distinction between service liability and personal liability is clearly established and the government carries out state activities in the interest of the entire community offering redress even in case where the government's fault is not proved.
- **Multi-pronged approach needs to be adopted to tackle the issue of government litigation depending on the kind of litigation.**
 - For example, to reduce writ petitions filed under service and labour classifications, the state must put in place robust **internal dispute resolution mechanisms within each department** which inspire confidence in its workers as a means of addressing their grievances against the management.
- What is needed is an **implementable action plan to ensure that citizens are not forced to file cases against the government and its agencies in the first place.** This will require a relook at the functioning of litigation-prone departments and formulating solutions unique to each department.
- The **draft litigation policy** would take
 - preventive measures to reduce the filing of new cases by prescribing a procedure to properly deal with them
 - extend the benefit to similarly placed people and avoid litigation between government departments and PSUs through intervention of empowered agencies
 - restrict appeals to minimum by careful scrutiny of the implications of the judgment and make appeal an exception unless it affects policy of the government.
- The Prime Minister and Chief Ministers **can use the Transaction of Business Rules** as the Cabinet is not only responsible for taking decisions but to ensure the smooth functioning of the government.
- The government's decision to introduce arbitration and mediation clauses in work contracts of its staff will not only relieve the courts

- The centre government is formulating its own policy which would include measures such as appointment of officers to closely scrutinize whether a matter is worth litigating, and encourage resolving disputes outside of courts. This needs to be passed quickly.

Topic: Parliament and State Legislatures – structure, functioning, conduct of business, powers & privileges and issues arising out of these.

Q1) Should MPs and MLAs be barred from practising law? Discuss the issues involved. (250 Words)

[The Hindu](#)

Introduction :-

- Recently public interest litigation has been filed in the Supreme Court to ban public servants, elected representatives and members of judiciary from simultaneously practicing other professions and declare it as criminal misconduct.

Yes, they should be barred :-

- According to **Rule 49 of the Bar Council of India** any full-time salaried employee, whether he or she belongs to a corporation, private firm, or the government, cannot practise as a lawyer before a court of law.
- The work of a MP/MLA and lawyer is a **full-time activity**. MP/MLA 's are full-time members of Parliament and Assemblies. They have to take part in the proceedings of the House, meet people in their constituencies, and address people's issues. So dual jobs is not justified.
 - *Haniraj Chulani vs. Bar Council of Maharashtra* – Legal profession requires full time attention
- MPs and MLAs who are practising lawyers take a fee from the petitioner and get their salary from the respondent which is the Central or State government. **This is professional misconduct, as they end up enjoying the benefits of both.**
- There is also a **conflict of interest** as MPs and MLAs have the power to initiate impeachment proceedings against a judge which means that they can pressurise the judge to give a favourable verdict when they plead before him or her in a case.
- This is a violation of Articles 14, 15, and 21 which deal with the right to equality, prohibition of discrimination, and protection of life and personal liberty

They need not be barred:-

- There is no merit in a petition to ban legislators from practising other professions, especially law as there are doctors who became IAS officials and engineers who are diplomats
- Good knowledge of law will help elected representatives for good law making.

What can be done ?

- There is a need for a uniform policy relating to conflict of interest for public servants, people representatives and members of judiciary in spirit of Article 14 of the Constitution and declare the conflict of interest as the criminal misconduct.
- There is also need to define the key roles and responsibilities of the people representatives and public servants to make the Indian democracy more transparent and effective in spirit of Preamble of the Constitution of India.

Q2) Unless legislatures are truly strengthened and the disproportionate power of the executive in the legislature curtailed, the issue of 'office of profit' can not be fully addressed. Comment. (250 Words)

[The Hindu](#)

Background :-

- India has three organs of the government legislature, executive and judiciary. However over the period of time executive (PM /CM , Ministers) has become dominant and has huge control over legislature. Legislators cannot hold a office of profit but the incentives and the powers held by the executive is making legislature weak.

- India's Constitution makers under Articles 102(1)(a) and 191(1)(a) state that a lawmaker will be disqualified if he or she occupies "any office of profit" under the Central or State governments, other than those offices exempted by law.
- While the term "office of profit" is not defined in the Constitution, the Supreme Court, in multiple decisions, has laid out its contours.

Disproportionate powers of executive over legislature :-

- In India's parliamentary system, contesting elections to the legislature is primarily seen as a path to exercise executive power.
- The power to introduce a public bill in parliament lies with the minister, ordinance making power lies with the executive. These powers are not there for legislators.
- Also according to the 91st Constitutional amendment act a cap is placed on the strength of council of ministers which is 15% for Parliament and state legislature and 10% for Delhi state legislature. This leads to not all legislators being executives.
- In coalition governments, to appease other parties new executive posts have been created.
- So to appease these legislators who could not find place in cabinet, there have been instances where they have been made parliamentary secretaries. This is in conflict with the rules as the same person is having both legislative and executive powers. So a legislator is holding an office of profit.
- Rewarding MLAs with executive posts can restrict them from performing their primary role.
- The creation of such posts can also be attributed to the larger institutional malaise facing the legislatures.
- **Lawmakers have been enfeebled over the years through measures such as binding party whips and a purely executive-driven legislative agenda.**
- In such an institutional milieu, lawmakers increasingly seek positions with perks to exercise influence

How to strengthen legislatures?

- Can be done by using whip only during non confidence motion and giving legislators to act based on their choice.
- Accountability of executive need to increase frequent consultative committee meetings, increasing sittings in each session ,ensuring proper debate so that disproportionate power of executive is checked and quality bills are passed.
- There is a need to amend anti defection law
- Parliamentary committees need to be strengthened
- Ordinance making need to be used only in extra ordinary circumstances

Conclusion:-

By ensuring all the above the legislature will be strengthened and issue with office of profit can be fully addressed.

Q3) Examine the merits and demerits of conducting simultaneous elections for Lok Sabha and Assembly. (250 Words)

[The Indian Express](https://www.indianexpress.com)

Background:-

- The current government time and again supported the idea of holding simultaneous elections to panchayats, urban local bodies, states and Parliament..

Merits:-

- Parties and workers spending too much time and money in electioneering, can make use of the **time for social work and to take people-oriented programmes to the grassroots.**
- To overcome the "policy paralysis and governance deficit" associated with imposition of the Model Code of Conduct at election time which leads to putting on hold all developmental activities on that area and also affects the bureaucracy's functioning.
- Expenditure can be reduced by conducting simultaneous elections.
- Law Commission in its 170th report {Reform of Electoral Laws (1999)} suggested holding simultaneous elections at all levels for **stability in governance.**
- Will limit the disruption to normal public life associated with elections, such as increased traffic and noise pollution

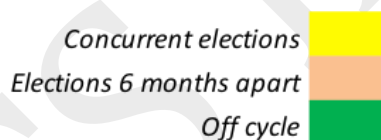
- It is felt that crucial manpower is often deployed on election duties for a prolonged period of time. **If simultaneous elections are held, then this manpower would be made available for other important tasks.**
- For instance for the 2014 Lok Sabha polls, which was held along with 4 state assemblies saw the deployment of 1077 in situ companies and 1349 mobile companies of Central Armed Police Force (CAPF).
- During frequent elections there is increase in “vices” such as communalism, casteism, corruption and crony capitalism.

The idea is good in principle but there are several practical difficulties as follows:

- Not all voters are highly educated to know who to vote for. They may get confused and may not know whether they are voting for candidates contesting assembly or parliament elections.
 - *There is a 77% chance that the Indian voter will vote for the same party for both the state and centre, when elections are held simultaneously.*
- Frequent elections bring the politicians back to the voters, create jobs and prevent the mixing of local and national issues in the minds of the voters.
- The issue of logistics and requirement of security personnel, election and administrative officials needs to be considered. There is a dearth of enough security and administrative officials to conduct simultaneous free and fair elections throughout the country in one go.
- Recently, the elections in West Bengal were held in 6 phases mainly due to the security concerns. If this is situation, holding simultaneous elections for all the states may need to be held in many phases stretching over many months.
- **Questions like these arise whether**
 - India need to introduce fixed terms for the Lok Sabha and legislative assemblies,
 - How would simultaneity be preserved if there was a vote of no confidence, or application of President’s Rule in a state, necessitating fresh elections at one level but not another.
- Local and national issues will get mixed up distorting priorities.

% of constituencies with same party winner

State	1999	2004	2009	2014
Orissa	71%	68%	72%	86%
Maharashtra	69%	63%	49%	63%
Karnataka	74%	79%	57%	39%
Andhra Pradesh	62%	80%	78%	86%
Sikkim	91%	97%	100%	97%
Arunachal Pradesh	78%	37%	50%	53%
Weighted Average	68%	77%	76%	86%
Weighted Average	71%	63%	49%	63%



Other observations:-

- Evidence from Brazil, Argentina, Canada, Germany, the US and Europe supports the idea that elections that are held simultaneously produce greater alignment between national and regional election outcomes.
- There is also evidence that simultaneous elections contribute over time to the nationalisation of party systems

Way forward:-

- Standing committee recommended a cycle of elections, according to which elections to some legislative assemblies whose term end within six months to one year before or after the election date could be held during the midterm of Lok Sabha .For the rest of the states, elections could be held along with the general elections to Lok Sabha.
- Cost can be brought under control by ensuring that the legal cap on expenditure of candidates is followed by all parties

Conclusion:-

Before implementing it there is a need to weigh the pros and cons of concurrent elections in a rational way.

Q1) Progressive centralisation of power within the office of the chief justice of India has not been accompanied by a parallel strengthening of the accountability of this office. Critically analyse. (250 Words)

[The Indian Express](#)

Background:-

- Recently four of the senior-most judges of the Supreme Court holding a press conference represents the culmination of the gradual deepening of a number of faultlines in the Indian judicial system and highlight the urgency with which they need to be addressed.

Centralisation of power with the office of CJI:-

- With respect to the administration of the court the chief justice is the “first among equals”. The **chief justice**
 - decides when a case may be listed for hearing**
 - Also decides which judges will hear it.
- Choice of determining benches:-**
 - In US Supreme court the Chief justice has no choice in the question of which judges to hear the case because all the 9 judges sit together to hear cases.
 - Similarly in UK 12 judges often sit in the panels of five (or more) so chief justice choice is constrained which is not the case in India where benches are sat predominantly in benches of two.
 - By comparison, the Chief Justice of India has significantly more discretion in determining which judges will hear and decide a case.
- Personal interpretation:**
 - When a judge surveys the legal landscape before him/her, it gives him/her greater room to effectuate a **personal interpretive philosophy** than she might otherwise have. Multiple examples can be cited to demonstrate this.
 - In the mid-2000s, where two Supreme Court benches were hearing cases involving the death penalty. One of these benches confirmed virtually every death sentence, while the other commuted most of the cases before it..
- Selecting petitions for hearing:-**
 - As the Supreme Court is dealing with a massive backlog of cases, the chief justice has the power to list cases for hearing.
 - Backlog allows the Court through the office of the chief justice to engage in the practice of judicial evasion that is effectively deciding a time-sensitive case in favour of one party by simply not hearing it.
- The office of the chief justice remains **answerable to none**.
- Anomalies found recently:-**
 - According to experts, In the issue related to present CJI **the assignment of certain particularly sensitive cases to benches is without reference to established norms** and precedents.
 - Benches are generally constituted by the Chief Justice considering the previous orders and it is rare to exclude from reconstituted benches the Judges who had heard the matter earlier and are still available.
 - There appears to be a pattern in distribution of such cases. Matters involving Constitutional Authorities and certain issues relevant to political spectrum are being marked to certain Benches.

Accountability is still there because:-

- Judges of the SC do not sit singly but in combinations of normally two and occasionally more. When deciding matters in open court, the CJI and the other judges sitting with him, act in their judicial capacity. **While deciding cases, the CJI is one among equals.**
- While taking decisions on administrative matters, one **such onerous responsibility is the posting of matters before his own and other benches. When doing so, he does not act in his judicial capacity, but assigns matters keeping in mind established norms and conventions.**
- He is as much bound by the Rule of Law as anybody else while exercising administrative powers under the Constitutional scheme

Way ahead:-

- Meaningful reform is needed that brings accountability and transparency to the office of the chief justice, without compromising on judicial independence.
- In Supreme Court Advocates on Record Association v Union of India, the Second Judges Appointment Case:-
 - The Court has decided that opinion of the Chief Justice of India in appointments and transfers is not merely his individual opinion but an opinion formed collectively at the Apex level in the Judiciary
 - It has laid down that the Chief Justice must consult senior Judges, thus paving way for the Collegium system.
 - **Perhaps this could be the way forward to tackle with the present problem.**

Q2) Critically analyse the factors that have slowed down India's criminal justice system. Also suggest remedies. (250 Words)

[Livemint](#)

Background:-

- India's criminal justice system has an acute backlog crisis, and data on pending investigations and trials published recently by the National Crime Records Bureau (NCRB) shows that this crisis is becoming more severe with each passing year.

Factors leading to slowing down of Indian criminal justice system:-

- **Police:-**
 - Acute shortage of both policemen
 - High levels of vacancies compound the staffing problem
 - The vacancy rate among police officers across the country (civil and armed) was 22% as of January 2017.
 - Part of the police force is occupied in activities outside regular police work and there is lack of attention to pre-posting and on-job training.
 - **Lethargic police investigation :-**
 - The combination of several functions such as crime investigation, riot control, intelligence gathering, and security of VIPs by a single police force **has a devastating effect on the criminal justice system.**
 - The crime investigation is not immune from the partisan politics.
 - It provides wide discretion to the police and the prosecution, rendering the system vulnerable to corruption and manipulation and endangering basic rights of innocent citizens
- **Judiciary:-**
 - Shortage of judges.
 - According to the National Judicial Data Grid, one out of every four trials in courts has been pending for more than five years.
 - Huge backlog of cases in the courts.
 - Systemic neglect of legal education and absence of proper incentives for those already in the profession.
 - The infrastructure of the lower courts is very disappointing.
 - **Competency of the Other Staff in Court:**
 - The clerical staff must be free from all type of corruption.
 - **Lack of an effective and fast criminal justice system** tends to dampen appetite for investments in the country.
 - **Lack of state capacity** leads to the preponderance of such leaders who bypass formal channels in the political system in turn create vested interests against police and judicial reforms.
 - **It ignores the real victim** often compelling him/her to **find extralegal methods** of getting justice.
 - **It puts heavy economic costs on the state** for its maintenance without commensurate benefits in return.
- **Prisons:-**
 - Statistics show that around 2/3rd of the jailed are undertrials. And their main reason is that they are so poor, that they can't even pay for the bail bonds.
 - Criminal Law of India is a replica of colonial times. It is hostile to the poor and the weaker sections of society. **The law still serves and protects the needs of the haves and ignores the have-nots.** Such biasness has resulted in rich people escaping law and the jail is more often full of the unprivileged class of society.

- The way criminal justice is designed and administered today **hardly serves any of the purposes for which it is set up:** towards securing life and property.

Suggestions:-

- **Technological advancement** so that the process of filing applications, checking on the accused etc can be done effectively.
- **International examples:-**
 - The U.S. adopted plea bargaining
 - **UK:-**
 - It reformed its criminal justice system giving a central role to the victims to direct their cases in the system.
 - In Russia, Australia the victim is brought centre stage through what is called “restorative justice” to replace unproductive aspects of conventional criminal processes.
 - It directly addresses victim needs and therefore emphasises the private dimensions of a public wrong.
 - It is not a substitute to the formal criminal justice system, but a good backup to reduce its workload and to increase the sense of justice in the system as a whole.
 - Malimath committee recommended incorporation of some aspects of an **inquisitional system to make system more efficient**
- **Police reforms:-**
 - Routine police functions can be delegated to district and even Panchayat level so that police can actually focus on protecting law and order.
 - The number of Forensic Science Institutions with modern technologies such as DNA fingerprinting technology should be enhanced.
 - **Institutional reform of police processes**, including investigation of crimes, professionalisation and rationalisation of court systems with induction of technology and limiting appeal procedures to the minimum required.
- **Judicial reforms:-**
 - Appointment of prosecutors from district level upwards should have necessary checks and balances.
 - **Victim centric justice system:-**
 - The system must confer certain rights on victims to enable them to participate in the proceedings, including the right to be impleaded and to engage an advocate in serious offences, **the right to track the progress of the proceedings**, the right to be heard on critical issues and to assist the court in the pursuit of truth.

Conclusion:-

- India needs to experiment with more democratic models aimed at reconciliation and restoration of relationships.
- Also needed is a change of mindset, willingness to bring victims to the centre stage of criminal proceedings and to acknowledge that restoring relationships and correcting the harm are important elements of the criminal justice system.

Q3) Comment on the premises that justify complete judicial insulation from the public. In your opinion, what mechanism needs to be evolved within the Supreme Court to resolve internal disputes and bring more transparency in its functioning? Examine. (250 Words)

The Hindu

Premises that justify judicial insulation from public:-

- Any interference by parliament or government in judicial functioning is not encouraged.
- **Fear of politicisation of judiciary:-**
 - **Judiciary needs independence with respect to its appointments and functioning.** Any move towards reforming the judiciary by parliament is seen as an attempt to reduce judiciary’s role .
- **Outside interference will lead to partisanship in judicial proceedings.**

- Also there is a concept that overt parliamentary law is the sole method of interference (like during emergency) with the judiciary and so judiciary need to be insulated.
- The office of CJI is trusted unquestionably.
 - However based on experiences from UK, the principle that one should trust one's Chief Justice, cannot be an absolute one. That it has become so is testament to the legal fraternity closing ranks under the ruse of convention.
- Also any genuine action trying to bring judicial reforms is also thwarted of as interference.
- With such judicial insulation there is lack of transparency leading to internal disputes as well.

How to resolve internal disputes and bring transparency ?

- A committee of judges can be formed to decide which benches will handle which cases instead of the arbitrary decision of CJI in deciding these.
- Supreme Court Act can be passed by Parliament with SC restructured into three divisions like Administrative, Appellate and constitutional.
- Constitution envisages the powers and jurisdiction of the Supreme Court to be the possible subject matter of a parliamentary law **from Entry 77 of List I of the Seventh Schedule which makes the aforementioned a legitimate subject of law-making.**
 - **Passage of such a law is critical to rectify the discourse of any parliamentary law relating to the judiciary being only interference .**
- **A degree of institutional coherence is necessary** for proper functioning of the apex court.
 - It will allow for more careful contemplation of which matters actually deserve admission to India's apex court.
 - It will reduce the discretion available to the CJI to select benches, since this will be limited to the appellate division alone.
- **Appointments of judges can be made more transparent** and National judicial appointment commission needs serious consideration.
- **Performance Commission:-**
 - Many U.S. States have constituted such commissions, which examine complaints about the conduct of judges. They are vested with powers to take consequential action. India can emulate it.
- All India Judicial services can be started to compensate for shortage of judges along with good quality.

Q4) The Government of India Act of 1935 made provision for a Federal Court. How different is today's Supreme Court in its structure, mandate and functioning compared to the then Federal Court? Examine. (250 Words)

[Livemint](#)

Background:-

- After the **Government of India Act 1935**, a **Federal Court** of India was established , which was later absorbed by Supreme **Court** of India after independence.

Features of federal court:-

- The Government of India Act, 1935 provided for the establishment of Federal Court to interpret the Act and **adjudicate disputes relating to the federal matters.**
- It provided that the Federal Courts should **consist of one Chief justice and not more than six judges.**
- The Federal Court was given **exclusive original jurisdiction** to decide disputes between the Centre and constituent Units.
- The provision was made for filing **of appeals from High Courts to the Federal Court and from Federal Court to the Privy Council.**
- The Federal Court also had **jurisdiction to grant Special Leave to Appeal** and for such appeals a certificate of the High Court was essential.
- Then, the Federal Court Enlargement of Jurisdiction Act, 1948 was passed. This Act **enlarged the appellate jurisdiction of Federal Court** and also abolished the old system of filing direct appeals from the High Court to the Privy Council.

Differences with Supreme court:-

- **Mandate:-**
 - **Federal jurisdiction was very limited** . Supreme court sits at the summit of a pyramidal and unified judicial system and is endowed with an **extraordinarily wide jurisdiction**.
 - The subcontinent-wide federation for which federal court was to serve as the demarcator of spheres of authority had failed to materialize.
 - Even constitutional interpretation can be done by Supreme court which is not the case with federal court.
- **Functioning:-**
 - Federal court decisions **were subject to review by the Privy Council** which is not the case with **Supreme court as its judgment is binding and final**.
 - **SC** explicitly authorized to exercise the power of judicial review and is placed in a position of **central importance** which was not the case with the **federal court** as its importance was only
 - Few important questions were submitted to the Federal Court for its adjudication but SC has dealt with almost all the concerned issues of Indian society.
- **Structure:-**
 - The number of judges in federal court is far lesser than in the Supreme court.
 - Federal Court was smaller than any of the provincial High Courts but SC is the apex court of Indian judiciary system.

Similarities:

- Both the courts are stable and respected institution and have tried to be independent of the executive.
- Indeed, it demonstrated all the qualities like independence, impartiality, integrity, and dignity which Indians associated even with the Supreme court
- The Federal Court had exclusive original jurisdiction in any dispute between the Central Government and the Provinces. Even Supreme court has original jurisdiction
- Both SC and federal court have appellate jurisdiction as well.

Q5) The ideal of judicial primacy need not be equivalent to the demand of judicial exclusivity, which refers to the exclusive right of judges to be involved in the selection process. Comment. (150 Words)

[Livemint](https://www.insightsias.com/livemint)

Introduction:-

- In the light of the recent incident where four judges of Supreme court showed displeasure against the role of CJI in a press conference, the question of judicial primacy is raised again.

Judicial primacy :-

- The ideal of judicial primacy as embodied in Articles 124 and Articles 217 of the Constitution has been lauded as a guarantor of judicial independence in appointments.

Judicial exclusivity is necessary for judicial primacy because

- Primacy should imply that if the judges are united, the candidate they back must get appointed. In the absence of exclusivity, it is possible for a candidate not preferred by the CJI to become a judge.
- When consulted by the president, as required by the Constitution, the CJI would have to convey its support for a candidate not of its choice.
- Even in proposed National judiciary appointment commission judiciary, with three members in a six-member committee, where a two-member coalition can exercise a veto, would have only 50% of the voting power. So judicial primacy and exclusivity are compromised.

Judicial primacy is not compromised because judicial exclusivity is there:-

- But when judges are not unanimous in their decision, taking into account the views and votes of entities outside the judiciary violates exclusivity but not primacy .

- In view of allegations of corruption in the judiciary, especially related to the alleged collusion between some judges and lawyers, the relaxation of judicial exclusivity allows a certain degree of social oversight on judicial appointments.

Way ahead:-

- There is a need for a transparent mechanism to be brought in with respect to appointment of judges
- A five-member NJAC consisting of the CJI, two Supreme Court judges, the Union law minister, and one person of eminence chosen as in the current NJAC Bill may be considered.
- In the proposed NJAC, to preserve judicial primacy, it is best to do away with the veto altogether and allow any member to file a dissenting note that can be shared for public consumption.

Topic: Functions and responsibilities of the Union and the States

Q1) The state cannot choose between protecting freedom of expression and preserving law and order – both are its primary responsibilities and must ensure both. In the light of the recent threat of violence and other forms of intimidation posed by certain groups to works of art and free speech, critically comment on the statement. (250 Words)

The Hindu

Background:-

- Recently the Supreme Court passed an order staying the notifications and decisions of four States to prohibit the screening of the film Padmaavat, and directing them to ensure that law and order is maintained during its exhibition.

Both are primary responsibilities :-

- The first and foremost duty of a state is to protect lives and guard the constitutionally guaranteed freedom of its people.
- **Bans on films violate the freedom of speech and expression enshrined in Article 19(1)(a) of the Constitution.** The use of the threat of violence and other forms of intimidation cannot give the state a reason to stifle fundamental freedoms.
- The court has reiterated that the **grant of a certificate by the CBFC denudes the state of the power to prevent the exhibition of a film.**
- In the light of violence by Karni Sena and other fringe elements inciting violence the Supreme Court in *S. Rangarajan v. P. Jagjivan Ram (1989)* said that
 - **The state cannot plead inability to handle the problem of a hostile audience as that would be tantamount to negation of the rule of law and a surrender to blackmail and intimidation**
 - It is the duty of the state to maintain law and order.
- Even after the film producers changed the name and made necessary cuts as mentioned by CBFC the fringe elements are intimidating and still resorting to blackmail. **This is violation of fundamental rights for people who want to see the movie and it is advisable for the states to protect the free speech.**
- **By censoring films at the behest of a few, states are emboldening fringe groups to take the law into their hand**
- **Governance and the capacity to govern are often challenged when the state comes into conflict with collective interests.**

But sometimes when public order is under threat seriously or incites violence an art piece has been banned like many movies have been banned earlier considering the sensitivity of the movie content as well.

What needs to be done ?

- A more rewarding course of action would be to provide unconditional support and police protection to cinema halls.
- State governments must disabuse themselves of the notion that right to creative expression is a utopian or elitist construct.

Q2) The legal profession is one of the very few professions mentioned in the Constitution. Analyse why its reformation is necessary and how it needs to be done. (250 Words)

[EPW](#)

Background :-

- The role of the legal profession in society is manifold as its members are flag-bearers of the rule of law and defend fundamental rights.
- Members of the legal profession have been conferred significant power and privileges as officers of the court.
- Advocates enrolled in bar councils enjoy exclusive monopoly over the right to practise law in all courts, tribunals, and other authorities in India.

Reformation is necessary :-

- **Problems with Bar council:-**
 - Bar councils have failed to perform their statutory duties satisfactorily
 - Their enjoyment of unregulated monopoly power and absolute functional autonomy had created an atmosphere of total unaccountability among many members of the legal profession.
- The functional failure of the bar councils has been acknowledged in several judgments of the **Supreme Court and various committee reports.**
- **The falling standards of legal education**
- **The low standards of legal professionals**
- **A lack of discipline and ethical standards** among advocates
- **Growing incidents of criminalisation, boycotts, and strikes**
- **lawyers giving improper legal advice** and promoting touting
- **All these factors have created feelings of distrust in the legal profession**, compelling the Supreme Court to express dissatisfaction about the regulatory mechanism governing the legal profession .
- **Concerns with Law commission report:-**
 - The lack of discussion on improving the Rules on Professional Standards, which act as the canon for professional conduct
 - It fails to suggest infrastructural development in rural areas, such as the creation of computer labs and libraries and providing access to electronic databases, which are essential for the growth of young lawyers.
 - The commission has not addressed the critical issue of establishing welfare schemes for old, indigent, and disabled lawyers.

How to do it :-

- Bar councils and bar associations **should establish internal grievance redressal mechanisms to deal with advocates' complaints**, including those about the behaviour of judges, so that most **court-related issues can be easily resolved without resorting to strikes and boycotts.**
- In order to maintain the balance between autonomy and accountability, a provision should be made wherein **the BCI is required to submit an annual report to the central government, which should be presented to Parliament.**
- **Bar councils must take strict action against the browbeating of judges and other contemptuous acts** by removing the names of perpetrators from the state roll under Section 26A
- The State bar council **should constitute separate bodies such as client fora and legal ombudsmen** to deal with the grievances of clients and protect their interests.
- In addition, the **BCI should be more responsive in protecting litigants from fake lawyers** and should maintain an online database of all enrolled advocates linked to Aadhaar information to prevent impersonation.
- Recent controversial issues relating to the entry of foreign lawyers and inclusion of law firms within the provisions of the Advocates Act have not been examined by the commission. In an era of globalised legal practice, **these issues are matters of crucial significance and demand conscious deliberation.**

Q3) In the light of the recent events, critically comment on significance of the Supreme Court's verdict in the *S. Rangarajan v. P. Jagjivan Ram (1989)* case. (150 Words)

[The Hindu](#)

Background :-

- The recent attack on a bus carrying schoolchildren in the midst of Padmaavat protests and the failure of some state governments across north India to control law and order leads to an important judgement by Supreme court.

Supreme court verdict :-

- **Rangarajan v. P. Jagjivan Ram (1989):-**
- The Tamil Nadu government had stopped the film's release, fearing very serious law and order problems across the state. **The supreme court held that the government cannot cite the possibility of violence to prohibit a film's screening.** The State cannot plead its inability to handle the hostile audience problem. **It is its obligatory duty to prevent it and protect the freedom of expression.**

Significance:-

- If the film is unobjectionable and cannot constitutionally be restricted under Article 19 (2), **freedom of expression cannot be suppressed on account of threat of demonstration and processions or threats of violence.** That would tantamount to **negation of the rule of law and a surrender to blackmail and intimidation.**
- It is the duty of the State to protect the freedom of expression since it is a liberty guaranteed against the State. The state cannot be permitted to abdicate its constitutional responsibility to protect and promote the creative arts.
- Everyone has a fundamental right to form his own opinion on any issue of general concern. He can form and inform by any legitimate means. **Movie is the legitimate and the most important medium in which issues of general concern can be treated.**
- The court also held that on the issue of balancing the two interests, the commitment of freedom of expression demands that it cannot be suppressed **unless the situations created by allowing the freedom are pressing and the community interest is endangered**
- **The ban on films which criticise the nation clearly reveals our immaturity in accepting criticism**
- Bans on films which raise modern issues of the condition of women in India such as Water, or on issues of sexual identity or fluidity such as Gulabi Aaina or Fire should not be banned especially when the question of the rights of the LGBT community is being debated as a constitutional issue, and as part of human rights.
- Such prohibitions **adversely affect democracy and the rule of law.**
- Unreasonable restrictions at the behest of fringe groups deprive the majority of the people of their right to see, and to enjoy good literature and good art. **Thus, it becomes the tyranny of the minority over the rights of the majority.**
- In the age of information technology, such bans are farcical. For the proscribed films are readily available on the Internet. They can be downloaded and enjoyed. **Bans on films thus motivate people to break the law and to dilute the rule of law.**
- One of the reasons for democracy to survive in India is the ability of Indians to accept diverse thoughts and philosophies, cultures and lifestyles within their fold. This should not be compromised .
- Extra-constitutional bans restrict the free flow of thoughts, of imagination, of creativity. **Such bans are thus against the constitutional philosophy, against the rule of law, against democracy, and against national interest**

Concerns-

- Despite the power of regulating the content of films being vested in the Censor, the Central Board of Film Certification (CBFC) has often failed in the task entrusted to it. So with already huge backlog of cases, Supreme has to step in as the saviour of freedom, safeguarding different forms of expression against the censorial instincts of the state.
- State governments failure to uphold freedom of expression.

Conclusion:

- The winds of imagination and thoughts, of colours and creativity should be permitted to blow throughout the nation lest the country be imprisoned in an iron curtain.

Q4) Indian elections are the world's biggest exercise in democracy but also among the most expensive which is mostly funded by private entities. Discuss the options that India can explore to minimise private funding while examining the shortcomings of electoral bonds. (250 Words)

[The Hindu](#)

Background:-

- India's expenditure for elections is compared with US presidential election which is very expensive too.
- **Corruption in election finance and the flawed party funding system drive political parties to misuse government's discretionary powers to raise funds for election campaigns.** The combined effect is the absence of a level playing field which has reduced the effectiveness of our democracy.
- Nearly 70% to 80% of the funds to the political parties are never reported and they are collected from unknown sources.
- To avoid such instances India needs to explore multiple options

Options available:-

- **Electoral bonds:-**
 - **Positives:-**
 - The **current system of cash donations from anonymous sources** is wholly non-transparent. The donor, the donee, the quantum of donations and the nature of expenditure are all undisclosed
 - According to government the **system of Bonds will encourage political donations of clean money** from individuals, companies, HUF, religious groups, charities, etc. After purchasing the bonds, these entities can hand them to political parties of their choice, which must redeem them within the prescribed time.
 - **Some element of transparency would be introduced** in as much as all donors declare in their accounts the amount of bonds that they have purchased and all parties declare the quantum of bonds that they have received.
 - **Shortcomings:-**
 - Analysts said the **move could be misused, given the lack of disclosure requirements for individuals purchasing electoral bonds.**
 - **Electoral bonds make electoral funding even more opaque.** It will bring more and more black money into the political system.
 - With electoral bonds there can be a legal **channel for companies to round-trip their tax haven cash to a political party.** If this could be arranged, then a businessman could lobby for a change in policy, and legally funnel a part of the profits accruing from this policy change to the politician or party that brought it about.
 - These bonds share two characteristics with **tax havens, secrecy and anonymity.**
 - Electoral bonds eliminate the 7.5% cap on company donations which means even **loss-making companies can make unlimited donations.**
 - The **requirement for a company to have been in existence for three years (paving the way for fly-by-night shell companies) is also removed**
 - **Companies no longer need to declare the names of the parties** to which they have donated so shareholders won't know where their money has gone.
 - Far from reducing the large-scale corporate funding of elections, **the introduction of electoral bonds does not even address this issue.**
 - **Electoral bonds will result in unlimited and undeclared funds going to certain political parties which will be shielded from public scrutiny** as the balance sheets will not show which party has been the beneficiary of this largesse.
 - Nearly Rs. 7,900 crore donations came from unknown sources in 2015-2016. Electoral bonds will not change this.
 - **As for political parties, they no longer need to reveal the donor's name for contributions above ₹20,000, provided these are in the form of electoral bonds.** So a foreign company can anonymously donate unlimited sums to an Indian political party without the EC or the IT department ever getting to know.

- **They have potential to load the dice heavily in favour of the ruling party as the donor bank and the receiver bank know the identity of the person.** But both the banks report to the RBI which, in turn, is subject to the Central government's will to know.
- Other countries have partial **or full public funding or transparent regulation and financial accountability of political finance as in the U.S.**
- According to Former Chief Election Commissioner S.Y. Quraishi an alternative worth exploring is a **National Electoral Fund to which all donors can contribute.**
 - The funds would be allocated to political parties in proportion to the votes they get. Not only would this protect the identity of donors, it would also weed out black money from political funding
- The best way to bring about such transparency in political funding is to **put a complete ban on cash donations by individuals or companies to political parties.**
- **Making it mandatory for all parties to receive donations only by cheque,** or other modes of money transfer.
- There should be clear **provisions for getting tax benefits for all those making such donations.**
- **Make it mandatory for political parties to submit details of all donations received with the Election Commission** and also with the income-tax department.
- **State funding of political parties** can be considered. The Indrajit Gupta Committee on State Funding of Elections had endorsed partial state funding of recognised political parties
- The mechanics of this process need to be carefully worked out to establish the allocation of money to national parties, State parties and independent candidates, and to check candidate's own expenditure over and above that which is provided by the state.

Topic: Appointment to various Constitutional posts, powers, functions and responsibilities of various Constitutional Bodies.

Q1) What is 'office of profit'? How do courts or EC decide whether an MP or MLA has profited from an office? What is the underlying principle for including 'office of profit' as criterion for disqualification? Examine. (250 Words)

[The Indian Express](#)

Background:-

- One of the basic disqualifications criteria for an MP as laid down in Article 102 of the Constitution, and for an MLA in Article 191 is holding an office of profit under government of India or state government.
- Indian President accepted the Election Commission's recommendation to disqualify 20 MLAs of Delhi's ruling Aam Aadmi Party for holding offices of profit recently bringing the issue to the spotlight again.

Office of profit:-

- The expression "office of profit" has not been defined in the Constitution or in the Representation of the People Act, 1951. It is for the courts to explain the significance and meaning of this concept. Over the years, courts have decided this issue in the context of specific factual situations.
- But, articles 102 (1) and 191 (1) which give effect to the concept of office of profit prescribe restrictions at the central and state level on lawmakers accepting government positions. Any violation attracts disqualification of MPs or MLAs, as the case may be.
- Four broad principles have evolved for determining whether an office attracts the constitutional disqualification.
 - First, whether the government exercises control over appointment, removal and performance of the functions of the office
 - Second, whether the office has any remuneration attached to it
 - Third, whether the body in which the office is held has government powers (releasing money, allotment of land, granting licenses etc.).
 - Fourth, whether the office enables the holder to influence by way of patronage.

How do courts or EC decide whether an MP or MLA has profited from an office?

- The Supreme Court, while upholding the disqualification of Jaya Bachchan from Rajya Sabha in 2006, had said that for deciding the question as to whether one is holding an office of profit or not, what is relevant is whether the office is capable of yielding a profit or pecuniary gain and not whether the person actually obtained a monetary gain.

- If the office carries with it, or entitles the holder to, any pecuniary gain other than reimbursement of out of pocket/actual expenses, then the office will be an office of profit for the purpose of Article 102 (1)(a)
- However, a person who acquires a contract or license from a government to perform functions, which the government would have itself discharged, will not be held guilty of holding an office of profit. **So, acquiring a gas agency from the government or holding a permit to ply do not amount to holding office of profit.**

What is the underlying principle for including 'office of profit' as criterion for disqualification?

- Makers of the Constitution wanted that legislators should not feel obligated to the Executive in any way, which could influence them while discharging legislative functions.
- In other words, an MP or MLA should be free to carry out her duties without any kind of governmental pressure.
- At the outset, it should be noted that the disqualification doesn't relate to having any other job or profession. It refers specifically to a position with the Central government or a state/UT government.
 - This is because the idea behind providing for this disqualification is to ensure that there is no conflict of interest between the legislature and the executive.
 - It also seeks to enforce the principle of separation of power between the legislative, the judiciary and the executive – a basic feature of the Constitution

Way forward:-

- Unlike in India, in England whenever a new office is created, the law also lays down whether it would be an office of profit or not. India can follow similar approach as well.

Topic: Functions and responsibilities of various Constitutional Bodies.

Q1) Analyse the evolution of the Election Commission of India and its effectiveness in ensuring inclusiveness, rule of law, efficiency, and accountability of the election process. (250 Words)

EPW

Background :-

- Election Commission of India (ECI) is one of the most popular and effective public institutions in India.
- The ECI is situated within a particular legal framework and a socio-political context that has changed over time. In this changing context, the institutional characteristics of the ECI (role, powers, independence, structure, and functioning) have allowed it to ensure free and fair elections with varying success.

Evolution of EC :-

- The constituent assembly provided for the ECI in the Constitution because of its commitment to free and fair elections, and its concern that citizens should exercise their franchise without discrimination. This led to its formation in 1950.
- **Evolution took place in five phases :-**
 - **Phase 1 (1950–67) :- Establishing Institutional Credibility :-**
 - Despite the challenges of mammoth population about to vote in the first election, lack of sufficient infrastructure of governance systems, lack of literacy, **the ECI was able to translate the spirit of democracy into the free and fair conduct of elections by developing processes that were people friendly and transparent.**
 - EC introduced the "marking system" i.e., the ballot paper bore names, party affiliations, and candidates symbols which made it easy for the voters to vote.
 - Although in 1956 the reorganisation of states and the delimitation of constituencies made it very difficult to hold the second general elections on time, the ECI wanted to avoid the precedent of extending the lives of Parliament and legislative assemblies at all costs, and lobbied to prevent the postponement of elections.
 - autonomy enabled the ECI to embed impartiality and transparency into its processes, and to take quick decisions and innova
 - Because of its narrow subject area, the ECI became a highly expert organisation, and consequently, very efficient. The ECI's efficiency was enhanced further as it could simultaneously make rules, implement them, and review them as required.

- ECI could issue detailed administrative directions to the states regarding the design of ballot boxes and papers, location of polling stations, and so on, and the states benefitted from the ECI's growing expertise
- Election Petitions before Courts Another significant development was that courts decided to hear election petitions, though there was no such provision in the Constitution
- **Phase 2 (1967–75): Emerging Limitations**
 - In the second phase, the ECI was tested, as the single-party domination of the polity began to decline and political competition increased.
 - There were law and order issues in the form of group clashes ,election meetings were disturbed ,instances of assault, kidnapping, murder, personation, looting, arson, rioting etc were also reported.
 - While the rule of law in elections declined, the ECI was still able to administer elections efficiently .The ECI's skills were tested in a new way in the fifth general elections, as for the first time, the ECI had to conduct all-India elections before these were due.
 - At this time, as several political parties split, the ECI began to decide which group within a split party would keep the original symbol.
 - By the end of the second phase, with the declaration of the Emergency, democracy was threatened and elections due in March 1976 were cancelled. Significant changes were made to the election law.
- **Phase 3 (1977–90): The Deepening Crisis :-**
 - In the third phase, key shortcomings in the ECI's institutional design that became apparent was that it had inadequate control over the state election machinery that actually conducted the elections, and could not stop politicians from flouting the law.
 - In the face of declining political support for free and fair elections, this impacted the ECI's capacity to enforce the rule of law in elections, which made them less inclusive.
- **Phase 4 (1991–2002): Fight back and Consolidation:-**
 - The ECI waged a continuous, acrimonious, and public battle with the political establishment and the central and state governments to restore the rule of law in elections. This time, it was successful.
 - The CEC's leadership was decisive and effective. The ECI also stated that unless electoral photo identity cards were provided to all eligible voters, no polling would take place.
 - The ECI became proactive in ensuring that the MCC was followed, and expressed open displeasure when it was violated.
 - It banned the transfer of officials on election duty without its prior permission
 - It monitored the election process more closely, by enhancing the role of election observers and monitoring officials.
 - In 1993, the government promulgated an ordinance for the appointment of two election commissioners. Since then, the ECI has been a three-member body.
 - The success of EC role in Gujarat in 2002 added to its autonomy, impartiality, and internal accountability, without taking away from quick decision-making.
- **Phase 5 (2002–Present): Deeper Problems**
 - It had stemmed electoral violence and large-scale voter intimidation, voter personation, and booth-capturing. In ensuring the rule of law in elections
 - It made the election process more inclusive, enabling marginalised communities to exercise their franchise.
 - In the current context, political actors and officials do not flout the ECI's directions easily. Attacks on the ECI by political actors are now usually restrained, largely because of the public and media support for the ECI.
 - With the introduction of EVMs in 1998, which were used across the country in 2004, the polling and counting processes became smoother.

Inclusiveness :-

- Concerns about inclusiveness led to an innovation, the use of large pictorial symbols, by which illiterate voters could identify their preferred candidate.
- The press was taken into confidence, and their cooperation for generating awareness was sought .
- The ECI's rigorous approach is illustrated by its handling of women who were unwilling to provide their names to register as voters. It used persuasion and made women as voters.

Rule of law:-

- Although the model code was originally based on political consensus and does not still enjoy statutory sanction, it served as a handy tool for placing curbs on the abuse of the official machinery for campaigning.

- The EC regularly instructs police stations in each constituency to initiate preventive measures and take action against those who were involved in electoral offences in the past and against habitual offenders and anti-social elements.
- According to data from EC website, during the 2014 general election a staggering number of people (2,50,892) were identified as “possible intimidators” and action was taken against 2,18,227 of them.

Efficiency:-

- The ECI constantly reviewed and improved its processes, making them more efficient.
- EVM is introduced to make elections more effective.
- Most elections in recent times have been peaceful with high voter turnout due to election commission
- To prevent personation in voting, the ECI made another innovation, of marking each voter’s finger with indelible ink.

Accountability:

- The ECI took several measures to quash rumours and suspicions regarding the elections and consulted political actors often even since the start.
- After the Election Commission was made a three-member body, its functioning became more institutionalised and more transparent with little room for the caprices of an overbearing personality.
- The ECI enhanced public accountability in various processes requiring a list of polling stations be published for objections, refining the process of hearing objections to the voter list, and so on in the first phase itself.

Challenges remain though:

- The lacunae in the process of appointing the CEC and the election commissioners were evident again in 2008. The ugly spat in 2009 between the election commissioners for instance.
- The increasing role of money power in the form of voter bribery and funding of political parties
- political parties continue to put up criminals as candidates
- The manipulation of the media through paid news and other means.
- The ECI has attempted to address these issues by appointing expenditure observers, countermanding elections for voter bribery, and monitoring paid news. But, for now, these problems remain.

Topic: Welfare schemes for vulnerable sections of the population by the Centre and States and the performance of these schemes;

Q1) In the light of their promises and pitfalls, critically evaluate performance of the Pradhan Mantri Fasal Bima Yojana (during kharif 2016) and Weather-based Crop Insurance Scheme (kharif 2007–kharif 2014). Also suggest way forward for these schemes. (250 Words)

EPW

Pradhan Mantri Fasal Bima Yojana

- It is aimed at shielding farmers from crop failures and yield losses due to vagaries of climate through insurance.
- It compensates farmers for any losses in crop yield.
- In the event of a crop loss, the farmer will be paid based on the difference between the threshold yield and actual yield.
- The scheme is compulsory for farmers who have availed of institutional loans.
- The scheme insures farmers against a wide range of external risks like droughts, dry spells, floods, inundation, pests and diseases, landslides, natural fire and lightning, hailstorms, cyclones, typhoons, tempests, hurricanes and tornadoes.
- The scheme also covers post-harvest losses up to a period of 14 days.

Positives:-

- The PMFBY is an attempt to plug the holes in the older crop insurance schemes especially being
 - Their limited risk coverage
 - For crops where the premiums were steeper insurance companies proportionally reduced the sum insured.
 - Compensation fell way short of even the farmer’s cost of production.

- The Fasal Bima Yojana has done away with this cap on premium. **The sum insured per hectare for a farmer is now decided by the District Level Technical Committee and is pre-declared and notified by the State Level Coordination Committee on Crop Insurance.**
- **The farmer also pays less**
 - The premium is 2 per cent of the sum insured for all kharif crops and 1.5 per cent of it for all rabi crops.
 - For horticulture and commercial crops, the premium is 5 per cent of sum covered.
 - The remaining premium is paid by the government.
- The scheme also **envisages using technology**
 - To capture and upload data of crop cutting
 - To reduce delays in claim payment to farmers
 - Remote sensing to reduce the number of crop cutting experiments.
- Subsidised premiums and prompt claims settlement enabled by remote sensing and GPS technology should **help substantially expand coverage.**
- An increase in the area insured should also bring down premium rates, through spreading of risks across more farmers. That would **also help contain the government's subsidy burden.**

Concerns:-

- **Not all key crops are included** in the list of notified crops eligible for insurance.
- **Premium setting** has been a contentious issue.
- Making the insurance business sustainable with actuarial premium rates is **not going to help raise farmers' incomes.**
- Unit of insurance is going to continue to be 'area-based' -village/village panchayat for major crops and the area above that level for other crops. **Individual farmers suffering losses are not going to benefit unless the entire area gets affected.**
- **Insufficient reach and the issue of penetration.**
- If states delay notifications, or payment of premiums, or crop cutting data, **companies cannot pay compensation to the farmers in time.**
- Most states failed to provide smartphones to revenue staff to capture and upload data of crop cutting, which continues to come with enormous delay.
- There is hardly **any use of modern technology in assessing crop damages.**

Weather based crop insurance scheme and its positives:-

- Weather based Crop Insurance Scheme (WBCIS) provides insurance protection against losses in crop yield resulting from adverse weather incidences.
- Weather based Crop Insurance Scheme (WBCIS) provides protection to the insured cultivators in the event of loss in crops yields resulting from the adverse weather incidences, like un-seasonal/excess rainfall, heat (temperature), frost, relative humidity etc
- **It is not Yield guarantee insurance.**
- The "Area Approach" is as opposed to "Individual Approach", where claim assessment is made for every individual insured farmer who has suffered a loss.
- It is different from crop insurance as it is based on the fact that weather conditions affect crop production even when a cultivator has taken all the care to ensure good harvest.

Concerns with weather insurance scheme:-

- Awareness and farmers' willingness to pay premium for insurance
- The farmers have to pay higher premium which keeps them away from the WBCIP.
- Lack of infrastructure
 - To ensure that farmers get maximum benefit during weather changes, infrastructure like weather station is required. Currently there are only few weather stations and that too very far from the villages. The government has failed to promote or provide any support on this.

Way forward:-

- There is an urgent need to link the insurance database with Core Banking Solution (CBS) so that when premium is deducted from a farmer's bank account, the bank sends him a message informing about the premium, sum insured and name of insurance company.
- There is a need for a total insurance package like seed insurance through replanting guarantee programme, crop cycle insurance, prepaid insurance card etc
- There is a need to re-examine this insurance scheme and all other farm policies and revise them in such a way as to cut the costs of farmers' inputs, raise their revenue and thereby increase their income.

Topic: Government policies and interventions for development in various sectors and issues arising out of their design and implementation

Q1) The Consumer Protection Bill of 2018, which was introduced in Lok Sabha on January 5, 2018, seeks to replace the existing Act of 1986 to address emerging consumer vulnerabilities. Discuss the merits and demerits of this Bill. (250 Words)

Down to Earth

Consumer protection Bill 2018:-

- The bill seeks to replace the existing Act of 1986 to address emerging consumer vulnerabilities.

Provisions:-

▪ **Penalty:-**

- The Bill states that any manufacturer who puts up a false or misleading advertisement, will be punished with imprisonment of up to two years and fine of up to Rs 10 lakh.
- For every subsequent offence, the offender will be punished with imprisonment that may extend to five years and fine, which may extend to Rs 5 million.
- Penalty can be imposed on the endorser, who could be a celebrity, but the provision of imprisonment is not applicable to the endorsers.
- The Bill further states that penalty has to be determined keeping in mind the population, area affected by offence, frequency and duration of offence, vulnerability of the class of persons likely to be adversely affected and the gross revenue generated from the sales.
- The Bill states that no endorser will be liable to a penalty if he/she has exercised due diligence to verify the claims.

▪ **Regulatory authority:-**

- The Bill has a clause for the establishment of Central Consumer Protection Authority (CCPA) to regulate matters related to violation of consumer rights, unfair trade practices and false or misleading advertisements.
- In case of any violation of consumer rights or unfair trade practices, the authority can inquire or investigate either *suo motu* or on receipt of a complaint.
- Wherever necessary, they would have the power to recall goods that are unsafe or dangerous and reimburse the price to purchasers.
- The CCPA can discontinue any false or misleading advertisement or give orders to modify it within specific time
- The Bill includes the clause to have 'consumer mediation cell' to maintain record of proceedings, list of cases, and other relevant details.
- The Bill has a separate section on 'Product Liability' with details of processes to be followed for claiming compensation under product liability action, in case the complainant is affected by a defective product.

Merits:-

- Provide time-bound redressal of their grievances.
- It will allow Central government to regulate e-commerce and direct selling among other important measures.
- It is a welcome step towards tackling misleading endorsements

- Provides for simplification of consumer disputes adjudication process for faster disposal of grievances through filing of complaints by a consumer from his place of residence, e-filing and video conferencing for hearing.
- The CCPA will act in a manner similar to enforcement agencies in other jurisdictions such as the Federal Trade Commission (FTC) in the US. This will be a landmark step in upgrading the implementation mechanism to global standards
- This is the first time that powers to take action for damage caused by a product have been introduced in a consumer protection framework.

Demerits:-

- It has penalty provisions for the endorsers and on the other it is giving them a route to get away because the clause of due diligence will act in their defence
- It lags behind in tackling misleading advertisements endorsed by any celebrity
- This step will act as a deterrent for manufacturers since the liability quotient has increased

Measures needed:-

- **Lessons to be learnt:-**
 - Several countries like Canada, Estonia have devised advertisement regulations for unhealthy foods targeted at children
 - Countries such as the UK, Ireland and Belgium have specifically banned celebrity endorsement of unhealthy foods. The impact of such restrictions has been reported to be significant.

Q2) Honouring constitutionalism, privileging individual rights over innovation should be the priority for any data protection legislation. Comment. (150 Words)

The Hindu

Background:-

- The volumes of data and content held digitally are expanding so are the ways that businesses can access, filter and understand this information, helping them to improve their efficiency and grow.
- At one end of the spectrum, there is distrust of the use of data beyond limited, specifically identified purposes. At the other end, the recognition that data is a valuable asset suggests that it's more widespread and open-ended use could empower innovation and economic opportunity.

Data protection needs to honour constitutionalism and individual rights:-

- The state has to protect its people first which is highlighted by the tenets of the constitution and is supposed to put the welfare of the people first.
- Justice Srikrishna committee presumes to hold both fundamental rights and innovation as competing values. This appears **contrary to principles of individual liberty**.
- In the right to privacy judgement, the judges provided one conclusion. **The privacy protections that limit state intrusion and data protection laws should shield individuals rather than commercial interests or technological innovation.**
- Technology is a means, and not the end in itself. **It must exist and work within the framework of the rule of law.**
- The **right regulatory design will prevent pure market mechanisms** that concentrate power and cause harm to individuals.
- The A.P. Shah Committee recommendation regarding privacy act proceed from a clear acknowledgement of data protection protecting individuals and not about protecting innovation, state interests for welfare objectives, or commercial interests of technologists and corporations.
- Current data storage and transfer will not provide adequate protection against viruses and malware, software vulnerabilities or data getting into the wrong hands for instance Airtel misusing Aadhar linking with the mobile number.

What needs to be done?

- Policy recommendations should take a balanced view of data driven innovation to stimulate best practice, increase consumer awareness and protect privacy.
- Concept of social engineering is needed to made private developers more accountable.

Q3) What is an 'orange' passport? Why has this been introduced now? What is different about the ECR category? Do you think this policy is discriminatory? (250 Words)

[Livemint](#)

Orange passports:-

- As the last page of the passport would not be printed now, the passport holders with ECR status would be issued a passport with orange colour passport jacket and those with non-ECR status would continue to get a blue passport
- The orange jacket will replace the emigration clearance on the last page of an Indian passport that is mandatory for unskilled and semi-skilled workers who have not completed Grade 10.
- **ECR passports are mainly given to non-matriculate workers who wish to work in the Gulf countries and in Southeast Asia.**

Why has this been introduced now?

- The government was wondering how to make passports more gender-just, especially after a few cases of single mothers applying for their children's passports
- The government has done away with the last page to be printed in due course.
- **It was while initiating a change in passports that the decision to introduce orange passports for the ECR category was taken.**

What is different about the ECR category?

- ECR passport holders are being **serviced by the Protector General of Emigrants so that their human rights are safeguarded abroad.**
- Passport holders **under the ECR category have faced exploitation, especially in West Asia.** Protecting their human rights has become a priority, as the government is reaching out to Diaspora Indians and Indians working abroad.
- **With an orange passport, ECR passport holders will stand out in difficult situations and their passports will allow for quick processing of their documents.**

Discriminatory policy:-

- **The decision will discriminate between ordinary workers and educated ones.** This would lead to a situation wherein those who have not passed the tenth standard would be considered as **second class citizens**
- The Indian government decision will **affect migrant workers in 17 countries** including the UAE, Saudi Arabia, Bahrain, Oman and Qatar.
- **Could increase the vulnerability of workers** often duped by middlemen who promise them jobs
 - An orange cover shows a person is **not well educated**, and makes them vulnerable to exploitation. These are already vulnerable people who need more protection, not discrimination.
- This **violates the right to equality** enshrined in the fundamental rights.

Not discriminatory because:-

- Government said the **decision would easily identify and protect labourers who have not completed Grade 10 who could be duped by unscrupulous agents.**
- **Human trafficking could be monitored effectively as people who need attention are clearly mentioned.**

Q4) Comment on the existing financial resolution regime in India and the reforms needed to strengthen it. (250 Words)

[EPW](#)

Existing financial resolution regime in India :-

- Bank nationalisation was initiated in the late 1960s to address the problem of frequent bank failures. **Not a single PSB has failed in India since then.**
- Bank failures in the post-liberalisation period have all been of private sector banks, which were compulsorily amalgamated with PSBs to protect the interests of the depositors.

- The bigger banks as well as the broader financial system in India have been stable over the decades, remaining largely unscathed even during and after the global financial crisis of 2007–08.
- Unlike many developed countries, it is the public sector that dominates the financial sector in India. None of the Indian banks appear in the list of 30 Global Systemically Important Banks (G-SIBs), **identified by the FSB, which need to maintain higher capital buffers and meet other stringent regulatory benchmarks compared to other banks.**
 - **Therefore, there is no case for a wholesale emulation of the financial resolution methods and tools of the advanced economy financial systems in India which are being proposed through the FRDI bill**
- The financial resolution of India shows that **public ownership of banks has made a big difference, not only in preventing frequent bank failures but also protecting the depositors from failing private banks, through amalgamation/merger with PSBs.**
- The **RBI has noted that the private sector banks do not enjoy such consumer confidence and during the global financial crisis, deposits migrated from the private sector banks to PSBs.** This led the RBI to conclude that, the predominance of government owned banks in India has contributed to financial stability in the country.
- Even the outreach of public sector is very much visible in rural areas with a larger commitment towards financial inclusion (Pradhan Mantri Jan Dhan Yojana) than private banks priority to their profitability focus on urban areas.
- Over the period of time the following reforms like SARFESI act, ADR, Insolvency and bankruptcy code in India etc were also implemented.
- **If the sovereign guarantee for insulating PSBs and other public financial institutions from failures is diluted and the powers to resolve them divested from the government, it will adversely affect the trust and confidence of the depositors in the PSBs and weaken the entire financial system.**
- **In the FRDI bill, the controversial bail-in provision also needs to be seen in this context. The RBI working group on the resolution regime, while not rejecting the bail-in mechanism per se, had recommended that deposit liabilities, inter-bank liabilities, and short-term debt be entirely excluded from its purview, because these liabilities if subjected to bail-in can induce financial instability.**

Way forward:

- In order to build a more effective financial resolution regime in India, **not only should these potentially destabilising provisions of the FRDI Bill be abandoned, but the deposit insurance cover limit also needs to be enhanced substantially.**
- The desirability of an omnibus Resolution Corporation requires further debate, in the context of relevant experiences of other emerging and developing economies.

Topic: Mechanisms, laws, institutions and Bodies constituted for the protection and betterment of these vulnerable sections.

Q1) In the cases of human trafficking, what are the issues faced by – during and post – rescue operations – by NGOs and state institutions that are involved in rescuing victims of human trafficking? Discuss. (250 words)

[The Indian Express](#)

Background:-

- India is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking.
- Human trafficking has become the 3rd largest illegal industry after the arms and drugs industry hence the need to act.

Issues facing state institutions and Ngo's during rescuing operations of trafficking :-

- Process of forming a centralised databank of children who were rescued to make monitoring easy is not very effective.
- Maximum number of trafficked girls falls in the age bracket of 8-10 years according to rescue foundation so procuring details about the family and having a database of information is difficult.
- It is found that there is a strong nexus between politicians and other powerful people in this field so public functionaries do not help the civil society organizations in time.

▪ **Rescue operation is tough because:**

- **Traffickers find new ways to smuggle girls like luring jobs by creating fake documents, multiple routes so it becomes tough to identify and rescue.**
 - Traffickers have been trying new ways, including transporting women on tourist visas to Gulf nations to get round Indian immigration checks.
- They are also trying routes through neighbouring countries including Nepal where collusion of officials with traffickers is suspected.
- Professional network chain of trafficking is such that victims are easily transported to the end use point quickly so it becomes difficult to locate them.
- The victims themselves will not make any hue and cry:-
 - Sometimes when they are trafficked by inducement and fraud (forced labour ,slavery, in the name of love) victim is not aware that he/she is being trafficked till they reach the final point.

Issues faced post rescue:-

- There is an apprehension that children, especially those below the age of 14 years, may be **returned to child labour** if they are not given access to benefits after being rescued.
 - If they are sent back to their remote districts directly or to their parents, monitoring becomes difficult and increases chances of them being re-trafficked.
- **Overall victim protection remained inadequate and inconsistent, and** the government sometimes penalized victims through arrests for crimes committed as a result of being subjected to human trafficking.
- Fight against trafficking that needs to be improved is victims' access to justice. Traffickers need to know that they will be punished which is not happening at present.
- Trafficked victims are brainwashed such that they don't see a brighter future post rescue.
- The poor track record in post rescue handling like in cases where families are not ready to accept sex trafficked workers, finding employment opportunities becoming a hindrance etc.

What can be done/Suggestions /Way ahead:-

- According to the Juvenile Justice Act, there is a **case of direct state-to-state transfer**. Through such transfers, parents and children can be made aware of benefits that they can avail of various schemes put in place to prevent child labour.
 - If the children are transferred in coordination with the local district authorities, the parents can be made aware of these benefits to ensure the child is not sent back as child labour again.
- Establish and fully resource **Anti Human Trafficking Units** in all districts, including by providing additional dedicated, trained staff and by clarifying the mandate of AHTUs
 - Encourage AHTUs to address all forms of trafficking, including forced labor of adults and children
- **Cease the penalization of trafficking victims**, including restrictions on their travel
- **Increase investigations and prosecutions of officials allegedly complicit in trafficking**, and convict and punish those found guilty
- Improve central and state government implementation of protection programs and compensation schemes to ensure trafficking victims receive benefits, release certificates, and rehabilitation funds
- Develop and **implement standard operating procedures (SOPs) to harmonize victim identification and repatriation**, and the prosecution of suspected traffickers when trafficking crimes cross state lines
- Shelter homes need to be upgraded to protect children and provide necessary services to them.

Q2) The triple talaq Bill is a classic example of executive-legislative-judicial collaboration towards ensuring social justice. Critically comment. (250 Words)

[The Hindu](#)

[The Indian Express](#)

Background:-

- Triple Talaq has been an issue affecting Indian Muslim women since a long time. In the recent SC judgement it made this practice unconstitutional bringing the sense of relief to many Muslim women.
- Acting on this the government introduced the bill in the Parliament to take action on this practice.

How is it a collaboration:-

- At first glance, these developments come across as a classic example of collaboration between the branches of government. The Supreme Court made a decision, the government conceptualised a Bill to reinforce the court's decision, and Parliament is now in the process of enacting that Bill into law.
- Similarly the passing of the bill in Lok Sabha shows the executive and legislature willingness in acting on the sensitive issue and the SC judgement.

How the collaboration fails after the above mentioned points:-

- However, this narrative collapses when the issue is considered more closely, as the Bill is at odds with the very judgment that it purports to reinforce
 - The statement of objects and reasons accompanying the Bill indicates that it is meant to give effect to the court's judgment, which it claims had failed to produce any deterrent effect in reducing the practice of triple talaq across the country shows there was no effective collaboration.
 - To speak of "illegal divorce", as the statement does, is therefore a contradiction in terms. Triple talaq is simply not a divorce in the first place
- The criminalisation of triple talaq with a penalty of imprisonment of up to three years also undercuts one of the important effects of the Supreme Court's judgment.
 - Until the judgment, there was an asymmetry between the authority conferred upon the words of a Muslim man as opposed to a Muslim woman.
 - By indicating that Muslim men lacked the power to divorce their wives through triple talaq, the Court diminished that asymmetry.
- The victim of triple talaq is entitled to subsistence allowance and custody of minor children. The question of custody or allowance does not arise where couple remains married. This again goes against the basic purpose of court's judgement
- One of the significant questions that arose before the Court was whether it would be appropriate to defer to Parliament on this issue. While the two judges in the minority favoured imposing a six-month injunction to enable Parliament to enact legislation on the subject, the **judges in the majority specifically chose not to do so.**
- In future there is an even chance that the court may decide that a law criminalising the use of three words violates the right to equality under the Constitution.
- The bill was introduced in the parliament was passed in Lok Sabha without discussion and all proposed amendments were rejected.

Q3) The draft of Assam's National Register of Citizens is said to be a first step towards addressing Assam's immigration problem, but it opens up concerns and faces many challenges. Discuss these concerns and challenges. (250 Words) ?

The Hindu

National register of citizens:-

- The National Register of Citizens (NRC) is the register containing names of Indian citizens.
- It is a part of a much-awaited list that aims to separate the genuine residents of border state Assam and illegal Bangladeshi immigrants
- Nearly 32 years after the Assam Accord was signed, the first draft of an updated National Register of Citizens (NRC) for the State listed 1.90 crore names out of the 3.29 crore applicants.
- Assam is the only State in the country that prepared an NRC in 1951 following the census of that year and has become the first State to get the first draft of its own updated NRC.
- The NRC, 1951, is updated in Assam with the names of applicants whose names appear in NRC, 1951, or any electoral rolls of the State up to midnight of March 24, 1971, and their descendants and all Indian citizens, including their children and descendants who have moved to Assam post March 24, 1971.

Concerns and Challenges:-

- The initial publication of the register has caused confusion as **many legal residents of Assam have found their names missing.**

- The **sudden appearance of a separate category of “original inhabitants”** in the list. It is governed by the Citizenship Rules of 2003, which does not define “original inhabitants”. Even though the category has reportedly been withdrawn, it is not clear what criteria had been used in the first place.
- The **possible disqualification of lakhs of applicants who had submitted panchayat documents** as proof of identity. The Guwahati High Court said they had no statutory sanctity. This left about 48 lakh people who had submitted such documents in the lurch.
- There is a renewed conviction that the exercise of counting Assam’s citizens is a political one, and the new register will be a **document of exclusion, not inclusion**.
- The issue has become much larger than a cut-and-dried question of who is an Indian citizen and who is not. **There are important humanitarian concerns at play, concerns that go beyond identification and numbers.**
 - Nearly five decades have elapsed since the cut-off date of March 25, 1971, and individuals who have sneaked in illegally have children and grandchildren by now.
- **Muslim fears:**
 - **Compounded older fears of discrimination that haunt Muslims in the state**, which has never quite recovered from the Nellie massacres of 1983.
 - The concerns of the Bengali speaking Muslims have peaked due to the proposed amendment to the Citizenship Act, 1955. The amendment would allow illegal migrants who are Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan, eligible for citizenship.
- It embodies the paranoias of a volatile state.
- **Paper issues:**
 - The process depended on countless fragile, fading documents, where entire family histories may be wiped out by a spelling mistake, a name misheard by surveying officials decades ago, a page missing from an old electoral roll.
 - The bureaucratic ledgers are permeated by memory and hearsay, the document flickers between the official and the personal. It may have been this subjectivity in the counting process that laid it open to charges of political manipulation.
 - In all least 10 districts the records are incomplete or unavailable.
- The concern for many in India is that a **number of people may be deprived of citizenship through this process**.
- **Forged documents:**
 - Authorities detected a sizeable number of cases of persons trying to use forged documents to establish their Indian citizenship. Most of the persons who submitted forged documents are suspected to be illegal migrants
- **Delay in process:-**
 - Most of the documents sent to authorities outside Assam are taking a lot of time. For instance around 65000 documents were sent to different authorities in West Bengal, only 30 have been sent back after verification so far.

Despite concerns the initiative is praised by many experts as a necessity to reduce the migrant issue in Assam.

Q4) What are the areas of concern in the Muslim Women (Protection of Rights on Marriage) Bill? Are the provisions of this Bill consistent with the observations made by the Supreme Court on Triple Talaq? Critically examine. (250 Words)

[The Hindu](#)

Background:

- Triple Talaq has been an issue affecting Indian Muslim women since a long time. In the recent SC judgement it made this practice unconstitutional bringing the sense of relief to many Muslim women.
- Acting on this the government introduced the bill in the Parliament to take action on this practice.

SC judgement:

- SC declared that practice was arbitrary and declared it to be unconstitutional and consequently void.

- Such a practice is otherwise abhorrent and considered illegal in various Muslim countries around the world and taking note of the stand of the Muslim Personal Law Board deprecating the practice, it should be discontinued.
- Consequently, they granted an injunction against the practice of triple talaq for a period of six months from the date of judgment, enabling Parliament to legislate on the subject.

Bill Provisions are consistent with the SC observations:-

- At first glance, these developments come across as a classic example of collaboration between Judiciary and legislature. The Supreme Court made a decision, the government conceptualised a Bill to reinforce the court's decision, and Parliament is now in the process of enacting that Bill into law.

No Bill is not in consistent with the SC judgement because:

- However, this narrative collapses when the issue is considered more closely, as the Bill is at odds with the very judgment that it purports to reinforce
 - The statement of objects and reasons accompanying the Bill indicates that it is meant to give effect to the court's judgment, which it claims had failed to produce any deterrent effect in reducing the practice of triple talaq across the country shows there was no effective collaboration.
 - The statement speaks of "illegal divorce" and is therefore a contradiction in terms. Triple talaq is simply not a divorce in the first place
 - Criminalisation of Triple talaq does not emanate from any part of any of the three judgments rendered by the Supreme Court.
- The victim of triple talaq is entitled to subsistence allowance and custody of minor children. The question of custody or allowance does not arise where couple remains married. This again goes against the basic purpose of court's judgement
- One of the significant questions that arose before the Court was whether it would be appropriate to defer to Parliament on this issue. While the two judges in the minority favoured imposing a six-month injunction to enable Parliament to enact legislation on the subject, the **judges in the majority specifically chose not to do so.**
- In future there is an even chance that the court may decide that a law criminalising the use of three words violates the right to equality under the Constitution.

Concerns with the bill:-

- Muslim husband pronouncing triple talaq is **criminally culpable**
- **Had this legislation not been initiated, the practice would still be void.** Therefore, the legislation to this extent does no more than restate an existing statement of law.
- **Drafting of the bill had been done in a haste**, without taking into confidence any of the stakeholders.
- Would lead to wide-scale distress for women, making them even more vulnerable. **It would force them to put up with abusive husbands for the fear of them being jailed.**
- It would subject an otherwise functional Muslim couple to the **moral policing of outsiders**, since the crime has been made into a cognisable and non-bailable offence.
- **No plead insanity clause is attached** which means that a basic right to freedom, dignity, mental condition, and whether or not a Muslim is fit to stand trial, have not been taken into account.
- There is no provision that the wife alone can file a complaint alleging that an offence of triple talaq has been committed. A third person can also do it based on which the husband is arrested.
- Being non-bailable, only a court is entitled to grant bail which raises several implications like
 - Despite marriage being intact and the wife not wishing to complain, the wife has to suffer the consequences of her husband being sent to jail. That affects her husband's capacity to provide for the family
 - The complaint may be based on a lie, yet the husband may land in jail
 - It is not understood why the husband needs to go to jail when the marriage is subsisting and valid.
- The **concept of subsistence allowance** and the right of a woman to custody of her minor children in the event of pronouncement of talaq by her husband do not hold logic when marriage which is subsisting and intact

Q5) The torture of individuals in state custody remains a brazen human rights abuse that mocks our governance even as we claim human dignity as the end objective of the Indian state. Why torture is a cause for concern and what should be India's stand on this issue? Comment. (250 Words)

[The Hindu](#)

Torture is concern in India:-

- **India's NHRC** had reported a significant number of torture cases involving police and security organisations.
 - It has been urging the government to recognise torture as a separate crime and codify punishment in a separate penal law.
- **Judicial stand:-**
 - In *Raghbir Singh v. State of Haryana* (1980) and *Shakila Abdul Gafar Khan v. Vasant Raghunath Dhoble* (2003), the Supreme Court said it was deeply disturbed by the diabolical recurrence of police torture is visible and torture is assuming alarming proportions
- Forcible feeding, sleep deprivation, sound bombardment, electric shocks, cigarette burning, and other forms are forms of torture used by government agencies in India.
- **Failure of India to ratify UN convention despite signing it**
- Difficulties in extraditing criminals from foreign countries are present due to the absence of a law preventing harsh treatment by authorities.
- Neither the Indian Penal Code nor the Code of Criminal Procedure specifically or comprehensively addresses custodial torture.
- Unlike custodial deaths, **the police are not required to report cases of torture which do not result in deaths to the NHRC.**
- The Supreme court guarantees that citizens could claim against the police the 'right against torture' and declared that it flows from Article 21's guarantee of 'personal liberty'.
- Torture increases the hatred towards the state machinery as it **does not give an opportunity to the perpetrator to reform**

What should India's stand be:-

- India needs to expeditiously ratify the Convention against torture.
- The **government needs to pass the prevention of torture bill 2017.**
 - The draft Prevention of torture bill, 2017 proposed stringent punishment to perpetrators to curb the menace of torture and to have a deterrent effect on acts of torture. The punishment could extend up to life imprisonment and include a fine.
- An effective mechanism must be put in place to protect victims of torture, complainants and witnesses against possible threats, violence or ill-treatment.
- The State should own the responsibility for injuries caused by its agents on citizens, and the principle of sovereign immunity cannot override the rights assured by the Constitution.
- Police reforms including community policing need to be further encouraged.
- More powers should be given to human right commissions in India to do suo moto proceedings against the machinery responsible.
- Judiciary reforms are needed so that under trials do not spend much time in prisons.

Q6) A reconsideration of the flawed verdict in *Suresh Kumar Koushal* will not only complement *Justice K.S. Puttaswamy v. Union of India* judgement, it will also give hope to aspirations of progressive India. Comment. (150 Words)

[The Hindu](#)

Background:-

- In the *Koushal* judgement in 2013, the Supreme Court upheld the validity of Section 377 of the Indian Penal Code, which criminalises gay sex. A reconsideration of the flawed verdict in *Suresh Kumar Koushal* is now in prospect.

- With a curative petition in SC, there is fresh hope that the Delhi High Court judgment of 2009, which read down Section 377 to decriminalise consensual sex between adults, may be restored.

Why reconsideration of Koushal judgement is needed?

- Supreme Court judges observed in *Justice K.S. Puttaswamy vs Union of India* that **equality demands that the sexual orientation of each individual in society must be protected on an even platform**. The right to privacy and the protection of sexual orientation lie at the core of the fundamental rights guaranteed by Articles 14, 15 and 21 of the Constitution.
- Ever the **National Legal Services Authority vs Union of India (2014)** regarding the rights of transgender persons questioned the Koushal reasoning. There has been a body of jurisprudence that sees gender identity and sexual orientation as an aspect of privacy, personal freedom and dignity.
- The Koushal judgment exhibited a total disconnect with the expanding horizon of **human rights**.
 - The Universal Declaration of Human Rights states that all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.
 - The Koushal judgment diminished the high standing of Indian human rights jurisprudence. It exhibited a total disconnect with the expanding horizon of human rights.
- In the Koushal judgement **LGBTQ people are treated as unapprehended felons** is a great blow to the doctrine of equality, privacy and dignity embodied in liberal judgments of Supreme Court.
- The Koushal judgment is also **called out for relegating its constitutional responsibility** with the claim that LGBT persons constitute a minuscule fraction of the population.
- This articulation of privacy as personal autonomy is also what might be used in dealing with the vast number of medical professionals across the country who insist on **treating homosexuality as a disease**, in many instances detaining queer persons in clinics and administering treatment against their will.

Conclusion:-

- A recognition that privacy is linked to autonomy and the navigation of space should allow people to think about the ways in which public spaces can be made safer for people who bear physical markers of gender nonconformity: whether it is public transport or an establishment space.
- With the Right to Privacy judgment, it is not just Suresh Kumar Koushal but also these varied structures supporting queer persecution that have received a significant challenge.

Q7) Recently, a new legislation known as the equal pay standard came into effect in Iceland after being passed a year ago. Should similar legislation be passed by India? Discuss. (250 Words)

[Livemint](https://www.livemint.com)

What is equal pay standard :-

- In order to address the gender pay gap Iceland passed this law.
- The new law requires companies and government agencies to prove they are paying men and women equally, positioning the country at the forefront of global efforts to minimize gender inequality.
- It says that companies with 25 full-time employees or more must analyze their salary structures every three years to ensure that men and women are being paid the same amount for doing the same jobs. Then they must report back to the government for certification or face penalties that include fines.
- While Iceland has had equal pay laws in place since 1961, the new standard is seen as the first time that the small and prosperous nation of about 340,000 has put in place specific steps to try to force companies to eliminate pay gaps.

Yes it should be applied to India too:-

- India ranks 108 in the global gender gap report 2017. By bringing the law in India it would make the companies to pay women equally as men.
- Women will be more financially independent and involve in decision making in the organisations.
- Slow changes in the work place will lead changes in the social structure as well as economic empowerment will lead to social empowerment as well.

No:-

- Very few women work in India, with the proportion of **working women being lower in urban India than in rural India**.
 - According to a recent report published by job portal Monster India in collaboration with the IIM **the mean gender wage gap stands at around 27% in India**.
- The ambiguity and regulatory burden mean that the legislation is likely to be **ineffective at best**.
- The companies **might not be ready to hire women employees** to avoid fines.
- The **literacy rate in India towards women is still very less**.
- **There are rising instances of crime against women** in the society despite economic independence of women showing the fractures in the societal attitudes. So law alone will not help.
- The **deeply rooted stereotypes** that favour men and women for certain jobs and professions are the fundamental problem.
- **Same patriarchal attitude** sustains the expectation that women will bear the primary household and parenthood burden even when employed outside the house.
- **The labour market is beset with different kinds of discrimination along lines of gender, caste and ethnicity**.
- Greater market competition will lead to lower discrimination. If the market is competitive, the costs of engaging in discriminatory practices are much higher.

Way ahead:-

- Greater formalization of the workforce is needed to create better job opportunities for women
- Streamlining labour laws
- Mandating parental leave rather than only maternal leave will help as well allowing women to reintegrate into the workforce after childbearing while making it possible for men to take on the responsibility of parenthood as well.

Q8) Discuss the features and significance of the provisions of Prevention of Crimes in the Name of 'Honour' and Tradition Bill, 2010. (250 Words)

The Hindu

Background:-

- The Prevention of Crimes in the Name of 'Honour' and Tradition Bill, 2010 was an outcome of the spate of murders and dishonourable crimes in the name of 'honour'.

Features:-

- It aims **to stop honour killings and other crimes in the garb of honour**.
- Endangering the liberty of a couple through social sanctions and causing harm or harassment to them can **evoke imprisonment of up to 10 years along with a fine**.
- **Punishment:-**
 - According to the bill, declaring a couple who have got married or intends to marry, as brother and sister provided they are not children from the same natural parent is punishable.
 - It is also punishable if their marriage is recognised by law or custom and pressure is brought on them or their families to leave the village or area of residence
- Also seeks to **provide all persons**, including young persons and women, **the right to control their own lives, to liberty and freedom of expression, right of association, movement and bodily integrity and the right to choose their own partners in marriage or otherwise**.
- **Seeks to provide for protecting the right to life and liberty** of consenting adults, prohibition of unlawful assemblies, criminal intimidation, harassment, violence and interference in lawful matrimonial alliances in the name of honour and tradition
- Establishes power and accountability of District Magistrates and other officials concerned to prevent such crimes.

Significance:-

- **The bill upholds Supreme Court judgement** that adults are free to marry persons of their own choice and hurting couples, or summoning them before clan members, groups, or a khap, is absolutely illegal.

- Such crimes are also in violation of the United Nations Convention on the Elimination of all forms of Discrimination against Women which provide that women should have the right to freely choose a spouse.
- These actions of honour killing are also violative of certain fundamental rights in the Constitution of India, including the right to life, and liberty which includes the right to bodily integrity, and the right to choose whom to associate with.
- The actions of the parents of the girls to stop her from exercising her choice also result in curtailment of her **freedom to movement and expression**.
- It gives **young couples the liberty to marry out of caste and religion** and also to provide them a legal framework within which to exercise their choices.
- It **seeks to protect individual liberty, right of association, and the right of adults to choose their own partners in marriage**.
- It makes clear that the honour killing unduly emphasise on the framework of 'honour' to control and regulate women's sexuality and their marital choices.
- Making the crime of honour killing a separate offence would help bring more clarity for law enforcement agencies.

Concerns and way forward:-

- The existing penalty for the offence of murder is sufficient if they are implemented strictly and effectively.
- A new set of laws would not deter honour killings because the basic issue is social sanction for acts committed to curtail same gotra marriage, inter-caste marriage, inter-religion marriage.
- Need for creating awareness among traditional communities through education.
- Holding khap panchayats collectively accountable can be detrimental to members who do not support such killing. Also, it could be misused for vindictive agendas.

Q9) What are the important provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act 2015? Comment on the impact of this Act on lives of SC and ST population. (250 Words)

The Indian Express

Background:-

- The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act 2015 was enacted to comprehensively amend and strengthen the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 which prohibits the commission of offences against members of the Scheduled Castes and Scheduled Tribes and establishes special courts for trial of such offences.

Provisions :-

- The amendment Act adds that
 - (i) intentionally touching an SC or ST woman in a sexual manner without her consent, or
 - (ii) using words, acts or gestures of a sexual nature, or
 - (iii) dedicating an SC or ST women as a devadasi to a temple, or any similar practice will also be considered an offence
- The Act adds **new offences of atrocities** such as
 - (i) garlanding with footwear
 - (ii) compelling to dispose or carry human or animal carcasses, or do manual scavenging
 - (iii) abusing SCs or STs by caste name in public
 - (iv) attempting to promote feelings of ill-will against SCs or STs or disrespecting any deceased person held in high esteem
 - (v) imposing or threatening a social or economic boycott.
- **Preventing SCs or STs from**
 - using common property resources
 - entering any place of worship that is open to the public
 - or entering an education or health institution, has been categorized as an offence.
 - In such circumstances, it prescribes that the onus to prove that he was not aware of the caste or tribal identity of the victim, would be on the accused.

- **The Amendment Act also includes in the Act, Chapter VI-A which provides for rights of victims and witnesses.** Impending activities related to casting a fair vote would also be considered as an offence
- The Amendment Act further **specifies that an Exclusive Special Court must be established at the district level to try offences listed under the Act.** An adequate number of courts are prescribed to be established to ensure that cases are **disposed of within two months. Appeals from these Courts shall lie with the High Court, and must be disposed of within a period of three months.**
- **It outlines the duties of public servants to enhance more accountability**

Impact :-

- **Positives:-**
 - Experts said that despite its delay, **the legislation is the right step forward** but a lot will depend on **how well it gets implemented on the ground**, given the limited machinery that is accountable for its implementation.
 - The successful prosecution of the murder of Dalit boy case in Tamilnadu and the appropriate punishment awarded is due to this act. So there is speedy resolution of cases.
 - Also it gives these communities confidence to face the upper castes and achieve social mobility.
 - Upholds fundamental rights to equality.
- **Negatives:-**
 - Killings and other atrocities occur to the greatest extent in marriages between Dalits and non-Dalits.
 - The atrocities on traditional grounds related to land, resistance to untouchability etc are still rampant.
 - The indifferent attitude of the authorities concerned with the implementation of the act has prevented from achieving the laudable object of the law.
 - Despite the provisions there have been incidents of violence against dalits like Una and recent Bhima Koregaon.
 - Manual scavenging is still prevalent.
 - Still social discrimination and segregation is largely prevalent and equality is still a myth.
 - The incidents highlight the intensity of the atrocities that have been committed not only by citizens but by the State machinery as well.
 - There is constant insecurity from the dominant castes to the increasing assertiveness of their constitutional rights by the Dalits and tribals

What more is needed ?

- Appropriate schemes should be prepared for the rights and entitlements of victims and witnesses in accessing justice as required.
- Training courses should be held at different levels for police officers and other officers of the district administration.
- The Supreme court requested the National Legal Services Authority to formulate appropriate schemes to spread awareness and provide free legal aid to members of SCs and STs.

Conclusion:

- For India to progress and not lose its freedom, it has to let go of its regressive prejudices.

Q10) Write a critical note on the issue of problem of violence in childhood and measures needed to stop it across the world. (150 Words)

[Livemint](https://www.insightsias.com/livemint)

Background:-

- The “Ending Violence In Childhood: Global Report 2017” brought compelling observations about the issue of problem of violence on children showing large number of children are not enjoying carefree, happy childhoods but enduring, often brutal, fast-track transitions to adulthood.

Issue of problem of violence in childhood :-

- Reasons:
 - Based on the above report **three out of four children worldwide suffer from physically or emotionally abusive violence:** from corporal punishment to bullying, neglect, rape, even murder.

- Patchy statistics, social acceptance, children's fear and stigma of reporting abuse leads to widespread underreporting.
- In 2015, 1.7 billion children (three quarters of all children worldwide) experienced inter-personal violence in the previous year. All such acts of violence are a violation of human rights and an assault on the dignity of children.
- Children experience violence at every stage of growing up, some even before they are born.
 - On average, 4-12% of women are physically abused by an intimate partner during pregnancy, and this can damage the foetus.
 - Female foeticide is also prevalent in some countries.
- In early adolescence, boys and girls become vulnerable to online bullying and sexual grooming; girls between 15-19 years, in particular, are vulnerable to sexual assault.
- Violence is not the only factor keeping children out of school. Poverty, disability, early and forced marriage, child labour, social taboos
- **Impact:-**
 - Many vulnerable children pretend abuse isn't happening, blame themselves, or feel unable to seek help in the face of a powerful abuser.
 - Childhood violence occurs in every country, rich or poor. **The impact on individual children and society can be profound, far beyond a child's immediate fear or trauma.**
 - Children who experience violence are more likely to suffer depression when they grow up, turn to drugs, endure poor health or take their own lives.
 - Children who are bullied or beaten at school avoid attending, harming their education and future prospects.
- **Initiatives taken:-**
 - Countries around the world are concerned with the magnitude of the issue and are working towards eradicating it. **Childhood violence is lower in countries that are committed to a human development agenda, and that prioritize child health and education, particularly of girls.**
 - India has been taking measures to RTE act for free and compulsory education ,giving incentives to women during pregnancy ,strict implementation of PCPNDT act to avoid sex discrimination of the child etc.
 - Ending abuse, trafficking and all forms of violence against children is one of the development targets called the Sustainable Development Goals.

Measures needed are:-

- To tackle child sexual abuse India launched **Aarambh Initiative** .It creates a centralized platform that partners with and demonstrates innovative ground programs on child protection especially for the underprivileged, creates and shares knowledge with individuals and groups across India, and connects experts to various stakeholders to take the movement to a tipping point
- **The Global Partnership will build and sustain political will to end violence against children**, promoting evidence-based strategies that will lead to significant, sustained and measurable reductions in violence.
- Governments have a duty to protect the rights of their citizens, and **this includes a child's right to live free from fear.**
- **Build or enhance strong data systems and sound evidence to prevent and address violence against children.**
- **Monitoring tools and indicators must be developed that cover all children, including boys and girls of every age and background. Universal birth registration** is the first and most crucial component of an effective monitoring system.
- **Building individual capacities**, for example by ensuring children are given life-skills and sex education and empowering parents and caregivers to create safe, supporting, and stimulating spaces for care giving.
- **Violence prevention must be embedded in social services.**
 - Schools must become violence-free, end corporal punishment and crack down on bullying.
 - Health professionals, in particular first responders, who are likely to witness an injured child, need to know how and when to report suspected abuse.
- **Governments need to find ways to avoid sending children into institutional care**, where the chance of them being abused skyrockets.
- Governments must **tackle the root causes of violence**, which are bound up in issues of gender inequality and social norms that legitimize violence.
- Violence involving children in community settings can be prevented through
 - pre-school enrichment programmes to give young children an educational head start
 - life skills training.

Conclusion:-

- Leaders of governments and communities need to take this issue more seriously, implement practical policies to prevent violence, and ensure that all children enjoy the happy, peaceful upbringings they deserve

Q11) Discuss the recommendations of the 2003 report of the Justice V.S. Malimath Committee on reforming the criminal justice system. Do you think these recommendations should be implemented by the government as they are? Comment. (250 Words)

The Hindu

Background:

- The Malimath panel formed in 2000 had made 158 recommendations in 2003 but these were never implemented. The central government is planning to relook into the recommendations again.

Recommendations of Malimath committee:-

- **Borrowing from inquisitorial system**
 - Here a judicial magistrate supervises the investigation. The committee recommended that courts be bestowed with powers to summon any person whether or not listed as a witness for examination, if it felt necessary.
- **Right to silence**
 - The Committee suggested that the court be given freedom to question the accused to elicit information and draw an adverse inference against the accused in case the latter refuses to answer.
- **Rights of the accused:**
 - Accused should be aware of his/her rights as well as how to enforce them and whom to approach when there is a denial of those rights.
- **Presumption of innocence**
 - The courts follow “proof beyond reasonable doubt” as the basis to convict an accused in criminal cases. A fact is considered as proven “if the court is convinced that it is true”
- **Justice to victims:**
 - The victim should be allowed to participate in cases involving serious crimes and also be given adequate compensation.
 - A Victim Compensation Fund can be created under the victim compensation law and the assets confiscated in organised crimes can be made part of the fund.
- **Police investigation**
 - The Committee suggested hiving off the investigation wing from Law and Order.
 - To improve the quality of investigations, it suggested a slew of measures, including the appointment of an Addl. SP in each district to maintain crime data, organisation of specialised squads to deal with organised crime
 - The Committee suggested police custody be extended to 30 days and an additional time of 90 days be granted for the filing of charge sheet in case of serious crimes.
- **Dying declaration**
 - The committee favoured dying declarations, confessions, and audio/video recorded statements of witnesses be authorised by law. It also sought amendments to the law to allow thumb impression only if the witness is illiterate.
- **Public prosecution**
 - It suggested that a new post, Director of Prosecution, be created in every State to facilitate effective coordination between the investigating and prosecuting officers under the guidance of the Advocate General
- **Trial procedures**
 - The Committee felt that all cases in which punishment is three years and below should be tried summarily and punishment that can be awarded in summary trials be increased to three years.
- **Witness protection:-**
 - The Committee batted for a strong witness protection mechanism

- **Penalty for false evidence:**
 - If during the trial, the witness is found to have given a false evidence then he/she is liable to fine up to ₹500 or up to three-month prison or both.
- **Vacations for the courts**
 - The committee recommended reducing the period of vacation by 21 days, keeping in mind the long pendency of cases.
- **Arrears Eradication Scheme**
 - The Committee proposed an 'Arrears Eradication Scheme' to tackle cases that are pending for more than two years. Under the scheme, such cases will be settled through Lok Adalats on a priority basis.
- The Committee also suggested constituting a National Judicial Commission and amending Article 124 to make impeachment of judges less difficult.
- **Sentencing**
 - Pregnant women and women with child below seven years can be kept under house arrest instead of being lodged in prison, keeping in mind the future life of the child
- **Reclassification of offences**
- **Rape:**
 - Non-penal penetration and any forcible penetration should also be considered as rape and must be carry a heavier punishment. The trial of rape cases should be done with most expeditiously, within four months, and with a high degree of sensitivity.
- **Organised crime and terrorism**
 - Though crime is a State subject, a central law must be enacted to deal with organised crime, federal crimes, and terrorism.

Yes, the recommendations need to be implemented:

- It also contains valuable suggestions to **revamp the administration of criminal law, covering the entire gamut of the justice system from investigation to sentencing, from matters of policy to the nuances of criminal procedure and the law of evidence.**
- The Committee also prescribes a prosecution statement and defence statement. **The latter will allow the accused to respond to the charges framed against him or her.**
- **Audio-visual recordings reduce the space for accused and witnesses to backtrack** and also gives judges the benefit of seeing whether the witness/accused is under duress.

No, some of the provisions are controversial:

- Includes controversial recommendations such as making **confessions to a senior police officer admissible as evidence, and diluting the standard of proof required for a criminal conviction.**
 - Confessions to police have repeatedly come under scrutiny because of allegations of custodial torture, instances of custodial deaths, fake encounters and tampering with evidence.
- It moots that it is enough if the court is convinced that something is true. Such a measure would have adverse implications for suspects, and requires considerable deliberation.
 - Similarly, diluting the proof beyond reasonable doubt precept will prove to be counterproductive.

What is needed?

- The onus must be on improving
 - Investigative skills of police officers
 - Improving quality of documentation and separating criminal investigation responsibilities from law and order duties.
 - Appointing more judges and police personnel
 - Deploying scientific techniques
 - Beefing up forensic labs and other infrastructure investments .

Q12) Discuss why India's needs a gender diverse police force and how such a force should be created. (250 Words)

[The Wire](#)

Background:-

- Despite reservation and advertising of vacancies for women constables in states between 2005-2010, quotas went unfilled.
- The intake of women police in many states did not match the number of women in the employable category. **In some states, there are simply not enough takers for the job.**
- **This shows the apathy of the police force in employing women**
- As on January 2016, out of 22.80 lakhs total police force (states) in the country, actual strength of women police was only 122912. It's barely 7.10% of the total strength.

Why India needs a gender diverse police force?

- To command confidence, trust and respect of the public, a police unit must be reflective of the community it serves. **Female police officers bring to the table skills, experiences and perspectives that are vastly different from those of their male counterparts.**
- **Women do not feel comfortable their problems with the male dominant police force.** As a result, their access to justice is negatively affected by a lack of women to whom they can spell out their grievances.
- **Higher representation and visible presence at various levels ensures more approachability**
- More women in the force will **help repair the deficit in equality of opportunity to work**, as well as the deficit in access to justice that women face.
- Women officers, apart from being able to do the job as effectively and efficiently as men, bring **additional skills and traits to, and improve the image of and public confidence in, the police as a whole.**
- It is written in the Journal of Police Science and Administration that Policemen see police work as involving control through authority while **policewomen see it as a public service.**
- International research has exploded the myth that women are unsuitable for police jobs.
 - **Women officers use less physical force, are better in defusing violent confrontations with the public**
 - They also possess better communication skills than their male counterparts and are better able to elicit the public's cooperation and trust.
- They respond more effectively to violence against women

How such a force should be created?

- **Efforts to address gender discrimination and give a push to gender equity within the police forces will be the harbinger for broader police reforms** in policing that can comply with the aspirations and expectations of a developing democratic republic like ours.
- Need for a diverse police was highlighted by the National Police Commission in the early 1980s. The commission had suggested that the composition of the police should reflect a **general mix of communities as exists in society so that the people would have confidence in the force**
- Need for increased representation of women and **several measures including 33% reservation, special recruitment drives and better facilities for women need to be installed.**
- **Policewomen need to attain professional excellence** that would automatically change gender stereotypes and make them important players in decision-making, career planning and management in the police.
- There is a tendency to engage women police only in situations like security checks and other specialized duties relating to women. This needs change and women need to be assigned frontline duties in the police stations.
- **Tamilnadu and transgenders:-**
 - With the State's amended recruitment rules, third gender personnel will don the uniform
- **Greater investment in advertisement campaigns** in a way that appeals to the sensitivities of females candidates is the need of the hour.
- **Proper monitoring of utilisation under gender budgeting and regular stock taking of implementation of various policy decisions is necessary**

Q1) Adequate ethical commitment to excellence is holding our nation back from achieving large-scale global academic excellence which is commensurate with our intellectual heritage and calibre. Comment. (250 Words)

[The Hindu](#)

Background:-

- Indian higher educational institutions/ universities (HEIs) have slipped further in global rankings, with none making it to the top 250 according to the latest such ranking so bringing into the light the need for excellence in the educational institutions in India.

What is stopping India from achieving large scale global academic excellence:-

- In India it is rarely appreciated that excellence is an ethical issue.
- In western countries there is a sincere and stated commitment to cultivating excellence as a goal. Contrasting this with the academic ethos in India raises uncomfortable questions.
- In western countries when it comes to teaching staff loss of the candidate to a rival institution is considered a serious failure, as excellence is seen to be a precious commodity, with the heads of such institutions held accountable. In India, in contrast, excellence is at best one of multiple criteria in faculty hiring.
- **Appointment to important posts in the universities:-**
 - In India it may be perceived by potential candidates that being in the good books of the person appointing is important. This creates distortions from some good candidates not applying to some lobbying for posts. **This has created a general perception that factors other than merit influence these decisions.**
- As long as there is **financial dependence of Higher educational institutions on the government**, autonomy will always be compromised.
- Rote learning still plagues Indian system, students study only to score marks in exams, and sometimes to crack exams like IIT JEE, AIIMS or CLAT.
- If there are a few centres of educational excellence, for each of those there are thousands of mediocre and terrible schools, colleges and now even universities that do not meet even minimum standards.
- **Focus on skill based education**
 - Indian education system is geared towards teaching and testing knowledge at every level as opposed to teaching skills.
- Indian education system rarely rewards what deserves highest academic accolades. Deviance is discouraged. Risk taking is mocked.
- Teaching quality is bad.
- **The problem persists even in those institutions led by respected academics.**
 - While academics freely criticise personality cults in the political sphere, they are happy to cultivate those of their own.
 - A few individuals dominate organisations and committees. Factions grow around them. These people, administratively overburdened out of their own choice, make serious judgments without adequate information.
 - Conflict of interest is another problem. For example, within an institution, the leader may provide partisan support for their own subject of expertise and restrain the progress of rivals.
- In many Indian institutions research areas that are of global importance are often, out of sheer ignorance, treated with disdain.
- The problem is the collective failure to articulate the goal of excellence and to exert firm pressure on anyone, however important, who blocks the path.
- There is an inherent flaw in the form of autonomy practiced in India presently. Heavily influenced by colonial past, India seems obsessed with a classical form of education and governance. There is reluctance in offering absolute autonomy to institutes in something as basic as issuing degrees.

What can be done?

- Many countries use to base the funding on some parameters by applying a formula. This **formula provides predictability of funding**, and the HEI can count on it and focus its energies on its academics and more efficient use of this public funding. This enhances the autonomy of the HEI while still retaining its public character.
- Reward creativity, original thinking, research and innovation
- The goal of new education system should be to create entrepreneurs, innovators, artists, scientists, thinkers and writers who can establish the foundation of a knowledge based economy rather than the low-quality service provider nation that we are turning into.
- Even developed countries are not free of academic politics but there are correctives applied as the rank and file of academia tends to be more professional than India's.
 - Personality cults are met with a sharp push back and conflicts of interest are openly challenged.
 - Even when disputes take place, excellence does not take a back seat.
 - Institution leaders are evaluated by their funding and accreditation agencies, and made aware that their future leadership opportunities are diminished by every petty action
 - Ultimately, the system is accountable because it is committed to excellence.
- **Autonomy of HEIs** is now widely acknowledged as a necessity for excellence and improvement, particularly for those HEIs that engage in research as well as education.
 - Single change of having each HEI select its own head through an approved and open process can bring about a great deal of autonomy in our HEIs.
 - There has to be a realisation within the regulatory bodies as well as the institutes themselves that the outstanding ones have to be left on their own after a point to thrive in a competitive market.
 - In the UK, most efficient education systems rely on basic autonomy and amenable policies of staff recruitment, financial autonomy and appointment of the academic boards, states a 2010 report of the European Commission.

Q2) The National Medical Commission Bill, 2017 that was introduced in the Lok Sabha is not the remedy that can improve quality and quantity of medical education and practice in India. Critically comment. (250 Words)

[The Wire](#)

[The Hindu](#)

Background:-

- The national medical commission bill is the product of the NITI Aayog and was drafted following a scathing standing committee report in 2016 on the corrupt functioning of the Medical Council of India (MCI)
- The bill if passed would repeal the Indian Medical Council Act, 1956

Features and positives :-

- The Bill seeks to regulate medical education and practice in India.
- The Bill attempts to tackle two main things on quality and quantity: Corruption in medical education and shortage of medical professionals.
- The Bill aims to overhaul the corrupt and inefficient Medical Council of India, which regulates medical education and practice and replace with National medical commission.
- The National Medical Commission would be an umbrella body for supervision of medical education and oversight of medical practice.
 - Functions of the NMC include:
 - i. laying down policies for regulating medical institutions and medical professionals
 - ii. assessing the requirements of human resources and infrastructure in healthcare
 - iii. ensuring compliance by the State Medical Councils with the regulations made under the Bill
 - iv. framing guidelines for determination of fee for up to 40% of the seats in the private medical institutions and deemed universities which are governed by the Bill.
- The NMC will consist of 25 members, appointed by the central government. A search committee will recommend names to the central government for the post of Chairperson, and the part-time

members. These posts will have a maximum term of four years, and will not be eligible for extension or reappointment.

- NMC will have four segregated verticals under it to look at:
 - (i) under-graduate medical education
 - (ii) post-graduate medical education
 - (iii) accreditation of medical institutions
 - (iv) the registration of doctors.
- The 2017 Bill also creates four separate autonomous bodies for similar functions.
 - Each autonomous board will consist of a President and two members, appointed by the central government (on the recommendation of the search committee)
 - The boards will come up with the curriculum, standards and necessary recognitions.
- NMC would have its members largely nominated and appointed by the government, while office bearers in the MCI were elected from among the medical fraternity.
- Under the Bill, states will establish their respective **State Medical Councils within three years**. These Councils will have a role similar to the NMC, at the state level.
- **Entry test:**
 - There will be a uniform National Eligibility-cum-Entrance Test (NEET) for admission to under-graduate medical education in all medical institutions governed by the Bill. The NMC will specify the manner of conducting common counselling for admission in all such medical institutions.
- **Exit test:-**
 - There will be a National Licentiate Examination for the students graduating from medical institutions to obtain the license for practice. This Examination will also serve as the basis for admission into post-graduate courses at medical institutions.
- There will also be a **medical assessment and rating board** which will grant permissions for new colleges and penalise institutions which don't follow the prescribed standards.
- It replaces multiple MBBS entrance exams conducted by state universities, thus providing a level playing field to aspirants across the board irrespective of educational or social background.

Concerns :-

- To fix corruption, the Bill recommends replacing one body with another. It proposes instituting a National Medical Commission (NMC) instead of the MCI.
- One of its goals is to rein in corruption in the MCI through greater distribution of powers. This is to be accomplished through an independent Medical Advisory Council to oversee the National Medical Commission which is the proposed successor of the MCI. **But all members of the NMC are members of the Council, undermining the latter's independence.**
- **A bridge course allowing alternative-medicine practitioners to prescribe modern drugs is mentioned in the bill.**
 - Unscientific mixing of systems and empowering of other practitioners through bridge courses will only pave the way for substandard doctors and substandard medical practice. This will seriously impact patient care and patient safety
- Indian Medical Association (IMA) opposed the bill that it will **cripple the functioning of medical professionals** by making them completely answerable to the bureaucracy and non-medical administrators.
 - **NMC will become subservient to the health ministry**, given that the representation of the medical profession in the new regulatory framework is minimal.
- The bill **takes away the voting right of every doctor in India** to elect their medical council.
- The **bill allows private medical colleges to charge at will**, nullifying whatever solace the NEET brought.
 - The private medical colleges will be allowed to decide the fee for 60 per cent of their seats, while previously it was 15 per cent.
 - This will increase the cost of medical education
- The proposed NMC Bill discreetly intends to equate the post-graduate degrees given by MCI or proposed NMC and the National Board of Examination (NBE), which is unjustified too
- Standards have been laid down for MCI courses, but not for NBE courses which are often run in private hospitals and nursing homes.

- It would replace an elected body (Medical Council of India, MCI) with one where representatives are “nominated

Suggestions:-

- To bolster healthcare delivery there can be a three-year diploma for rural medical-care providers, along the lines of the Licentiate Medical Practitioners who practised in India before 1946.
- NMC shouldn't open gates to overseas doctors to regularly practice medicine or perform surgery without qualifying the National Licentiate Examination or induct Ayush colleagues without clearing NEXT.
- Also, the accreditation and rating function of the Medical Assessment and Rating Board (MARB) should be out of the ambit of NMC. This was also the recommendation of the Parliamentary Committee report in March 2016.
- Clear guidelines are required indicating the circumstances and diseases where traditional practitioners can prescribe allopathic medicines.

Q3) Why should India be mindful of the impact of a more fractured U.S.-Pakistan relationship on regional security? Critically examine. (250 Words)

[The Hindu](#)

[The Indian Express](#)

Background:

- The U.S. will continue to withhold \$255 million in Foreign Military Financing to Pakistan this year suggests it is prepared to downgrade its ties with Pakistan further in an effort to hold it to account on terrorism.

India's regional security will be affected :-

- **China's dominance:**
 - Pakistan's confidence that it has an alternative in China has grown, with Beijing's pledge of more than \$100 billion in loans for the China-Pakistan Economic Corridor infrastructure, power projects, and so on.
- **America concerned about only its interests:-**
 - All American statements focus on Pakistan's support to terror groups that threaten the U.S. troops in Afghanistan. Therefore, action against the groups that threaten India is unlikely to be an immediate priority.
 - America continues to prioritize the elimination of anti-Afghanistan militants over the anti-India ones. The U.S. government delinked Lashkar-e-Taiba (LeT) but not the Haqqani Network or any other Afghanistan-focused terror group from aid certification requirements
- With the US move benefiting India, Islamabad may further escalate its proxy war against India in **Kashmir valley**.
- In the past **US has played a significant role in keeping extremist tendencies in Pakistan** under control .As their relation fractures India's regional security is affected.
- **The rise of Hafeez Saeed in Pakistan :-**
 - Saeed's recent release from house arrest and the emergence of the LeT-linked Milli Muslim League political party are a concern for India.
- **Afghanistan:**
 - With the U.S.-Pakistan relationship on the rocks, Pakistan could in due course loosen its grip on that leash, thereby enabling the group to do more damage in Afghanistan. And that should be an alarming thought for the United States and India
- **US and Pakistan are mutually dependent but fractured relationship can cause disturbance:**
 - There's a need for continued access to Pakistan-based NATO supply routes that serve U.S. forces in Afghanistan.
 - America also continues to greatly value Pakistani intelligence support to help target al-Qaeda and ISIS in the region.
 - For Islamabad, military assistance and the prestige of maintaining a partnership with a great power are major perks that are tough to relinquish.

Positives for India:-

- Pakistan derives material support but also prestige from being partner with America. As Pakistan is deprived of such benefits then that's a clear triumph for India.
- Pakistan wanted America to give equal treatment to both Pakistan and India. With U.S.-Pakistan relations suffering and U.S.-India relations soaring, this goal has never appeared more elusive. This is a blow to Pakistan and a corresponding boon for India.
- S may be more inclined to help India boost its capacities to combat anti-India terror groups in Pakistan may be by providing India with drones and other technologies that better enable it to covertly target its non-state nemeses across the border.
- It gives credibility to Indian stand that Pakistan has been involving instate sponsored terrorism at the international level

Way ahead:

- India needs to engage and develop relationships with countries from important organizations like SCO, BRICS and try to enable solutions for the issue of cross border terrorism.

Q4) National Medical Commission Bill must address the needs of the consumer rather than the interests of medical practitioners and quacks. Comment. (250 Words)

The Indian Express

National medical commission bill :-

- The national medical commission bill is the product of the NITI Aayog and was drafted following a scathing standing committee report in 2016 on the corrupt functioning of the Medical Council of India (MCI)
- The bill if passed would repeal the Indian Medical Council Act, 1956

Features of the bill that address the consumer needs are:

- The Bill attempts to tackle two main things on quality and quantity which ultimately affect the consumer : **Corruption in medical education and shortage of medical professionals.**
- The Bill aims to **overhaul the corrupt and inefficient Medical Council of India**, which regulates medical education and practice and replace with National medical commission.
- **Entry test:**
 - It replaces multiple MBBS entrance exams conducted by state universities, thus providing a level playing field to aspirants across the board irrespective of educational or social background.
 - There will be a uniform National Eligibility-cum-Entrance Test (NEET) for admission to under-graduate medical education in all medical institutions governed by the Bill. The NMC will specify the manner of conducting common counselling for admission in all such medical institutions.
- **Exit test:-**
 - In the light of management quota seats in private medical colleges and quality of medical professionals deteriorating there will be a National Licentiate Examination for the students graduating from medical institutions to obtain the license for practice.
 - This Examination will also serve as the basis for admission into post-graduate courses at medical institutions.
- There will also be a **medical assessment and rating board** which will grant permissions for new colleges and penalise institutions which don't follow the prescribed standards.
- It mainly focuses on outcome based monitoring which was neglected before.

Concerns :-

- To fix corruption, the Bill recommends replacing one body with another. It proposes instituting a National Medical Commission (NMC) instead of the MCI.
- **A bridge course allowing alternative-medicine practitioners to prescribe modern drugs is mentioned in the bill.**

- Unscientific mixing of systems and empowering of other practitioners through bridge courses will **only pave the way for substandard doctors and substandard medical practice. This will seriously impact patient care and patient safety**
- Indian Medical Association (IMA) opposed the bill that it will **cripple the functioning of medical professionals** by making them completely answerable to the bureaucracy and non-medical administrators.
- The **bill allows private medical colleges to charge at will**, nullifying whatever solace the NEET brought.
 - The private medical colleges will be allowed to decide the fee for 60 per cent of their seats, while previously it was 15 per cent.
 - This will **increase the cost of medical education**
- The nexus between the unqualified practitioners or RMPs (Rural not-Registered medical practitioner) is apparent but bill neglects this.
- There are apprehensions whether allopathic or AYUSH doctors will be willing to work in villages

Suggestions:-

- Clear guidelines are required indicating the circumstances and diseases where traditional practitioners can prescribe allopathic medicines.
- Community-level accredited practitioners after training should be equipped to provide the first line of care for acute conditions and to make referrals to a regular doctor within a GPS-supervised system.
- A new system of community-based trained health workers (not government employees) who are enrolled on the state medical register is needed. **This can only be done if the medical education law provides for it.**
- The new Bill should promote integrative medicine enabling people to access multiple choices but available under one roof, particularly for chronic conditions.
- To bolster healthcare delivery there can be a three-year diploma for rural medical-care providers, along the lines of the Licentiate Medical Practitioners who practised in India before 1946.
- NMC shouldn't open gates to overseas doctors to regularly practice medicine or perform surgery without qualifying the National Licentiate Examination or induct Ayush colleagues without clearing NEXT.

Conclusion:-

- The Bill needs to confront reality and address it, keeping consumer interest paramount otherwise the new law will make little difference to people's lives.

Q5) The proposal of a National Exit Test (NEXT) as an exit examination for MBBS graduates to ensure a minimum quality standard is desirable in a country with large gaps in healthcare. Do you think in its current form NEXT serves as a panacea to the lack of standardised medical graduate output in the country? Critically examine. (250 Words)

[EPW](#)

Background:-

- NEXT is the first-ever four-in-one test that will be conducted for MBBS graduates, foreign medical graduates, PG aspirants, the UPSC-CMS (combined medical services) aspirants so as to become eligible to practise medicine in India.

NEXT is a necessity:-

- The NEXT is primarily aimed at **ensuring a minimum quality standard** for the 61,000 odd graduating MBBS doctors that the approximately 479 medical colleges in India produce
- It intends to bring **uniformity in the quality of the MBBS graduates** across the country

Advantages in the current form :-

- **With the idea of the NEXT, a window of opportunity has opened to rectify a few ills in medical education.** The concepts of competence-based learning, inter-professional education, etc, can be incorporated to achieve the aim of producing an MBBS graduate with the intended skills and training.
- It will **standardise the medical education in India.**
- Once introduced, the exam **will also reduce the burden of multiple exams for medical aspirants.**

- Outcome of NEXT can be a **tangible parameter to determine the quality of that college.**

Criticism:-

- **Inherent design flaws** can reduce it to just another examination that does not deliver on what it aims to do.
- **Already understaffed healthcare sector** would be further left inadequate of the large number of graduates who might fail to qualify in the NEXT and would not be allowed to practise till they are able to do so.
- **NEXT is similar to FMGE**(foreign medical graduate screening exam) which was introduced through the MCI Screening Test Regulations, 2002
 - Unfortunately, the FMGE does not test any higher order of learning or clinical skills, and is thus not an ideal template on which to design an exit examination.
- **Confusion that it will replace the MBBS final year examination** and the degree awarded by the university would lose its meaning
- An MCQ-only NEXT will not serve this required purpose as it **could lead to mushrooming of coaching centers**

Suggestions:-

- **Medical regulators should take the time to plan, design and implement an exit examination model** which serves the purpose of assessing whether an MBBS graduate has been trained adequately to be able to serve as an independent skilled practitioner.
- The **testing model should integrate well with the internal mechanisms throughout the MBBS course for medical student assessment**, so that there is also attention paid to ongoing comprehensive training throughout the course.
- It **should have both written and clinical components.**
 - NEXT needs to test all three domains of education: cognitive, psychomotor, affective. That will further strengthen the students' need to take existing MBBS examinations seriously.
- **Develop infrastructure:**
 - First establish simulation labs, acquire advanced and adequate mannequins and training staff then it will be meaningful to execute the NEXT
- **Phased implementation:-**
 - In the past, sudden examination model changes have hurt the interests of students immensely, and hence it is prudent to take the designing of the NEXT slowly and with caution. India can learn from the phased implementation of the UKMLA.

Conclusion:-

- A truly meaningful and well-carved NEXT should be a gold standard test for the production of a stand-alone skilled physician, irrespective of wherever they studied undergraduate medicine in India and not serve as just another gateway to medical postgraduate seats/courses.

Q6) The Supreme Court judgments reinforce the fact that merely enacting legislations to empower persons with disabilities will not suffice. Analyse how the Supreme Court of India is shifting the paradigm on disability rights. (250 Words)

The Wire

Background:-

- The Rights to persons with disabilities act was enacted to give effect to the United Nations Convention on the Rights of Persons with Disabilities, a convention enacted to change attitudes and approaches towards persons with disabilities. But hardly anything changed in Indian scenario.

Merely enacting will not help :-

- In many cases, this reservation for higher educational institutions was only confined to paper as even established and reputed institutions failed to implement it.
- For example, the petitioner (*Shamnad Basheer v Union of India case*)has highlighted that not even one seat was reserved for persons with disabilities by some national law universities.
- Discrimination, silent judgment and charitable treatment have become all too common for India's 70 million disabled persons.

- In their everyday lives, the disabled in India are forced to grapple with a lack of autonomy, and a nagging feeling of insecurity and frustration.

How SC is shifting the paradigm on disability rights?

- The original petition in the Disability Rights Group case was only confined to law schools. However, SC extended **the decision to all educational institutions.**
- To ensure that the reservation mandated is not confined merely to paper, the **court mandated all institutions to submit a list of the number of disabled persons admitted each year in each institution to the chief commissioner for persons with disabilities or the state commissioner.**
- The court also explicitly states that it will also be the **duty of the chief commissioner or the state commissioner** to enquire if educational institutions are fulfilling their obligation with regard to reservation.
- By creating checks and balances, the court **has devised a simple reporting mechanism** to prevent institutions from flouting the provisions on reservations in the RPWD Act and
- An audit report in 2016 revealed that not a single public building in India is accessible to disabled people. So **SC directed the UGC to complete an accessibility report and study in a time bound manner.**
- SC notes that to ensure the level playing field, it is not only essential to give necessary education to the persons suffering from the disability, **it is also imperative to see that such education is imparted to them in a fruitful manner.**
- In the SC judgments, **elements of the social model of disability** which recognises them as equal and competent members of society are introduced into the jurisprudence of disability rights discourse in India.
 - SC recognised persons with disabilities as individuals with rights on par with their able bodied counterparts, and has opened up the doors to inclusive education
 - Real equality does not merely mean absence of discrimination. It is equally imperative for the state to provide the disabled access to opportunities through affirmative action and reasonable accommodation.
 - The real reason why the disabled feel handicapped because their ability to realise their full potential is hampered by the inability of society to meaningfully assimilate them into the mainstream.
- It grounded the rights of the disabled in the **Constitutional value of human dignity**, and held that what the disabled seek is not sympathy, but a recognition of the fact that they too should be allowed to enjoy the freedom on a footing of equality with their able-bodied counterparts.
- What really sets this judgment apart is the court's nuanced enunciation of the covert forms of discrimination against the disabled that far too often go unnoticed

Conclusion:-

- Real change occurs only on effective implementation and on tackling the attitudinal barriers of society. The eloquently articulated observations of the Supreme Court are likely to pave the way for the creation of a more egalitarian social order, not just in law, but also in reality.

Q7) India has a shockingly high maternal mortality ratio (MMR) of 167: for every 100,000 births. This is more than twice the target to be achieved under the Sustainable Development Goals (SDG). Why do you think institutional delivery is still a nightmare for majority of pregnant women in India? (250 Words)

[The Wire](#)

Background

- To reduce maternal mortality India put forward policies and programmes in place to facilitate institutional births through Janani Suraksha yojana but still large concerns remain.

Why is institutional delivery a nightmare :-

- The uptake of these facilities has not increased and so the number of maternal deaths has not decreased.
- The lack of adequate staff and quality doctors especially in rural areas.
- Indian public health system is unable to provide quality healthcare to all those who can't afford the private sector.
- Lack of proper budgetary allocation by government with respect to healthcare services.
- Even when the services are available, they are of poor quality, which deters people from utilising them further.
- Substandard and inhumane care is delivered by healthcare professionals.

- Women face verbal abuse and discrimination
- Made to deliver on the floor due to lack of beds
- Not provided pain relief to avoid prolonged births
- Invasive procedures are performed like episiotomy is performed on them without their knowledge or consent.
- **Infrastructural constraints :-**
 - There is overcrowding in the room with the obstetrician, resident doctor, nurses and interns.
- In India, allowing a birth companion is usually not possible in a government set-up, despite many studies from around the world showing the benefits of having the spouse or a trusted family member present for a smooth labour.
- In India, caesarean sections are very often seen as a means of making money in the private sector and as a means of quicker labour in the public sector.
- The intersectionality of physical and verbal abuse and discrimination with caste, class or medical condition also can't be denied.
 - A large section of women that face obstetric violence belong to lower socio-economic backgrounds.
- Lack of awareness due to illiteracy and social stigma is still prevalent in some areas.

Suggestions:-

- Healthcare providers need to be held responsible for their actions and must treat women in labour as autonomous individuals.
- Budgetary allocation needs to increase
- The rural areas healthcare infrastructure needs to increase especially implementing ASHA more effectively.

Q8) The National Medical Commission Bill has to be fine-tuned, especially in planning for rural health care. Comment. (250 Words)

[The Hindu](#)

Background:-

- The national medical commission bill is the product of the NITI Aayog and was drafted following a scathing standing committee report in 2016 on the corrupt functioning of the Medical Council of India (MCI)
- The bill if passed would repeal the Indian Medical Council Act, 1956

How it addresses in planning for rural health care:-

- The Bill attempts to tackle two main things on quality and quantity which ultimately affect the consumer : **Corruption in medical education and shortage of medical professionals so that health care in India is efficient.**

Concerns:-

- The NMC Bill misses an opportunity to plan for India's rural health- care needs in the coming decades.
- It eases regulations to set up private medical colleges, a move that will hopefully produce more doctors, this measure isn't enough as there is severe shortage of doctors and most of them are concentrated in urban regions while close to 70% of Indians live in rural provinces.
- Due to this rural people rely on informal health care providers
- **Training non-doctors:-**
 - The focus is still largely on MBBS doctors as the best means of health-care delivery in isolated parts of rural India ignoring the evidence from countries like Mozambique and Thailand which show that training non doctors can be a safe, effective and cheap way to provide life-saving health care when no doctors are available.
- **A bridge course allowing alternative-medicine practitioners to prescribe modern drugs is mentioned in the bill.**
 - Unscientific mixing of systems and empowering of other practitioners through bridge courses will **only pave the way for substandard doctors and substandard medical practice. This will seriously impact patient care and patient safety**
- It will **cripple the functioning of medical professionals** by making them completely answerable to the bureaucracy and non-medical administrators.

- The nexus between the unqualified practitioners or RMPs (Rural not-Registered medical practitioner) is apparent but bill neglects this.
- Cost of medical education would increase and also the bill makes it easy to setting up of private medical colleges leading to rise of unskilled doctors.

Suggestions:-

- The bill does not address how India would produce enough competent doctors to meet its evolving health-care challenges and how can it minimise opportunities for rent-seeking in medical education and practice.
- There is a need for more elected members in the commission, but with limited terms of office, so that corrupt members aren't re-elected.
- **International example:-**
 - There is a need to keep the NMC free from political influence is for an independent body like the Union Public Service Commission to select its members.
 - Such a model is followed in the U.K where the Professional Standards Authority oversees the selection of members to the General Medical Council.
- Clear guidelines are required indicating the circumstances and diseases where traditional practitioners can prescribe allopathic medicines.
- A new system of community-based trained health workers (not government employees) who are enrolled on the state medical register is needed. **This can only be done if the medical education law provides for it.**
- To bolster healthcare delivery there can be a three-year diploma for rural medical-care providers, along the lines of the Licentiate Medical Practitioners who practised in India before 1946.

Conclusion:-

- The Bill needs to confront reality and address it, keeping consumer interest paramount otherwise the new law will make little difference to people's lives especially in rural India.

Q9) It is said that there are clauses in the RTE Act which have enormous catalytic potential but that have gone largely untouched and unnoticed. Discuss the features of these provisions which can radically transform school education in India. (250 Words)

The Hindu

Background :-

- Right to education act has played an important role in enabling the goal of universal primary education but at the same time its provisions are inadequately implemented.

Important RTE provisions which were neglected :-

- RTE Act establishes that the onus to ensure free and compulsory education lies on the state. However, the compulsory and state liability part needs to be imbibed by the educational bureaucracy, which is now lacking.
- **Tracking dropouts and mainstreaming them into age-appropriate classes has been subsumed into existing scheme activities.**
 - Even seven years after its enactment, there are still children on the streets.
- The RTE Act prescribes basic minimum standards for a school such as provision for toilets, drinking water and classrooms.
 - Despite this provision there are still lack of toilet facilities and necessary infrastructure in the school system.
- **Pupil-teacher ratio (PTR):-**
 - It is impractical to expect quality education without this.
 - 33% of the schools in the country did not have the requisite number of teachers, as prescribed in the RTE norms
- All other forward-looking provisions of the Act such as continuous assessment, a child learning at her own pace, and 'no detention' policy are contingent on a school with an adequate number of teachers.
 - No meaningful teaching-learning is possible unless trained teachers are physically present at school.
- In States with an adequate overall number of teachers, their positioning or posting requires rationalisation according to the number of students.

- However, teacher transfers remain a grey area in most States.
- The academic calendar will be decided by the local authority. This provision recognises the vast cultural and regional diversities within the country. So if panchayats, perhaps at the district level, decide the working days and holidays, **this would not only exponentially increase attendance and teaching-learning but also strengthen local panchayats** to take ownership of their schools
 - However the educational bureaucracy has not allowed the decentralisation of academic schedules even in districts.
- The **excellent push towards school management committees that were to support governance at the school level** had implementation issues since they had no powers, no funds and no support to train their members in governance.
- It was an **excellent idea to include local parents to watch over the schools their children attended** but parents especially if less educated than teachers are often patronised or find it difficult to be heard. **SO the school management structures were doomed .**
- **Act claims to stand for all children but does not actually apply to all.**
 - The intent of the Act may have been to acknowledge this principle by excluding madrasas, Vedic pathshalas and educational institutions providing primarily religious instruction in adherence to the articles 29 and 30 of the constitution.
- There is **much about inclusion for the disabled, but nothing for those whose schedules and abilities do not match with a traditional school timing regime** like schools for children of construction workers that were run on-site were made illegal by this legislation

Suggestions:-

- Strategies to ensure retention need to change from the earlier approach of enrolling the un-enrolled.
- Teacher provisioning should be the first option to fund as no educationally developed country has built up a sound schooling foundation without a professionally-motivated teaching cadre in place.
- Allow schools to admit students if there are no applicants in the 25% EWS category. As it stands, schools are forced to keep the place vacant and lose both fee revenues and compensation if they cannot find a poor student in their area.
- The government has a responsibility to govern the administration of all schools to ensure quality education is being delivered to all. This does not need to impinge upon the content of teaching, while it does call to account the process of teaching and learning and its outcomes even regarding minority schools .

Conclusion:-

- It is time to reform it in line with the key goal of a quality education for each and every child.

Q10) Comment on the latest finding of the 2017 Annual Status of Education Report (ASER). (250 Words)

[The Hindu](#)

[The Indian Express](#)

[The Wire](#)

[The Hindu](#)

Background:-

- The ASER survey looks 'Beyond Basics', exploring a wider set of domains beyond foundational reading and arithmetic in an attempt to throw light on the status and abilities of youth in this age group.

Analysis of findings:-

- **RTE helped:-**
 - The 14-year-olds in the 2017 ASER (Annual Status of Education Report — Rural) survey are among the first to have benefitted from the RTE Act's provisions of no-detention and free and compulsory education. **As the ASER report shows, a direct consequence of the RTE has been that most tend to continue to stay within the formal education set-up, even after the Act folds up at age 14.**
- **Highlights the issue of failure of quality education in schools.**
 - **Learning deficits carry forward as 14 to 18-year-olds go from being adolescents to young adults**

- Though their ability to read in regional languages and English seems to improve with age, the same does not apply to math. **The proportion of youth who have not acquired basic math skills by age 14 is the same as that of 18-year-olds.**
- **Inability to apply basic literacy and numeracy skills to everyday tasks :-**
 - These findings are worrying because these are everyday skills that formal education has failed to equip them with.
- Given the fragile foundation of basic education, the large majority of workforce cannot be trained for high skill, high-productivity jobs.
- **Social mobility:-**
 - Many of these students are the first in their families to complete eight years of schooling.
- **Gender discrimination:-**
 - The report also highlights the gender aspect of enrolment, with the number of girls falling sharply with age. While the enrolment ratios for boys and girls are almost the same at 14, at 18 years 32% of girls are not enrolled,
 - Girls and young women have far lower access to computers and the Internet
- **Different focus:-**
 - ASER 2017 focuses on an older age group: youth who are 14 to 18 years old.
 - Whereas previous ASER reports have reached almost all rural districts in the country to generate estimates that are considered representative at the district, State, and national levels, **ASER 2017 was conducted in 28 districts spread across 24 States and generated only district-level estimates.**
- **Students working :-**
 - The study found that 86% of youth in this age bracket are still within the formal education system. **Yet, a substantial proportion of them are also working (42%), mostly in agriculture or household chores.**
- Demographic dividend will be affected as the children are not skilled according to the demands of the industry. Only a small proportion of the workforce has the educational foundation required for skilled high-productivity jobs.

What needs to be done?

- **Focus needs change:-**
 - Education policy in India is focused on inputs rather than learning outcomes
 - Education policy has a strong elitist bias in favour of higher education as opposed to primary or secondary education.
- **Public expenditure increase:-**
 - Among Asian countries, the ratio of per student public expenditure in tertiary relative to primary education is less than four in Malaysia, two in Indonesia and one in Thailand and Korea. In India, it is over nine.
- **Teachers quality:-**
 - Teachers have very less limited accountability i.e., to the education department bureaucracy.
 - Teachers are rarely reprimanded for non-performance. So this needs change

Conclusion:-

- The intrinsic value of a sound education system in enabling the citizenry to enjoy fulfilling lives and participate in robust democratic processes is important. For both its intrinsic value as well as its instrumental value, reforming our dysfunctional education system is of paramount importance.

Q11) Why has it become imperative for policymakers in India to devise measures to effectively curb the use of tobacco and its products? In the light of failure of many policies to curb its use, what policy recommendation would you make to severely curb tobacco consumption in India? Discuss. (250 Words)

[The Hindu](#)

Why is it imperative to ban tobacco and its products in India ?

- **Economic:-**
 - **India is the second largest consumer and producer of tobacco-based products** and are categorised as sin goods or demerit goods .

- India's **distinct pattern of tobacco consumption is in multiple forms** such as cigarettes, bidis, chewing tobacco and khaini (smokeless tobacco) in contrast to the global trend of cigarettes being the primary source of consumption.
- **Treatment of cardiovascular diseases and cancer imposes maximum financial burden on the individual and family.**
- **Health:-**
 - **Non-communicable diseases (NCDs)** like ischemic heart diseases, cancers, diabetes, chronic respiratory diseases are the leading causes of death globally and associated with tobacco use.
 - Smoking acts synergistically with other risk factors like high cholesterol and blood pressure to increase the risk of Coronary Heart Diseases (CHD).
 - Respiratory Diseases
 - Effect on pregnancy and its outcome
 - Maternal tobacco use during pregnancy and exposure of child to second hand smoke in childhood is known to be a risk factor too.
- **Chemical:-**
 - **Tobacco products contains around 5000 toxic substances.**
- **Psychological:**
 - Low emotional stability and risk taking behaviour are more common in tobacco users.
- **Environmental:**
 - For cultivation of tobacco **crop forests are destroyed.**
 - Burning of tobacco **produces number of toxicants** in environment.
 - **Manufacturing, packaging and transportation also cause environmental pollution.**

Failure of many policies:-

- Governments have resorted to a mix of policies which range from
 - Monitoring the pricing and taxation regime of these products
 - Focus gradually shifting towards awareness campaigns highlighting the deadly effects of tobacco use
 - Regulatory control laws pertaining to packaging and labelling as well as shaming and prohibiting its use in public places.
- The nationwide implementation of the goods and services tax (GST) has not improved the situation either. All tobacco-related products have been placed in the 28% tax slab. This led only a marginal increase in price leading to null effect.
- **But still lot needs to be done.**

Recommendations needed:-

- The revisions in the taxation policy concerning tobacco products should ideally have a
 - Mix of a **removal of all excise and other tax exemptions irrespective of the size of the unit**
 - Restrictions on sales of loose sticks
 - Raising taxes/duties on bidis and smokeless tobacco by a significantly higher level to narrow the price gap between the bidis and smokeless tobacco vis-à-vis cigarettes
- **Integrate cessation activities into formal health services:-**
 - Health workers, who are often the first point of contact for patients, can also play an important role in tobacco cessation counselling.
 - Training health professionals in tobacco cessation.
- **Provide brief counselling and referral:-**
 - Routine assessment of tobacco usage and brief counselling is known to have a positive effect on users.
- **Technology:-**
 - Telephone help lines have played a major role in tobacco cessation in the West. This can be tried out as a more cost effective intervention method. Innovative measures such as mobile apps and peer support platforms using social media could also be tried out as additional strategies.
- Awareness need to be generated from the school level itself with some lessons on prevention of tobacco use in the school curriculum. Also strong surveillance mechanism in schools and colleges is necessary .
- Providing incentives to farmers to reduce tobacco production
- COPTA act needs effective implementation.

Q12) Should the right to free and compulsory education be extended to the 14-18 age group? Substantiate. (150 Words)

[The Hindu](#)

Background:-

- Based on the recent ASER report it is understood that RTE has worked effectively in obtaining the goal of free and compulsory education up to the age of 14 years. However the age 14-18 years is a very primary age group who are the future workforce. So this needs attention.

Yes, right to free and compulsory education need to be extended to this group as well because:-

- It will provide guaranteed inclusion and will empower those in the 14-18 age group who are not enrolled anywhere and help them **acquire finishing education that is so vital to their participation in the workforce.**
- It is absolutely essential for all of them to **get an education that equips them with the skills, especially job-oriented vocational capabilities, if the expectation of a demographic dividend is to be meaningful.**
- **It is observed that girls were sent to school till 14 years but if education is made compulsory even after that then child marriages will be avoided and these girls will be empowered to make independent choices in life.**
- **Child labour which is predominant issue in India would reduce drastically.**
- **This will promote even the families of socially backward communities like SC's, ST's to send kids to school .This increases social mobility in the society.**

No:-

- From the ASER report, even though compulsory education was there in primary sections results are very discouraging in rural areas.
- Learning outcomes for those who had progressed to higher levels of schooling were shockingly low.
- The target has not been on outcomes but the numbers which leads to deteriorating quality of education.
- Free and compulsory education does not mean the schooling system is the best .Indian education system is plagued with problems like infrastructure issues, teacher quality issues, shortage of manpower etc.

Way forward and conclusion:-

- To cater to the needs of the industry in the coming years and take advantage of the demographic dividend India needs to empower its children especially who are in the age group of 14-18 years and the weapon is education

Q13) What is digital divide? What are its implications? Examine how India and its states are faring in bridging digital divide. (250 Words)

[The Hindu](#)

Background:-

- In the light of cyber crimes ,access to ICT gains relevance in the newly adopted Sustainable Development Goals (SDGs) for 2030 of the United Nations

Digital divide :-

- Digital divide is a term that refers to the gap between demographics and regions that have access to modern information and communications technology, and those that don't or have restricted access.
- The term digital divide describes a gap in terms of access to and usage of information and communication technology.

Implications:-

- Increasing penetration of digital technology by bridging the existing digital divides is associated with **greater social progress of a country.**
- **Social capital**
 - Once an individual is connected, Internet connectivity and ICTs can enhance his or her future social and cultural capital.
- **Economic disparity is created between those who can afford the technology and those who don't.**
- **A direct correlation between a company's access to technological advancements and its overall success in bolstering the economy.**

- Countries with **less digital gap are benefitted more** than the ones with more digital gap.
- **Education**
 - The digital divide also impacts children's ability to learn and grow in low-income school districts.
 - Without Internet access, students are unable to cultivate necessary tech skills in order to understand today's dynamic economy
- **Lack of information:-**
 - Almost all India's socio-economic problems had links to the "digital divide", which had come to stay during the era of digital revolution and then again during the era of internet revolution in India.
 - Rural India suffered from information poverty. Information is controlled by a few at the top of the pyramid who restrict its percolation down to those at the bottom.
- Political empowerment and mobilisation in the age of social media is difficult when there is digital divide.
- **Transparency and accountability are increased** when digitalised for instance people filing taxes online ,single window mechanisms for delivery of services ensures good governance as well.

India and it's states in digital divide :-

- **Crisis of digital divide in India:-**
 - India, which has been appreciated globally for providing IT services, faces a huge digital divide, having a relatively low percentage of population with access to the Internet. In 2014, it had only about 18 people per 100 using the Internet (World Bank Data).
 - The digital divide in India is real – illiteracy rate is 25-30 per cent and digital illiteracy is even higher. About 70 per cent of over one billion Indians lives in rural areas, and only about 400 million have Internet access.
- Southern states lead and the eastern States are backward in rural digital access.
- Similarly urban areas are more digitalised than the rural areas.
- **While nationally, 63.7% of the rural youth surveyed had never used the Internet, the figures were much higher in districts in West Bengal, Bihar, Odisha, Jharkhand and Assam.**
- Noting that digital literacy is an important force for good governance and transparency ,India has tried to bridge the digital divide gap by enacting some programmes like
 - Digital India
 - Trying to make India a cashless economy
 - Pradhan mantri Grameen Digital Saksharata Abhiyan (PMGDISHA) aimed at spreading digital literacy among the rural population.
- The Indian telecommunication industry has created a billion mobile connections, positively impacting the lives of the people and the economy. **Significant investments have gone into creating telecom infrastructure – 2G voice and data covers nearly 97 per cent of Indians, while 3G/4G services are available to 68 per cent of the population.**
- About 87 per cent of the Internet-connected population accesses it on the mobile phone. Hence, mobile technology will continue to remain at the forefront of driving digital inclusion.

Way forward:-

- To bridge the digital divide, **there is a need to accelerate execution.**
- **Meaningful collaborations with the private sector**, technological innovations and following a consistent focused approach towards the larger objective are necessary.
- **Utilisation of multiple modes of transactions** such as Unstructured Supplementary Service Data (USSD), Unified Payment Interface (UPI), Immediate Payment Service (IMPS), and Point-of-Sale (POS) machines, need to be strengthened
- India also needs **easing of regulations** to allow inter-operability of wallets to ensure easy transfer of funds for merchants as well as for consumers.

Q14) Do you think the National Medical Commission Bill, 2017 will be able to provide a dynamic new thrust to medical care in India? Critically comment. (250 Words)

[The Hindu](#)

Background:-

- The national medical commission bill is the product of the NITI Aayog and was drafted following a scathing standing committee report in 2016 on the corrupt functioning of the Medical Council of India (MCI)

- The bill if passed would repeal the Indian Medical Council Act, 1956

It provides a new thrust to medical care:-

- The Bill seeks to regulate medical education and practice in India.
- The Bill **attempts to tackle two main things on quality and quantity:** Corruption in medical education and shortage of medical professionals.
- The Bill **aims to overhaul the corrupt and inefficient Medical Council of India**, which regulates medical education and practice and replace with National medical commission.
- The National Medical Commission would be an umbrella body for supervision of medical education and oversight of medical practice.
- **Entry test:**
 - It replaces multiple MBBS entrance exams conducted by state universities, thus providing a level playing field to aspirants across the board irrespective of educational or social background.
 - There will be a uniform National Eligibility-cum-Entrance Test (NEET) for admission to under-graduate medical education in all medical institutions governed by the Bill.
- **Exit test:-**
 - In the light of management quota seats in private medical colleges and quality of medical professionals deteriorating there will be a National Licentiate Examination for the students graduating from medical institutions to obtain the license for practice.
 - **This Examination will also serve as the basis for admission into post-graduate courses at medical institutions.**
- There will also be a **medical assessment and rating board** which will grant permissions for new colleges and penalise institutions which don't follow the prescribed standards.
- It **replaces multiple MBBS entrance exams conducted by state universities, thus providing a level playing field** to aspirants across the board irrespective of educational or social background.
- It mainly **focuses on outcome based monitoring which was neglected before.**

Concerns :-

- One of its goals is to rein in corruption in the MCI through greater distribution of powers. This is to be accomplished through an independent Medical Advisory Council to oversee the National Medical Commission which is the proposed successor of the MCI. **But all members of the NMC are members of the Council, undermining the latter's independence.**
- **A bridge course allowing alternative-medicine practitioners to prescribe modern drugs is mentioned in the bill.**
 - Unscientific mixing of systems and empowering of other practitioners through bridge courses will only pave the way for substandard doctors and substandard medical practice. This will seriously impact patient care and patient safety
- Indian Medical Association (IMA) opposed the bill that it will **cripple the functioning of medical professionals** by making them completely answerable to the bureaucracy and non-medical administrators.
 - **NMC will become subservient to the health ministry**, given that the representation of the medical profession in the new regulatory framework is minimal.
- The **bill allows private medical colleges to charge at will**, nullifying whatever solace the NEET brought.
 - The private medical colleges will be allowed to decide the fee for 60 per cent of their seats, while previously it was 15 per cent.
 - This will increase the cost of medical education
- The proposed NMC Bill discreetly intends to equate the post-graduate degrees given by MCI or proposed NMC and the National Board of Examination (NBE), which is unjustified too
- The fundamental flaw in the proposed Medical Commission is the **lack of clarity on its function.**
- The **Commission as a regulatory body can be expected to monitor and regulate the training of health-care personnel and maintain professional standards** and not to formulate policy .
- It is unhealthy to have an almost entirely nominated commission as the present Bill recommends.
- **The proposed NMC has no mechanism to prevent the situation when medical colleges recognition is withdrawn and students future is hanging in balance.**
- It would replace an elected body (Medical Council of India, MCI) with one where **representatives are nominated.**
- The nexus between the unqualified practitioners or RMPs (Rural not-Registered medical practitioner) **is apparent but bill neglects this.**

- There are apprehensions whether allopathic or AYUSH doctors will be willing to work in villages
- The NMC Bill **misses an opportunity to plan for India's rural health- care needs in the coming decades.**
- It eases regulations to set up private medical colleges, a move that will hopefully produce more doctors, this measure isn't enough as there is severe shortage of doctors and most of them are concentrated in urban regions while close to 70% of Indians live in rural provinces.
- Due to **this rural people rely on informal health care providers**
- **Training non-doctors:-**
 - The focus is still largely on MBBS doctors as the best means of health-care delivery in isolated parts of rural India ignoring the evidence from countries like Mozambique and Thailand which show that training non doctors can be a safe, effective and cheap way to provide life-saving health care when no doctors are available.
- It will **cripple the functioning of medical professionals** by making them completely answerable to the bureaucracy and non-medical administrators.

Suggestions:-

- To bolster healthcare delivery there can be a three-year diploma for rural medical-care providers, along the lines of the Licentiate Medical Practitioners who practised in India before 1946.
- NMC shouldn't open gates to overseas doctors to regularly practice medicine or perform surgery without qualifying the National Licentiate Examination or induct Ayush colleagues without clearing NEXT.
- Also, the accreditation and rating function of the Medical Assessment and Rating Board (MARB) should be out of the ambit of NMC. This was also the recommendation of the Parliamentary Committee report in March 2016.
- Clear guidelines are required indicating the circumstances and diseases where traditional practitioners can prescribe allopathic medicines.
- Community-level accredited practitioners after training should be equipped to provide the first line of care for acute conditions and to make referrals to a regular doctor within a GPS-supervised system.
- A new system of community-based trained health workers (not government employees) who are enrolled on the state medical register is needed. **This can only be done if the medical education law provides for it.**
- The new Bill should promote integrative medicine enabling people to access multiple choices but available under one roof, particularly for chronic conditions.
- The bill does not address how India would produce enough competent doctors to meet its evolving health-care challenges and how can it minimise opportunities for rent-seeking in medical education and practice.
- There is a need for more elected members in the commission, but with limited terms of office, so that corrupt members aren't re-elected.
- **International example:-**
 - There is a need to keep the NMC free from political influence is for an independent body like the Union Public Service Commission to select its members.
 - Such a model is followed in the U.K where the Professional Standards Authority oversees the selection of members to the General Medical Council.

Conclusion:-

- The Bill needs to confront reality and address it, keeping consumer interest paramount otherwise the new law will make little difference to people's lives.

Q15) Our idea of human resource development is minus child development, minus child health and minus child nutrition. Critically examine how the findings of National Family Health Survey 2015-16 and the Annual Status of Education Report (ASER)-2017 vindicate the statement. (250 Words)

The Indian Express

Background:-

- It is well-documented that the first five years will determine a child's physical and mental development during the rest of the child's life however in India Among children under five years of age, one out of two is anaemic; one out of three is underweight and stunted; and one out of five is wasted.

How NFHS and ASER reports prove the apathy towards children in India:

- While there is an overall decline in child mortality, **all regions in India still lag behind not just high income countries but also behind the many low and middle income countries.**
 - For example, Sri Lanka's child mortality rate is 10 in 2015. The countries which faced natural calamities, internal wars, and political upheaval have done better than India.
- **Sex ratio**
 - The states like MP, Karnataka and West Bengal, which performed better earlier, have declining sex ratios. This is a worrying factor as killing of unborn girl child might have spread to newer areas.
- **Child nutrition, stunting and underweight**
 - The data also highlights the double burden of malnutrition in India. While there is a widespread undernourishment, there is also a sharp rise in the number of obese people.
 - Decades of slow economic growth and inefficient primary healthcare in India had worse malnutrition statistics than even some of the sub-Saharan countries.
- Poorer states **continued to have low levels of health and nutrition.**
- While there is an improvement in immunization coverage in many states, **few states have shown slight decline.** There is an urgency to include new vaccines in the national programme.
- **The collection of nutrition data suffers from a lack of standardization,** as a result of which no two sets of data are comparable and leads to several data gaps, and experts cannot say for sure whether a particular policy was responsible for the improvements or not.
- **As the number of students going to school increased, the proportion of students with foundational skills has declined.**
- Agriculture could use a more educated and trained workforce considering that productivity lags far behind world's leading nations. But there are no foundational agricultural courses on offer as alternatives to the usual bachelor's degree courses.

However statistics show situation improved:-

- The key take away from this NFHS survey is that a **large part of India has shown substantial improvement in health of its citizens over the past decade.**
- There has been a **gradual decline in both infant mortality rate** and child mortality rate across the country. The comparison also shows that some states improved much better than other states. For example, Tamil Nadu and West Bengal have two-thirds reduction, where as other states have halved.
- **Regarding sex ratio,** the earlier worse performing states like Haryana, Tamil Nadu, and Bihar have showed significant improvement
- The NFHS data also shows a **decline in stunting among children** under five from 43% to 32%. Similarly there is a **decline in prevalence of underweight children** under five from 39% to 29%
- Due to the launch of the programmes like National Rural Health Mission after NFHS-3, the improvements in **public health systems have shown some results.**
- **There is a significant increase in the number of institutional deliveries in many states** with more than 90% institutional births in eight of the 15 states.
 - The delivery in an institution improves the post-natal care also and thus helps in reduction of infant and maternal mortality rates.
 - More and more women now give birth in healthcare facilities, and rates have more than doubled in some states in the last decade.
- **Due to Right to Education Act,** the proportion of out-of school children has fallen to 3.1 per cent. Earlier, children were dropping out at Class V; now enrolment beyond Class V has improved dramatically

Way ahead:-

- It becomes imperative for a new policy course to provide access to nutrition and health as a right for all. **To assert this right, there is a need to strengthen the schemes like Integrated Child Development Services scheme in all States, particularly those with a higher proportion of underweight and stunted children.**
- Problem areas should be holistically addressed as even within the ICDS, there is a clear deficit in caring for the needs of children under three.
- Other important areas requiring intervention are access to antenatal care, reduction of high levels of anaemia among women, and immunization.

- Also, there is a need to assess the health of citizens more frequently than the current NFHS cycle of seven to 10 years allows. Data gathered at short intervals such as every two or three years would help make timely policy corrections.
- The Indian health system needs to address its structural and operational deficiencies. **Millets and fortified food should be incorporated in midday meals to tackle the problem of hidden hunger (micronutrient deficiency).**
- Fortification helps in enhancing the nutrients present in salt, rice, wheat, milk and so forth, and the fact that millets have higher nutrient levels than cereals should not be ignored.

Q16) Examine the features and significance of the NCTE (Amendment) Bill, 2017. (150 Words)

[The Hindu](#)

Background:-

- The Bill amends the National Council for Teacher Education Act, 1993.
- The Act establishes the National Council for Teacher Education (NCTE).
- The NCTE plans and co-ordinates the development of the teacher education system throughout the country. It also ensures the maintenance of norms and standards in the teacher education system.

Features of the bill:-

- **Retrospective recognition of certain teacher education institutions:**
 - The Bill seeks to grant retrospective recognition to institutions
 - (i) notified by the central government
 - (ii) funded by the central government or state/union territory government
 - (iii) which do not have recognition under the Act
 - (iv) which must have offered teacher education courses on or after the establishment of the NCTE until the academic year 2017-2018.
- **Retrospective permission to start new courses:**
 - The Bill also seeks to grant retrospective permission to start a new course or training in teacher education to institutions:
 - (i) notified by the central government
 - (ii) funded by the central government or state/union territory government
 - (iii) which have satisfied certain conditions required for the conduct of a new course or training in teacher education
 - (iv) which must have offered teacher education courses on or after the establishment of the NCTE until the academic year 2017-2018.

Significance:

- To make those studying in institutions imparting teacher training courses and not gotten enough recognition from NCTE, or those who have graduated from such institutions, **eligible for teachers' jobs and relieve them of unemployment burden**
- This would **improve the teacher pupil ratio** which is lagging in India
- **Quality of teachers will increase** which will lead to quality of education as well.
- **These teachers equipped with innovative methods of teaching would be able to tackle the loopholes of the education sector in India.**

Q17) With the secular decline of the rural economy, the belief has gained ground that education will be the road out of a scrimped and precarious livelihood on the farm. Considering the quality of education that rural children get either from public or private schools, do you think education will enable them to find alternative livelihoods? Critically comment. (250 Words)

[Livemint](#)

Background:-

- There are many first generation literates especially in the rural economy of India who are encouraged to get educated to avoid the hardships of farming .
- According to ASER data , only a little over 25% of all rural 18-year-olds were attending schools in 2001 .By 2016, the share of 18-year-olds in schools and colleges had gone up to 70%. So There is a rapidly rising trend of education in rural India.

Yes, education will enable them to get jobs /livelihoods:-

- Earlier girls role was confined to households but based on the latest ASER report it is visible that girls have closed the gap with boys in rural areas: at age 14, 94% of girls and 95% of boys are enrolled in school; by age 18, 68% of girls and 72% of boys are still in school, **a wholesale improvement on the proportions of a generation earlier.**
- Education for these people is very significant in reducing the ascriptive tendencies which dominate the rural areas be it caste discrimination, communal clashes, to achieve social mobility
- Education will provide them opportunities for rural development as well and improve the standard of living.
- There have been instances of many scientists and leaders from Indian rural areas like Kalam who became one of the most respected scientists in India.
- Education for rural people with a focus on children is crucial to achieving both an inclusive and equitable education for all and the sustainable development goals of eradicating extreme poverty, hunger, and promoting gender equity

No:-

- According to the latest ASER report, the quality of education in rural schools is dismal. Among 14-18-year-olds only 43% could solve a class IV mathematics problem. **So problem of low learning outcomes was not resolved by remaining in school.**
- This younger generation will be graduating from high schools and colleges but India is already facing unemployment crisis and jobless growth making only the ones with best quality to be employed .So these children might lose the race.
- Rural private schools perform no better than rural public schools in terms of learning outcomes.
- **These inequities in education directly threaten rural development, and consequently, inclusive equitable development of the country.**
- Digital literacy is also very less in rural areas to take advantage of online classrooms.

Way ahead:-

- Teacher quality need to be improved and passage of NCTC bill will bring that.
 - There are few rewards for being a good teacher and few punishments for being a careless one. That is because of faulty designs which need to be repaired or replaced with more effective and **accountable governance systems.**
- **Mobile science laboratories and model learning centres:** will go a long way in shaping careers and the future of rural children whose chances of accessing a standard laboratory or even perform an experiment are often time a far dream.
- **Options like distance learning, non-formal educational programmes, school feeding programmes, strengthening early childhood care and education, establishing feeder schools and clusters,** promoting multi-grade classrooms, reforming teacher recruitment and deployment policies and promoting vocational education for rural development and sustainable livelihoods are necessary.
- Enactment of policies purposefully targeting improvement of education and training of rural populations, **strengthening existing policies, rigorous monitoring and coordination of the effectiveness of policy implementation, and continuous improvement of capacities, human, institutional and infrastructural, as well as more investment in the education sector,** are all necessary.
- **Integration of education and training strategies within all aspects of sustainable rural development projects, through multi-sector and interdisciplinary plans of action:** This means creating new partnerships between people working in agriculture and rural development with those working in education. **This initiative should involve an inter-agency approach to facilitate targets and coordinated actions for education in rural areas.**
- Raising the quality of education in rural schools is essential, and a nationwide dialogue is necessary for charting the way ahead.

Q18) The issue of alcoholism is complex and India requires the framing of a comprehensive liquor policy that regulates, rehabilitates, and refocuses on the importance of awareness creation. Analyse. (250 Words)

[EPW](#)

Background:-

- The past few years have seen the resurgence of the spectre of prohibition and alcoholism in not only the political sphere but also the judicial one.
- Prohibition was the major electoral issue that dominated the many state assembly elections. This was followed by the historic 2016 Supreme Court judgment banning the sale of all liquor within 500 metres of highways to counter drunken driving.

Why there is a need for a comprehensive liquor policy and why prohibition alone will not work?

- **Historical evidence** strongly points to the fact that prohibition is ineffective in both controlling and/or preventing alcohol consumption, often with deleterious effects.
- So neither the imposition of prohibition nor the ban on the sale of liquor within 500 metres of highways is likely to have a serious impact on problems associated with alcoholism and drunken driving.
- Instances from world over on Prohibition show **that the yearly expenditure on alcohol actually increased during prohibition** compared to that in the previous period as illicit brewing and marketing continued unabated.
- **Potency of the prohibited substance tends to rise with the strength of enforcement of the law.** Not only does the potency increase, but it also varies due to adulteration with hazardous substances.
- **Bihar example:-**
 - **The objective of tackling domestic violence by enforcing prohibition is not backed by evidence in Bihar as well.**
 - Access to liquor through smuggling and bootlegging or even a walk across the border, as long as the neighbouring states do not follow a similar policy would continue unabated, **as is currently being witnessed in Bihar**
- **Revenue from excise has allowed governments to extend its welfare schemes to vulnerable sections, and hence an overnight imposition of prohibition will not only imply a loss of this significant proportion of revenue but also additional expenditure in terms of investment in the personnel required towards enforcement**
- **There is also higher incidence of law and order situations arising from deaths** due to consumption of illicit liquor, particularly that laced with methanol.
- Under prohibition, **state governments will also have to be prepared to deal rapidly with the management of man-made disasters** such as liquor tragedies
- The **gender dimension of the liquor problem** is another aspect that needs to be considered while framing a comprehensive liquor policy.

Way forward:-

- **The issue of public health is another dimension** that needs to be explicitly addressed while framing a comprehensive liquor policy. This requires a two-pronged approach, one aimed at addressing alcohol-related illnesses and addictions and another aimed at putting preventive measures in place.
- The **aura of shame** attached to drinking and the moral condemnation of drinkers, especially by medical and social service personnel, **needs to be addressed** as it can be a major deterrent to seeking help.
- **The medical fraternity needs to be educated** in rapidly responding to and treating victims of liquor tragedies
- **Governments contemplating prohibition**
 - Must **invest in mobile forensic laboratories** that are trained to rapidly analyse the contents of the illicit brews in coordination with medical teams that are trained to handle the impact of the various types of chemicals found in spurious liquor.
 - Must also ensure that methanol is not made available easily.
 - **Consider linking de-addiction centres with primary health centres in rural areas.**
 - Undertake a series of measures to ensure that the availability of alcohol is strictly regulated
 - First invest in **creating better awareness among citizens** about the negative impact of alcohol consumption. This investment in education and awareness should start at the school level.

- Need to go beyond their comfort zones and document good practices tried and tested by non-governmental organisations (NGOs) and other institutions for managing alcohol problems not only within the country but also outside the country
- A comprehensive liquor policy should first come out with a stronger rule to monitor the use of methanol and frame policies that award a severe penalty for its diversion towards uses other than those for which it was acquired.
- **International case studies:-**
 - In Australia, a social media campaign is successfully being used to change the perception of binge drinking.
 - France has strict laws against advertising for alcoholic beverages. Use of minimum pricing has also been successfully tried in Canada, where an increase in the minimum price has shown a clear decline in consumption of both beer and wine in some provinces
- A community-based approach will also help identify repeat offenders and devise more intense programmes for them.

Conclusion:-

- Research shows that a “multiple-component approach” works best to tackle alcohol-related problems than a single-component or “stand-alone” intervention. Thus, prohibition is not the first step of a comprehensive liquor policy but the last in a series of measures that is spread over a relatively long period of time as such changes take time to show impact.

Q19) Over the years, India has earned the sobriquet of the ‘pharmacy of the world’ for being a leading supplier of affordable drugs to many countries. But experts argue that India could soon lose this tag. Examine why. (250 Words)

Down to Earth

Background:-

- India exports drugs worth \$16.5 billion to the US annually. ASSOCHAM expects this figure to rise to \$20 billion by 2020 at a compounded annual growth rate of 30%. This shows aptly that India is the pharmacy capital of the world but many challenges are arising.

India could lose the tag because of the following reasons :-

- The Indian drug industry is increasingly becoming **dependent on China for the supply of bulk drugs** and intermediaries,
 - In the past decade, India’s import of Active Pharmaceutical Ingredients (APIs) and advanced intermediates which are used for manufacturing formulations – has grown rapidly.
 - India now depends on China fully for these ingredients to make not only advanced drugs but also essential medicines and range of antibiotics.
 - For several categories of drugs, almost all raw materials come from China.
- Road taken by the pharma companies is **hampering the productive and competitive thrust of domestic firms.**
- **India focused too much on cost advantage** while neglecting other aspects of competitiveness.
- While China’s growth is led by state-owned enterprises and very strong R&D-industry interaction, **India has neglected its public sector drug manufacturers which have all closed down.**
 - The fall of the hub and spoke model with neither large pharma nor CSIR labs or universities focused to develop technologies for small and medium scale enterprises, leading manufacturers have moved into formulation manufacturing, patent litigation etc.
 - The focus on core complex chemistry has weakened due to long gestation period and high capital costs.
- **Compulsory licensing and other patent issues.**
- **RCEP negotiations:-**
 - Japan and South Korea are also demanding a ‘**data exclusivity**’ period of “**no less than five years.**” Data exclusivity creates a barrier to entry for generic producers, even when patents no longer apply or exist.
 - Japan and South Korea threaten to undermine access to medicines in a number of ways. For example, Japan’s proposal for ‘patent-term extensions’ may mean that people have to wait another five years after the expiry of the mandatory 20-year patent monopoly before cheaper versions of new lifesaving medicines can be produced. **This delay will necessarily affect the most vulnerable people who are in urgent need of reasonably-priced medicines**

■ US:-

- There is going to be expedited approvals coming in from FDA and **that would actually mean the intensity of competition is also going to be little more rampant.**
- For leading Indian drugmakers, profits have come under pressure not just because of competition but also from wholesale and retail suppliers teaming up to procure generic medicines, bringing down prices.
- Various estimates project a fall of at least 10% in generic drug prices in the US in the next couple of years. This affects Indian companies' ability to price their products higher.

No that might not be the case:-

- Cost effective production economics & competency increases company operations.
- Several companies have launched patented drugs after the introduction of product patents.
- Increased expenditure towards entering rural markets have opened new opportunities.
- There is huge scope as the generics market which accounted for 70% of the Indian Pharmaceutical Industry. However, as the income of family rises, people may shift to bigger brands which market aggressively.
- With the government's plans of urbanizing the rural sides of the country which will lead to increased penetration of chemists and hospitals, there will be more demand of OTC drugs.
- **R&D & Clinical Trials:**
 - Indian Pharma companies spend 8-11% of their turnover on R&D.
 - The privatisation and globalisation policy of the government of India in the mid-1990s provided incentives to R&D in the pharma sphere.
- **Joint Ventures and M&A:**
 - Indian companies try to expand into new markets, deepen their presence in existing ones, get access to manufacturing assets and fill their portfolio and technology gaps.
- **MNCs are collaborating with companies to form new drugs.**
 - For example, Cipla formed an exclusive partnership with Serum Institute of India to sell vaccines in South Africa.
- **Other markets:-**
 - Indian generic companies continue to expand in 2017 in geographies like Europe and Japan.

Measures needed:-

- There is a need to **explore new processes of upgrading of pharmaceutical manufacturing** with all relevant stakeholders – government, industry, regulators and civil society.
- If India wants to ensure health security of Indian people, **revival of R&D and public sector API manufacturers is necessary.**
- The government should facilitate industry to **work with CSIR labs** for process and yield improvement.
- The tax benefits of carry-forward of losses and unabsorbed depreciation for companies undergoing amalgamation are currently restricted to certain sectors (e.g. computer software, electricity, power, telecom etc.). **This benefit should be extended to pharma companies engaged in R&D as well.**
- Indian pharmaceutical sector has the potential to grow exponentially to the size of \$300 billion by 2030. However, for achieving this, emphasis **must be given to quality and R&D.**
- India needs four pillars for strengthening the innovation **environment** in the **biopharmaceutical industry**
 - human resources
 - Finances
 - Infrastructure
 - legal and regulatory framework
 - Each of **these pillars** needs a **concerted focus** and a **long-term commitment** from industry as well as the **government**
- The **environment** to support the **development** of these verticals could **emerge** through various **government-led initiatives** such as **Skill India, Make in India, Atal Innovation Mission, etc.**

Q20) One of the central problems in India's healthcare system has been the low levels of public spending on health. Critically examine why public spending on health remains low despite poor health indicators. Also comment why the issue needs to be addressed immediately. (250 Words)

[The Wire](#)

Why urgent care is needed?

- **Slow improvements in basic indicators of maternal and child mortality**
- **Double burden of communicable as well as non-communicable diseases**
- **High out-of-pocket expenditure**
- **Failing public sector and heavily commercialised private sector** characterise the healthcare crisis in India.
 - Deaths of children in a public hospital in Gorakhpur highlight the systemic failures in public health provision
 - The cases of excessive billing and negligence in big corporate hospitals
- The **protests against the NEET examination** brought forth the complexities involved in ensuring a fair and inclusive system of medical education.
- The resistance to the Karnataka Private Medical Establishments Act (KPME) **demonstrated the difficulty in regulating the private sector and the influence of doctors working in the private sector.**
- **Low levels of public spending on health** and as a result the poor access to affordable and good quality healthcare for the majority of India's population. The public expenditure on health at about 1.2% of the GDP is amongst the lowest in the world.
- **Public health facilities suffer from poor infrastructure and human resource inadequacies.**
 - For instance, according to the Rural Health Statistics 2017, 13% of the sanctioned health worker (female) posts remain vacant.
- **Failure of government schemes:**
 - Pradhan Mantri Matritva Vandana Yojana (PMMVY) was criticised as it covers only the first live birth and it has been slow to take off with hardly very few woman to have benefited from it.
 - Over the last few years, the central budget on other nutrition schemes such as the ICDS and school meals has been reducing with new cost sharing norms putting a greater burden of expenditure on these schemes on state governments

Why health spending is less:-

- Low tax base as India has limited taxpayers.
- Even the allotment made for the schemes does not reach the targeted sections due to leakages and corruption.
- Lack of effective coordination between state and central governments about who spends how much and how the approach should be
- India is a developing country with multiple challenges and health and education are given less importance.
- The challenge of the number of diseases in India is increasing day by day. This reduces the per capita expenditure on health.

Measures are being taken to improve healthcare and conclusion:-

- The National Health Policy 2017 aims to increase health expenditure by Government as a percentage of GDP from the existing 1.15% to 2.5 % by 2025.
- According to ASSOCHAM, India loses nearly 4% of GDP due to different forms of malnutrition. The delivery of health services also creates much needed employment opportunities. **For instance, the Niti Aayog's three-year action agenda states that according to a report by the National Skills Development Corporation, healthcare in India has the potential to generate an additional 7.5 million direct job opportunities by 2022.**

Q21) Today there is much more data and evidence about the contours of the learning crisis in India than ever before. In the light of this data, time is ripe for India to move beyond universal schooling and focus on improving the quality of children's learning outcomes. Analyse. (250 Words)

[The Hindu](#)

Background:-

- The ASER report and NAS report have put forward the latest data towards the trends of education in India.

Findings from ASER report regarding the learning crisis in India which also show that quality need to be focused more :-

- **RTE helped:-**
 - **As the ASER report shows, a direct consequence of the RTE has been that most tend to continue to stay within the formal education set-up, even after the Act folds up at age 14.**
 - From about 55 per cent enrolment in 1987, India is now achieving near-total enrolment.
- **Highlights the issue of failure of quality education in schools.**
 - **Learning deficits carry forward as 14 to 18-year-olds go from being adolescents to young adults**
 - Though their ability to read in regional languages and English seems to improve with age, the same does not apply to math. **The proportion of youth who have not acquired basic math skills by age 14 is the same as that of 18-year-olds.**
 - **Inability to apply basic literacy and numeracy skills to everyday tasks:-**
 - These findings are worrying because these are everyday skills that formal education has failed to equip them with.
 - Given the fragile foundation of basic education, the large majority of workforce cannot be trained for high skill, high-productivity jobs.
 - **Gender discrimination:-**
 - The report also highlights the gender aspect of enrolment, with the number of girls falling sharply with age.
 - **The quality of public schools has sunk to abysmally low levels**, as government schools have become the reserve of children at the very bottom of India's social ladder.
 - **With issues like teacher absenteeism, poor student attendance, bad infrastructure, inadequate teacher preparation programmes and rote learning practices** focus on quality of education is very necessary
 - The **"no detention policy"** – the practice of automatically graduating children through the grades until they reach Grade 8, even if their test scores are poor needs to be revisited
 - According to the **World Development Report 2018** "Learning to Realise Education's Promise", India ranks second from the bottom after Malawi in a list of 12 countries where some Grade 2 students were found to be unable to read a single word from a short text.
 - According to **TSR subramanian committee** report a large number of government schools do not have full-time headmasters/principals. **The lack of effective leadership has contributed to indiscipline among teachers leading to declining academic standards.**

What needs to be done?

- Formal teaching needs to be supplemented by in-school pull-out programmes, after-school reading classes and summer camps by voluntary organisations using innovative pedagogies.
- When the focus is moving from "providing schooling" towards "ensuring learning", **a multi-year period is needed for implementation.**
- In the upcoming Budget, an amount could be set aside specifically for a learning improvement fund. **Financial mechanisms could be worked out to access this Central or State-level special fund so that interested districts could bid for these funds based on a well worked out plan.**
- The **learning process requires both the government and the private sector across states to combine** delivery of quality knowledge inputs (through effective implementation of RTE norms) along with a greater focus on output (the quality of learning).
- **Children need to be grouped by their learning level**, not grade. Teaching-learning activities and materials for each group are based on their level and aimed at enabling children progress to the next level and beyond.
 - Two recently concluded randomised evaluations of "teaching at the right level" in Haryana and Uttar Pradesh provide promising insights into how this model can be scaled up successfully within a government school system.

Conclusion:-

- India is to truly rise as a global economic power, the policymakers and education specialists must focus its efforts on developing its public schools into a world-class education system.

- Adequate resources, higher standards for teachers and the flushing out of corruption must all be part of a reform package that seeks to make Indian education the nation's top priority.

Q22) What are the reasons for high dropout rates of girls in Indian schools? Discuss the solutions to reduce high dropouts among girls. (250 Words)

[Livemint](#)

Background :-

- Despite India almost reaching universal enrolment in primary education ,universal girl education is still a distant dream.

Reasons for high dropout rates of girls in Indian schools:-

- **Higher expectations of domesticity from girls** like helping with household chores and sibling care, early marriage, sharing domestic responsibilities with parents and so on
- **Safety concerns** boys teasing and taunting girls travelling to and from school
- **Infrastructural barriers** such as lack of toilets for girls in schools
- **Low aspirations** related to girls' education also lead to them dropping out.
- **Flagship programmes** such as the one-stop centres scheme focus on community participation and require the victims to reach out to various agencies. Such programmes are **likely to fail if the victims and their families are reluctant to report cases of violence**
- **Additional problems arise when the girl reaches secondary education.**
 - According to the recent ASER 2017 findings **while on average the difference between enrolment levels of boys and girls at age 14 are declining, by 18, when the state doesn't enforce compulsory education through the RTE Act, 32% girls are not enrolled compared to 28% boys.**
 - **Bridging mechanisms for out-of-school children exist at the elementary stage, but are absent for secondary education.** Hence girls find it difficult to re-enter education once they have dropped out.
 - **Distance** is a big contributing factor to girls dropping out especially for secondary education as secondary schools are less in rural areas.
 - **Paying fee:-**
 - At the elementary level, only 5% listed in the official statistics are private unaided schools while 40% schools offering secondary or higher secondary grades are private, unaided institutions which charge hefty fees. This stacks the odds against girls education and leads to dropouts.

Solutions:-

- The recent recommendation by the Central Advisory Board of Education sub-committee to extend Kasturba Gandhi Vidyalayas till class XII and the plans by MHRD to develop action plans for girls' education are welcome.
- The RTE Act need to be amended to extend it to include secondary education.
- It is critical to **have a mechanism to identify girls at risk of dropping out** and implement mechanisms to bring those that have dropped out back into school.
- For dropouts, **the provision for "special training"**, and accelerated learning opportunities for out of school children should be introduced at the secondary level, but the implementation of this provision at the elementary level should also be strengthened.
- Aser suggests that the predominant reason for girls dropping out is family constraints (32.5% at secondary level). **Mechanisms for dialogue with parents and community are critical to change social norms towards girls' education.**
- **To reduce distance issue**, initiatives like distribution of bicycles to girls and the hiring of escorts (Tola Sevaks in Bihar) make schooling safer and enhances retention of girls.
- **School infrastructure needs to improve through availability of usable toilets.**
 - Kerala is the first state to provide free sanitary napkins in schools and other states should follow suit given the robust evidence of adolescent girls' absence during their periods.
- It is particularly important to ensure that all **teachers are trained and sensitized to gender concerns.**
- Stronger efforts are needed to **enhance the agency of girls themselves to strengthen their self-esteem, challenge gender bias and provide leadership.**
- The recent leadership curriculum in Uttar Pradesh is a positive example in building girls confidence, negotiation skills, organizational abilities and enabling girls to take decisions for themselves.

Conclusion:-

- The government's slogan of Beti Bachao, Beti Padhao cannot be achieved without a fundamental right to secondary education backed by measures that make free quality public education institutions available and accessible for all, especially girls.
- While it is important to work with and empower girls, it is also critical to engage with boys to create a better, more gender equal tomorrow.

Topic: Development processes and the development industry- the role of NGOs, SHGs, various groups and associations, donors, charities, institutional and other stakeholders

Q23) Define civil society. Is a democratic state necessary precondition for a vigilant civil society? Critically examine the role of civil society in mobilising social movements and implications of these movements on polity in India. (250 Words)

The Hindu

Civil society:-

- Civil society is the “third sector” of society, along with government and business.
- The term “civil society” generally is used to refer to social relations and organizations outside the state or governmental control. Sometimes it is also taken to mean outside the economic or business sphere as well.
- Usually “civil society” refers to nongovernmental organizations (NGOs) and associations that people belong to for social and political reasons: churches and church groups, community groups, youth groups, service organizations, interest groups, and academic institutions and organizations.
- It comprises civil society organizations and non-governmental organizations.

Democratic state is the necessary precondition:-

- Democratic theory holds that **citizens have the political competence to participate in political processes through public debates, campaigns, and non-violent direct action in civil society.** Therefore a democratic state is a necessary precondition for a vigilant civil society.
- In a democracy, civil society groups have respect for the law, for the rights of individuals, and for the rights of other groups to express their interests and opinions.
- A democratic state cannot be stable unless it is effective and legitimate, with the respect and support of its citizens. **Civil society is a check, a monitor, but also a vital partner in the quest for this kind of positive relationship between the democratic state and its citizens.**
- In a democracy, **non-governmental organisations provide a platform to civil society to dissent in an informed and reasoned manner**
- **A democratic civil society also needs a democratic state.** If the government respects the voice of citizens through the grant of the right to freedom of expression and association, **it should be enabling civil society to articulate aspirations, critically engage with the state, and issue social report cards.**
- **Civil society grows in places where the state does not impose restrictive legislation** but, on the contrary, encourages and enhances civic participation. This happens better in a democracy
- Authoritarian or autocratic governments see civil institutions as a threat and close them down.

Not necessarily a precondition because:-

- The **promises of democracy can only be realised through collective action in civil society.** If the state constrains civil society space, democracy is truncated, and citizens are seen only as voters.
- A strong civil society is simultaneously a precondition and outcome of a functioning and stable democracy. **The United Nations recognises that development and democracy function best when civil society is permitted to flourish unhindered.**
- **It plays an integral role in democracies,** and helps democratic countries to enjoy justice, equity, representation, and freedoms of expression and association, amongst many others – needed for sustenance of democracy.
- **Parliamentary democracy becomes participative democracy only with civil society's active role**

Role of civil society in mobilising social movements :-

- Civil society organisations (CSOs) can provide both immediate relief and longer-term transformative change
 - By defending **collective interests and increasing accountability**

- Providing solidarity mechanisms and promoting participation
- Influencing decision making
- Directly engaging in service delivery
- Challenging prejudice.
- The recent examples of Dalit movements rising (Bhima –Koregaon), Anti corruption movement by Anna Hazare show how civil society can help in mobilising people and help in social movement.
- In this way, excluded groups can be effective drivers of their own change by forming or participating in organisations that represent group interests.
- **CSOs also play an important role in conducting research to raise the profile of excluded groups.**
- These organizations frequently become involved in political activities. They try to influence governmental decision making and participate in a variety of public participation processes. As such, the establishment and maintenance of a healthy civil society is extremely important for the successful development and operation of democratic political systems.
- However there are instances which show the ugly side as well. Civil society can also create a social movement prone to violence and affecting the cultural fabric like the recent atrocities on minorities and dalits by some groups ,Padmavati ban protests etc.

Implications of these social movements on polity:-

- **Social movements can act as the first steps towards developing a sense of self-identity and citizenship**, which does not necessarily emerge initially through engagement with the state.
- **They allow individuals to turn grievances into a sense of collective injustice**, and then action.
- Group membership amongst those who are marginalized and the sense of dignity and solidarity that comes with this can stimulate people to **aspire as a precursor to political engagement**.
- **Brings in an aspect of transparency in the polity of the country.**
- **Many sensitive issues are brought to the forefront like the LGBT rights, Right to information, anti corruption etc.**

Topic: Pressure groups and formal/informal associations and their role in the Polity.

Q1) The strength of the Parliamentary Government is exactly measured by the unity of political parties upon its fundamental objects. Comment in the context of India's democracy. (250 Words)

The Hindu

Background:-

- The political parties are engines for political participation by ordinary citizens. Parties have well-established infrastructure through which supporters can engage in civic life.
- The fundamental objects of political parties is acting in public interest by being transparent, accountable, ensuring welfare and upholding the Indian democracy.

In the recent years the parliamentary government of India has been weakened:

- For 25 years till 2014, Indian system has also produced coalition governments **which have been obliged to focus more on politics than on policy or performance. It has forced governments to concentrate less on governing than on staying in office**, and obliged them to cater to the lowest common denominator of their coalitions, since withdrawal of support can bring governments down
- The productivity of parliamentary discussions has deteriorated.
 - Parliamentary debates, which once focussed on national and critical issues, are now more about local problems, viewed from a parochial angle.
- The conduct of MP's has been as if they are enemies and their behaviour disrespects the sanctity of the parliament.
- Lack of congruence of fundamental objectives different parties compete to prevent things working.
- The political parties and institutions are behind the vicious circle of vote bank politics, encouraging divisive forces threatening public interest
- The failure to keep creed out of politics and lack of transparency in election funding led to increase in criminalisation of politics.

Way forward :-

- Limiting expenditure of political parties and deciding the ceiling on the expenditure and making the election funding transparent is necessary to reduce money power in politics
- Whip needs to be strengthened so that leaders who violate the parliamentary conduct need to be seriously punished.
- Experts suggest that to make bills passed soon, the government should not skip the discussions about the bill in both Rajya Sabha and Lok Sabha. Allowing proper debates increases the confidence of parties on the government.

Topic: *Important aspects of governance, transparency and accountability*

Q1) Electoral bonds scheme could end up bringing more opacity in political funding.
Comment. (250 Words)

[The Hindu](#)

[Livemint](#)

Background:-

- The political funding mechanism developed over the last 70 years has faced widespread criticism as people do not get clear details about how much money comes, from where it comes and where it is spent.
- The union government recently announced details of political funding that can be routed by donors to parties through electoral bonds, a scheme announced by it in Union Budget 2017.

Electoral bonds scheme :-

- Electoral bonds would be a bearer instrument in the nature of a promissory note and an interest-free banking instrument.
- A citizen of India or a body incorporated in India will be eligible to purchase the bond.
- Electoral bonds can be purchased for any value in multiples of Rs. 1,000, Rs. 10,000, Rs. 10 lakh, and Rs. 1 crore from any of the specified branches of the State Bank of India.
- Electoral bonds for political funding can be purchased from SBI for 10 days in January, April, July and October.
- The bond shall be encashed by an eligible political party only through a designated bank account with the authorised bank
- The bonds will have a life of 15 days during which they can be used to make donations to registered political parties that have secured not less than 1% of the votes polled in the last election to the Lok Sabha or Assembly.
- Every political party will have to file returns to the Election Commission on how much funds have been received
- Electoral bonds are essentially bearer bonds that ensure donor anonymity.

How it brings opacity in political funding :-

- Analysts said the move could be misused, given the **lack of disclosure requirements for individuals purchasing electoral bonds**.
- Electoral bonds make electoral funding even more opaque. **It will bring more and more black money into the political system.**
- With electoral bonds **there can be a legal channel for companies to round-trip their tax haven cash to a political party**. If this could be arranged, then a businessman could lobby for a change in policy, and legally funnel a part of the profits accruing from this policy change to the politician or party that brought it about.
- These bonds **share two characteristics with tax havens**, secrecy and anonymity.
- Electoral bonds eliminate the 7.5% cap on company donations which means even loss-making companies can make unlimited donations.
- The requirement for a company to have been in existence for three years (paving the way for fly-by-night shell companies) is also removed
- Companies no longer need to declare the names of the parties to which they have donated so shareholders won't know where their money has gone.
- As for political parties, they no longer need to reveal the donor's name for contributions above ₹20,000, provided these are in the form of electoral bonds. So a foreign company can anonymously donate unlimited sums to an Indian political party without the EC or the IT department ever getting to know.

- They have potential **to load the dice heavily in favour of the ruling party** as the donor bank and the receiver bank know the identity of the person. But both the banks report to the RBI which, in turn, is subject to the Central government's will to know.

Way ahead:-

- According to **Former Chief Election Commissioner S.Y. Quraishi** an alternative worth exploring is a **National Electoral Fund** to which all donors can contribute.
 - The funds would be allocated to political parties in proportion to the votes they get. Not only would this protect the identity of donors, it would also weed out black money from political funding
- The best way to bring about such transparency in political funding is to **put a complete ban on cash donations by individuals or companies to political parties.**
- Making it mandatory for **all parties to receive donations only by cheque**, or other modes of money transfer.
- There should be **clear provisions for getting tax benefits** for all those making such donations.
- Make it mandatory for political parties **to submit details of all donations received with the Election Commission and also with the income-tax department.**
- State funding of political parties can be considered.

Q2) Do you consider introduction of electoral bonds as an improvement over past attempts at election funding reform in India? Critically analyse. (250 Words)

[The Indian Express](#)

Background:-

- The political funding mechanism developed over the last 70 years has faced widespread criticism as people do not get clear details about how much money comes, from where it comes and where it is spent.
- **Nearly 70% to 80% of the funds to the political parties are never reported and they are collected from unknown sources.**
- The union government recently announced details of political funding that can be routed by donors to parties through electoral bonds, a scheme announced by it in Union Budget 2017.

Past attempts failure:-

- Corporate donations were legalised in 1985 but the system had grown used to black money and there were neither tax incentives nor privacy laws to aid corporate donations.
- The political system continued to incentivise evasiveness and false declarations.
 - For instance, a 2003 law that capped expenditure by candidates but allowed parties and independent supporters to spend on their behalf meant that candidates were under-reporting expenditure.
 - Even major political parties were spending four to six times the ceiling.

Electoral bonds scheme :-

- Electoral bonds would be a bearer instrument in the nature of a promissory note and an interest-free banking instrument.
- A citizen of India or a body incorporated in India will be eligible to purchase the bond.
- Electoral bonds can be purchased for any value in multiples of Rs. 1,000, Rs. 10,000, Rs. 10 lakh, and Rs. 1 crore from any of the specified branches of the State Bank of India.
- Electoral bonds for political funding can be purchased from SBI for 10 days in January, April, July and October.
- The bond shall be encashed by an eligible political party only through a designated bank account with the authorised bank
- The bonds will have a life of 15 days during which they can be used to make donations to registered political parties that have secured not less than 1% of the votes polled in the last election to the Lok Sabha or Assembly.
- Every political party will have to file returns to the Election Commission on how much funds have been received
- Electoral bonds are essentially bearer bonds that ensure donor anonymity.

How will the Bonds help?

- The current system of cash donations from anonymous sources is wholly non-transparent
- The donor, the donee, the quantum of donations and the nature of expenditure are all undisclosed

- According to government the system of Bonds will encourage political donations of clean money from individuals, companies, HUF, religious groups, charities, etc. **After purchasing the bonds, these entities can hand them to political parties of their choice, which must redeem them within the prescribed time.**
- Some element of transparency would be introduced in as much as all donors declare in their accounts the amount of bonds that they have purchased and all parties declare the quantum of bonds that they have received.

How it is not an improvement:-

- Analysts said the move could be misused, given the **lack of disclosure requirements for individuals purchasing electoral bonds.**
- Electoral bonds make electoral funding even more opaque. **It will bring more and more black money into the political system.**
- With electoral bonds **there can be a legal channel for companies to round-trip their tax haven cash to a political party.** If this could be arranged, then a businessman could lobby for a change in policy, and legally funnel a part of the profits accruing from this policy change to the politician or party that brought it about.
- These bonds **share two characteristics with tax havens** e, secrecy and anonymity.
- Electoral bonds eliminate the 7.5% cap on company donations which means even loss-making companies can make unlimited donations.
- The requirement for a company to have been in existence for three years (paving the way for fly-by-night shell companies) is also removed
- Companies no longer need to declare the names of the parties to which they have donated so shareholders won't know where their money has gone.
- As for political parties, they no longer need to reveal the donor's name for contributions above ₹20,000, provided these are in the form of electoral bonds. So a foreign company can anonymously donate unlimited sums to an Indian political party without the EC or the IT department ever getting to know.
- They have potential **to load the dice heavily in favour of the ruling party** as the donor bank and the receiver bank know the identity of the person. But both the banks report to the RBI which, in turn, is subject to the Central government's will to know.
- Critics argue that such a solution pushes back decades of work to ensure that the electoral process is not captured by just the rich .

Way ahead:-

- According to **Former Chief Election Commissioner S.Y. Quraishi** an alternative worth exploring is a **National Electoral Fund** to which all donors can contribute.
 - The funds would be allocated to political parties in proportion to the votes they get. Not only would this protect the identity of donors, it would also weed out black money from political funding
- The best way to bring about such transparency in political funding is to **put a complete ban on cash donations by individuals or companies to political parties.**
- Making it mandatory for **all parties to receive donations only by cheque**, or other modes of money transfer.
- There should be **clear provisions for getting tax benefits** for all those making such donations.
- Make it mandatory for political parties **to submit details of all donations received with the Election Commission and also with the income-tax department.**
- State funding of political parties can be considered.

Q3) Self-regulation is more desirable compared to statutory regulation for the media.
Discuss. (250 Words)

[The Hindu](http://www.insightsonindia.com)

Background:-

- The state of broadcast journalism, irresponsible behaviour of the fourth estate were prime-time broadcasts over the last couple of years ,instances of victim blaming, trial by media, and scant respect for facts shows the sorry state of media in India at present.
- The Indian media have grown rapidly in scale, reach, influence, and revenues. The ethical underpinning of professional journalism in the country has weakened and that the corrosion of public life in India has impacted journalism.

Self regulation is needed:-

- **Self-regulation goes beyond the statutory arrangement by having a mechanism for continuous reflection on the craft of journalism.**
 - This ensures fairness and accuracy in reportage .
 - It also actively provides a platform for both readers and journalists to wrestle with a range of dilemmas.
 - A newspaper does not just provide credible information but inquisitiveness, reading pleasure and visual experience are of equal importance.
 - **No statutory framework can address all these elements.**
- In India, legal regulation in the form of a statutory body like Press council of India has not served the purpose for which it was constituted.
 - It has not been able to ensure press freedom, evidenced by frequent attacks on the press from various quarters
 - It has not been able to keep an effective check on the malpractices in the media, evidenced by inaction on several complaints of inaccurate information and paid news against some newspapers.
 - **It has no way of imposing punishments or enforcing its directions for professional or ethical violations.**
- **The press in the UK has been governed by self-regulation for the last five decades.** The Press complaints commission has been functioning as an independent body administering the system of self-regulation for the press.
- Censorship of news by government is not possible when self regulation is there and media is free to express.

Self regulation is not the solution:-

- **Collective self-regulation** has failed because it is neither universal nor enforceable. Individual **self-regulation has also failed** due to personal predilections and the prevailing of personal interest over public interest.
- There is a possibility of self regulating body to overlook some wrong-doings of the press, in order to protect the large interests of the media as an industry.
 - **The inability of the industry and the Press Council to go public with its report on paid news is also another pointer to the problems of self regulation and the 'culture of silence' in the entire industry when it comes to self criticism.**
- **Irresponsible behaviour of media houses recently during the Pathankot attacks also question the idea of self regulation in India.**
- **Even in UK ,there are no monetary penalties that can be imposed or suspension of licenses by the PCC.**
 - For example, the PCC has been considered ineffective in the case of the phone hacking scandal that rocked the British Parliament in the recent years

Way ahead:-

- The way forward in India could be to empower the Press Council of India, allowing it to take punitive action in the form of punitive monetary penalties, suspension of license, etc.
- Also, PCI must be made more representative of the stakeholders in the media, thus giving them a voice.
- In fact, the British model of PCC may be adopted with members of the press must coming together to draft a code of practice.

Q4) India does not have a legal definition of what constitutes personal information and lacks a robust and comprehensive data protection law. We need to have both quickly in place if the Supreme Court's judgment according privacy the status of a fundamental right is to have any meaning. In the light of recent developments, critically comment on the statement. (250 Words)

[The Hindu](#)

Background :-

- In this digital age a growing pool of personal information that can be easily shared has become available to government and private entities. So there is a need for some clarity on this issue.

Lack of data protection in India :-

▪ **Technological issues :-**

- In the light of new technologies including internet of things and machine learning based on big data key issues related to data protection arise.
- Emerging technologies such as big data, artificial intelligence and the internet of things may operate outside the framework of traditional privacy principles.

▪ **Legal issues:**

- Data protection in India is governed by loosely constructed provisions of the Information Technology Amended Act, 2008 (ITAA) under Sections 43-A and 72A of the Act.
- Compensation for failure to protect data (Section 43-A) was introduced by way of an amendment in 2008. However, the Act fails to define sensitive data and states the same as personal information as may be prescribed by the Central government
 - Even when data leaks such as from the McDonald's McDelivery app have happened, section 43A and its rules have not proven of use
- The effort to bring in Personal Data Protection Bill governing data protection and privacy has been dismal.
 - The bill was unable to explain the duties and responsibilities of a data controller
 - The bill also fails to underline the issue relating to outsourced data and the liabilities of companies outsourcing and hosting the data.
- The current legislation (ITAA) fails to mention the enterprises that store data and questions their liability in case of a breach and compensation to consumers
- Data put out through biometrics or for economic purposes remains at risk in India since **no legislation has been chalked out to protect such personal data.**
- **There is no body that specifically regulates data privacy.**
- Privacy is a fundamental human right, recognised as such in the Universal Declaration of Human Rights. India has ratified the UN's International Covenant on Civil and Political Rights, which contains an obligation to protect privacy. Control over one's personal data is an innate facet of privacy.
- **Judicial confusion:-**
 - Puttaswamy judgment is not clear on whether privacy is a fundamental right that can be applied horizontally

No it's not :-

- The government-appointed Srikrishna committee as part of its work to prepare a data protection framework and frame a draft Data Protection Bill.
- The move assumes significance amid the debate over security of individuals' private data, including Aadhaar-linked biometrics, and the rising number of cyber-crimes in the country.
- Some redress for misuse of personal data by commercial entities is also available under the Consumer Protection Act enacted in 2015. As per the Act, the disclosure of personal information given in confidence is an unfair trade practice.

Suggestions:-

▪ **International examples:-**

- **EU case study**
 - Protection of people's data has been included as one of the fundamental rights of the European Union under Article 8 of the Charter of the Fundamental Rights of the European Union.
 - Right to privacy and consent of an individual form the basis of Article 8 adding the right to access data and the right to have it rectified.
- **Japan:**
 - Japan introduced a separate central legislation for protection of data as the Act on the Protection of Personal Information (APPI).
 - Similar to the EU law, consent of a data subject forms the essence of the legislation and has been stated as mandatory in case of transmitting data to a third party or for any use beyond communication purposes.

- Indian law should create an independent oversight for all government surveillance, as well as a data commissioner's office with the power to take proactive action against violators.

Q5) Some argue that there is a link between caste and corruption implying that lower caste politicians and bureaucrats tend to be more corrupt. Do you agree? Critically comment. (150 Words)

[The Wire](#)

Background:-

- Recently there have been series of instances where high-profile legislators or politicians, predominantly from lower-ranked caste groups (Scheduled Castes or Tribes, or Other Backward Classes) were convicted on corruption charges and this raises the doubts whether caste and corruption are linked

Link between caste and corruption :-

- Critics argue that the caste which exercises control over the political, religious, social and economic power gives birth to other institutions like corruption also.
- Due to discrimination faced by these castes in the society the leaders believe with money power they can increase their social status too.

Lower caste politicians and bureaucrats are not more corrupt :-

- Factors affecting development are unrelated to whether the elected representatives are SC or upper caste.
- **Development indicators are no worse in reserved constituencies, compared to non-reserved constituencies.** Additionally, there have been several positive outcomes as a result of quotas, going beyond standard development indicators
- It would be difficult to empirically sustain the case that it is predominantly due to lower castes.
- The high profile cases show that leaders from these communities got convicted so people build their opinion based on this for the whole community.
 - The Government of India recently disclosed the names of 17 people with foreign accounts out of whom not a single foreign account-holder belonged to the Dalit or Adivasi category.
 - In the Jain Hawala Scam also there were no Dalits or Adivasis.
- SCs are still seriously under-represented in the rich and the elite.

Conclusion:-

- Corruption arises due to nepotism, unaccountable working conditions in government offices, degradation of values in the modern society so viewing it from the narrow perspective of caste is not acceptable.

Q6) Well-designed digital systems and government websites are crucial for e-governance to succeed. In the regard, critically evaluate design and readiness of government websites in furthering the objectives of e-governance. (250 Words)

[Livemint](#)

Background:-

- E-governance and design of government websites affects how, and how much, people use it, and how much they trust it.
- If a government cannot implement reasonably high-quality digital governance systems especially the websites through which government actions are visible to the public, affects both basic governance quality and citizens and businesses trust in the government's ability to govern effectively.

Measures taken:-

- There are many measures taken by the both centre and state governments regarding e-governance to make delivery of services to the public more efficient
- Digital India programme aims to digitize governance on a massive scale.
 - Three of its pillars explicitly focus on citizen-government interaction:

- Integration of services and platforms making it easier for people to carry out tasks like accessing school certificates or making changes in Aadhaar information
- Electronic delivery of services, whether it's for farmers or healthcare
- Giving people digital access to government information.

Concerns:-

- When these systems don't work smoothly or websites don't make it easy to access information, it is the **equivalent of denying the promised services or transparency**. This doesn't just cost citizens. It costs governments as well.
- Most of the websites are not GIGW (Guidelines for Indian Government websites, 2009 by NIC) compliant. **In 2016, the Standardization Testing and Quality Certification Directorate (STQCD) audited 957 government websites and found that only 31 were fully compliant.**
- In private companies user complaints are taken as valuable feedback for improvement. **Government departments have no such compulsion so there is no scope for improvement**
- There is lack of accountability. **GIGW compliance is based on departmental self-assessment.**
- In USA, the popularity hit to former US president Barack Obama's signature healthcare reform **when its registration websites crashed on roll-out.**
- Poor internet access and speeds, lack of literacy, a large number of languages, low awareness are also issues which hamper the effective service delivery of e-services in India.

Conclusion:

- Websites should be more Compliant to standardisation.
- External audits by NIC and increase of physical infrastructure to increase reach of internet services is necessary.
- There is a need for bridging the digital gap in rural areas .

Topic: India and its neighborhood- relations

Q1) What measures should be taken by both India and Nepal to prevent cross-border human trafficking between their countries? Also comment on the impact of this issue on bilateral ties. (250 Words)

The Hindu

Background:-

- Human trafficking from Nepal to India witnessed "a three-fold jump" after the 2015 Nepal earthquake showing that social deprivation, unemployment is pushing people in Nepal towards this menace.

Measures needed to prevent Cross border human trafficking :-

- **Joint role:-**
 - The Nepal-India border needs to be equipped with enhanced intelligence networks and effective monitoring mechanisms.
 - Strengthening security through effective law enforcement, installing screening and detection devices at the check points.
 - India and Nepal have to collaborate and coordinate their efforts to improve the situation along their border by setting up joint task forces to
 - investigate cross-border crimes
 - sharing real time intelligence
 - conducting coordinated or joint patrolling
 - re-installing missing border pillars and repairing the damaged ones and jointly developing infrastructure along the border.
 - Government of India and Nepal are vigorously campaigning against women and girls trafficking. Funding to NGOs and alarming vigilance are the major efforts that can be made.
 - Locating the routes of trafficking along the border and afterwards here in India
 - National and international efforts to overcome the problem in order to get it completely vanish on one hand and to ensure human rights of the victims on the other hand
 - Find out the gaps, leading to failure of the efforts, being attempted through NGOs and government agencies

- Assistance of NGOs may be taken in this process but their accountability must be fixed
- The Nepal embassy in Delhi is keenly active to get rid off the problem.
 - Searching of Nepalese female victims in Indian jails and sorting out their matters at the government level, providing legal assistance in such cases is remarkable.
- **Nepal's role:-**
 - **Rehabilitation of victims:-**
 - In case there is no adoption of the victims by their parents, they must be sent to a social protection home, like Nari Niketan in India, under the protection of the government, with restricted entries therein.
 - The government must pay each victim a stipend.
 - Some semi skill based programmes may be started there in the women orphanage / shelter homes in order to earn their livelihood. Trading of the products must be made at government level to ensure the earnings.
 - Besides, an ensured rehabilitation strategy must be adopted by the government.
 - Besides control measures, rescue efforts and rehabilitation strategy and efforts must be at priority in Nepal.
 - **Imperative to create economic opportunities**, particularly for the youth, within the country.
 - **Legal provisions for maintenance and adoption of girls and children must be strict** in order to prohibit their exploitation due to poverty
- **Indian action:-**
 - Indians' involvement in this activity and cross border gangs / racketeers role to flourish, nourish and protect this activity
 - The Government of India has to ensure the restriction on the flying the Nepalese girls to Gulf and Middle East countries, as imposed by the Government of Nepal. It is essential to prohibit the abroad deporting of Nepalese girls illegally.

Impact on the bilateral ties:-

- Can give rise to security challenges due to illegal infiltration
- Promotion of illegal business making law and order management difficult.
- Resources are constrained due to increase in population

Topic: Bilateral, regional and global groupings and agreements involving India and/or affecting India's interests

Q1) India and China hold the key to the emerging global political economy. How can both countries, especially India, ensure that the Asian century belongs to them? Comment. (250 Words)

[The Hindu](#)

Introduction:-

- The world is witnessing the rise of developing countries like India and China and the age of developed countries is coming in to an end with rising protectionism, fastest growing economies being from Asian countries.

How they hold the key :-

- India and China hold the key to the emerging global political economy. Joining the U.S. and other advanced economies in closing up will only lead to slower growth.
- With international institutions like IMF and WB, WTO losing significance the formation of new banks like AIIB and NDB put India and China in the forefront.
- The growing clout in the UN of these countries especially India is visible
- The recent election of Judges in International court of justice put India again in the forefront which for the first time Britain does not have a judge in the court showing the growing power of India.
- BRICS is fast becoming an influential political forum for the world's new powers.
 - Experts suggest that by 2030, the BRICS would account for 40 per cent of the world's GDP.

- China and India are first and third in the world GDP pecking order, based on purchasing power parity.
- China recently almost tripled its contribution to the United Nations budget, increased Chinese peacekeepers by several thousand, and committed several billion dollars in aid for the poorest countries to meet the UN's sustainable development goals
- India's rise in Southeast Asia:-
 - First, there are no territorial disputes between India and its immediate neighbours in Southeast Asia.
 - Despite India's more advanced military capabilities, New Delhi is not claiming the mantle of leadership there but prefers to work in accordance with the local norms and mores.

How can they ensure that Asian century belongs to them?

- India and China, as the two fastest growing major economies, need to engage with each other and with other willing partner nations, particularly in the East Asia and the Pacific region (including advanced economies like Japan and Australia), to maintain openness and embrace globalisation.
 - The Regional Comprehensive Economic Partnership (RCEP) is one forum where this engagement can happen.
- India can engage on free trade and free investment in other groups like the BBIN (Bangladesh, Bhutan, India, Nepal) and BIMSTEC (Bangladesh, India, Myanmar, Sri Lanka, Nepal, Thailand, Bhutan) and via these groups with the entire ASEAN region.
- India, China and the rest of the region need to look beyond rivalry and defensiveness to explore the possibilities of economic integration .
- China has acquiesced in India's participation in the East Asia Summit and India has joined the Shanghai Cooperation Organisation. While Asia is devoid of meaningful security institutions, **interlocking economic and trade relationships could knit China and India closer together.**
- India needs to embrace an **export-oriented development strategy** acknowledging the importance of global market for merchandise trade
- There is much room for **intra-BRICS cooperation**. The civilian aviation sector where China and India will provide most of the world expansion is one.
- **China and India have broadly similar interests** and approaches on a wide range of international questions, from most issues of international peace and security to the principles of world trade and the ways and means of coping with globalisation.
 - They have already begun working together in multinational forums on such issues as
 - Climate change and environment protection
 - Have no real differences on matters like encouraging biodiversity
 - Promoting population control
 - Combating transnational crime, etc. All of these areas provide a realistic basis for further long-term multilateral cooperation.
 - China-India cooperation could also improve on the issues of piracy, oil spills and other international environmental issues. Both share a mutual interest in keeping open the sea lanes of communication in the Indian Ocean
 - Multilateral issues like nuclear disarmament and arms races in outer space, human-trafficking and natural disasters are issues on which the two countries could play mutually supportive roles, take joint responsibility and contribute to the establishment of new rules in the global system.
- China can be more open to India's admission into the Nuclear Suppliers' Group and similar international bodies as well showing the congruence of interests of both countries.

Conclusion:-

Despite having divergent ideas to handle international terrorism and the China –Pakistan axis there are many ways India and China can cooperate and see that that Asian century belongs to them.

Q2) Why should developing countries persist for a permanent solution to the problem of whether to allow public stockholding of food stocks for food security purposes in the World Trade Organization? Also discuss the current provisions on public stockholding and their limitations. (250 Words)

[EPW](#)

Reasons why developing countries persist for a permanent solution :-

- The need for a permanent solution arises out of a **lack of policy space for many developing and least developed countries (LDCs) under the existing rules of the Agreement on Agriculture (AoA)** to implement agricultural and food security policies.
- **Peace Clause** only covers the support provided for traditional staple food crops in pursuance of public stockholding programmes existing as of 2013. **Future or new food security programmes are not covered by the Peace Clause.**
 - Due to this, the G33 demanded that existing and future programmes with respect to public stockholding for food security programmes of the developing country and LDC members should be covered by a decision on the permanent solution.
- The peace clause which protects countries against action from other members in case the cap is breached, **comes with a number of onerous conditions** that India wants removed as part of the permanent solution.
- With **erratic climate conditions** the need to protect farmers is imperative for food security especially in developing countries so finding a permanent solution will secure the welfare of both farmers and consumer of the developing countries.

Current provisions on public stockholding in WTO :-

- The WTO rules classified the expenditure on stockholding and distribution under **Green Box support**, which is deemed to be a minimal trade-distorting support. All the WTO members are eligible to provide unlimited support under this box.
- Procurement of foodgrains at the administered price is classified as **Amber Box support**, which is a trade-distorting support under the provisions of the AoA.
- **Special and differential treatment** for developing countries as well as non-trade concerns, including food security and rural development, shall be an integral part of the negotiations.
- Under the WTO rules, **developing countries such as India need to limit their public procurement of foodgrains such as wheat and rice to within 10% of the value of the crop.**
 - After India enacted the National Food Security Act, 2013, which aimed to provide subsidized foodgrains to approximately two-thirds of its 1.3 billion population, the demand for public procurement increased significantly.
- At the Bali ministerial conference in 2013, India secured a so-called “peace clause”. Under it, if India breaches the 10% limit, other member countries will not take legal action under the WTO dispute settlement mechanism. However, there was confusion over whether the temporary reprieve would continue after four years.
- In 2014, WTO decided that if a permanent solution on the issue of public stockholding for food security purposes is not agreed and adopted by the 11th Ministerial Conference, the Peace Clause shall continue to be in place until a permanent solution is agreed upon and adopted.

Limitations :-

- The **strong opposition of the United States (US)** extinguished all chances of a permanent solution.
- **Developed country members are not constrained by the de minimis limit due to AMS entitlement.**
 - Developed countries provide huge support to the farmers but provisions of the WTO come in the way of developing countries to provide food security to their poor who are vulnerable to hunger and malnutrition.
 - For instance, product-specific support for the procurement of rice at the MSP by the Food Corporation of India (FCI) is capped at 10% of the value of production of rice during the relevant year.
- **Developing countries:-**
 - Existing rules of the Agreement on Agriculture (AoA) to implement agricultural and food security policies threaten the food security for millions of poor people and hinder the achievement of Goal 2 of the sustainable development goals (SDGs) of the United Nation

- Developing countries are facing difficulties in procuring foodgrains at the administered prices without breaching their commitments under the AoA. Without the procurement at the administered price, providing food security to the poor will be a daunting task.
 - The US–China dispute (in 2016) on the domestic support policy of China is a prime example of the limited policy space for developing countries (WTO 2016).
- What tilts the AoA further against the developing countries is the requirement that the subsidy for procurement of food stocks should be calculated on the basis of world prices prevailing during 1986–88.
- Some members of the WTO objects to developing countries implementing food security programmes tailored to meet their needs when US is implementing the Supplemental Nutrition Assistance Program (SNAP)
- **Peace clause:-**
 - Divergent views of member countries on peace clause as reflected in various proposals submitted to the WTO.
 - Many developing country and LDC members would not be able to comply with the conditions of the Peace Clause, and their programmes could be subject to dispute.
 - For instance, the price support programme for rice in Nepal will not be covered by the Peace Clause as it came after the Bali Ministerial Decision.
 - Public procurement for any new food programme of the government for food security purposes will not benefit from the **indefinite peace clause** as the concession is limited to the programmes running in 2013.
 - The concession also comes with onerous notification obligations about farm subsidies provided in the previous year.
 - So far only eight countries out of 184 WTO members have notified their farm subsidies till the last year.
 - The onerous notification conditions make the peace clause unimplementable for India.

Suggestions:-

- India along with China is also seeking a work programme for elimination of trade distorting agriculture subsidies provided by developed countries known as aggregate measurement of support which is not available to developing countries.
- India also sought more transparency in negotiations and has opposed attempts to take decisions in small groups at the MC11 drawing from its sour experience from the Nairobi ministerial in 2015.

Q3) A recent UN report has underlined that fulfilment of national pledges related to carbon emission reductions under the Paris Agreement would be inadequate to keep global warming below 2°C. Thus, a renewed focus on climate governance is imperative. Examine how can India set the precedent in deepening the dialogue process through its actions. (250 Words)

The Hindu

Background:-

- India is at the top of the list of nations expected to be worst hit by the adverse effects of climate change. India's climate is warming up at a very fast rate. It is warming at a much faster rate than thought previously. So there needs to be a proactive role played by India.

India's role :-

- India could set the precedent in deepening the dialogue process through an action-oriented, inclusive, bottom-up approach, involving extensive participation and collaboration of its States.
- **Role of Indian states:-**
 - States play a vital part of the coalition between the Centre, civil society, businesses, and key climate stakeholders.
 - India's State Action Plan on Climate Change supports the integration of national climate change goals into subnational policies.

- Enhancing climate actions is expected to involve routine engagement of the States in the international process.
- The Under2 Coalition, a Memorandum of Understanding by subnational governments to reduce their greenhouse gas (GHG) emissions towards net-zero by 2050, is generating a unique precedent for bold climate leadership, with its member states and regions surpassing 200 in number.
 - Currently, Telangana and Chhattisgarh are signatories to this pact from India. Greater representation of Indian States is crucial.
- India must look **towards creating knowledge action networks and partnerships under both national and State action plan frameworks.**
 - Kerala has taken the lead to build such a knowledge network funded by the National Mission on Strategic Knowledge for Climate Change
- India has committed to meet its current target of 33% reduction in emission intensity of the 2005 level by 2030, by generating 40% of its energy from renewables.
- **Both national and State plans would need to be periodically reassessed and reviewed.** A transparent framework for review, audit and monitoring of GHG emissions is needed.
- As State capacities vary significantly, **the principle of common but differentiated responsibilities should be applied to allocate mitigation targets in different States, based on the principle of equity.**
- India can move to BS-6 by 2020 and give encouragement to electric vehicles which can reduce the vehicular pollution plaguing the country.
- India should invest far more in green energy research and development to boost innovation so green energy will eventually outcompete fossil fuels.
- **Agriculture:-**
 - There is a need to further encourage climate resilient agricultural crops and use water sensibly especially not cultivating water intensive crops in water scarce areas
 - Necessary technology has to be incorporated to study the agricultural land and educate farmers regarding the amount of pesticides to be used .
 - Organic farming can be promoted
- Citizens of India as a whole need to concentrate on keeping the environment clean

Conclusion:-

The climate change has humongous impacts all over the world so India needs to actively collaborate with international organisations in tackling this issue.

Q4) For the past two years, India's project to develop military infrastructure on Seychelles' northern island of Assumption has failed to take off. Examine significance of this project and reasons for its delay in taking off. (250 Words)

[The Wire](#)

Background:-

- India has been looking to consolidate and strengthen its strategic position in the Indian Ocean region and opportunity availed through the Assumption island in Seychelles along with Agalega Island in Mauritius where India had committed to develop infrastructure in during PM visit in 2015.

Why is this project important :-

- **For India:-**
 - The project is supposed to be among the concrete outcomes of India's revamped strategy for the Indian ocean region, launched as
 - India will also **get access to the facilities on the island**, strategically located on the southern Indian Ocean.
 - **To assume greater control in the Indian Ocean region** in the face of expanding **Chinese presence** along with the military base at Djibouti.
 - It is part of India's approach to enhance the capabilities of the Indian Ocean countries and **keep out the extra regional players**. Indian ships have also been active in **fighting piracy** in the waters around the island.

▪ **For Seychelles:-**

- The agreement would enable India to help Seychelles through the Seychelles People's Defence Forces SPDF to **build military infrastructures on Assumption Island (SPDF)**
- Coast Guard base on this island is considered as an ideal location that will allow the Seychelles military to **better undertake surveillance of the EEZ**
- The infrastructure built on Assumption is expected to drastically **cut down on the time needed to dispatch a coast guard vessel or aircraft in case of any incident.**
- The infrastructure also includes **residential barracks** for SPDF's Coast Guard and fixing up the jetty and existing airstrip for the SPDF

Reasons for delay:-

- Seychelles reportedly wants to take a relook at the agreement signed between India and the island nation to build military infrastructure on Assumption Island. Officials in Seychelles have said the agreement does not have legal backing on their side, whereas it has legal basis in India
- There was more delay as the Seychelles government wanted to modify some clauses. These related to the capacity of the military infrastructure that India had committed to build for the Seychelles defence forces.
- Agreement has not yet been placed before the parliament even though the president had the numbers earlier.
- Seychelles would like to see larger facilities in keeping with the demand of the defence forces, since Assumption island would be the hub to patrol its waters to prevent illegal fishing and drug smuggling in the region.
- There were also some other technical issues, like the location of the jetty.
- Seychelles

Way ahead:-

- In the face of resistance from within the Seychelles government over the infrastructure development agreement, **India's priority should be to engage with the island nation and counter any economic advantage that China can offer.**
- It also needs to limit the use of Seychelles as a refuelling base for China's navy by neutralising the commercial benefit that Beijing can provide.

Q5) The road to India's prosperity may well run through Jerusalem, but the road to its leadership aspirations on the world stage cannot bypass Ramallah either. Critically comment on the implications of recent inconsistency in India's policy towards Israel and Palestine for India's regional and global aspirations. (250 Words)

[The Hindu](#)

[Livemint](#)

Background:-

- India's relationship is associated with Israel in many fields like agriculture, water, technology, defence exports etc as it is the second largest supplier of arms to India at the same time India's support for Palestine and its cause is upheld in its foreign policy aspirations even before independence.

Recent inconsistencies in the policies i.e., how has the relationship changed :-

- **Historically, India framed its relationship with Israel based on a priority accorded to Palestine.**
- However over the years this changed India's road to US and arms lay through Israel.
 - During the 1999 war with Pakistan, Israel supplied arms to India.
 - India under Indira Gandhi had already reached out to Israel in 1971 for arms despite absent diplomatic ties. The Palestine issue started getting sidelined.
 - In 2009, following lobbying by US and Israeli governments, India diluted its stand on the Goldstone Report which showed the illegality of Israel's blockade of Gaza and accused it of violating international law.
 - In the past three years, barring a vote at the UNGA in 2014, India has turned from its traditional pro-Palestinian stance, to one of abstention
 - India's altered voting behaviour in UN therefore caused speculation that India had changed its policies on Palestine which the government has denied.

- Undoubtedly, there is markedly more visible warmth between the two countries since 2014. In July 2017 the first-ever visit by an Indian prime minister to Israel. Also, he did not visit Palestine on way back.
- However **India mentioned it's unwavering support to Palestine** and for a two state solution. India also favours for a sovereign, independent, united and viable Palestine, co-existing peacefully with Israel.
- India keeps assuring Palestine affirmed that India's expanding relations in the Middle east region will only strengthen the Palestinian cause not weaken it.
- India chose to vote for a resolution criticising the U.S. for recognising Jerusalem as the Israeli capital, and also called on Israel to end its "occupation that began in 1967".
- The scheduled visit of Indian PM to Palestine in 2018 shows its importance to India.

Effect on India's regional and global aspirations :-

- India and Israel have been cooperating in a range of areas including agriculture, water conservation, science and technology, defence trade and investment. India and Israel also view each other as victims of Islamist terror.
- Israel's defence industry bagged its biggest security contract in April 2017 with the state-owned Israel Aerospace Industries being awarded contracts worth \$2 billion for providing medium range surface to air missile systems to the Indian Army.
- India's position can be explained by a desire to reassert its leadership role on the multilateral stage
- India wants to regain its leverage on the Israel-Palestine issue

Q6) China is gradually moving to a position where it will play an increasingly dominant role in the world's international affairs, disrupting established institutions and trade routes and building its own alternatives. How should India respond to this development? Discuss. (250 Words)

The Wire

Background:-

- China is pushing its presence in the Indian Ocean and its spread of ports in the region Chinese naval base on the Horn of Africa and a port in Sri Lanka are examples.
- Similarly China rejected the judgment of international tribunal with respect to its role in South China Sea.
- China's OBOR and CPEC corridor is causing a great concern for India as it affects India's sovereignty
- China is stepping into the aid and power vacuum left by the US.
- The formation of banks AIIB and NDB with the leadership of China at helm shows that international institutions like World Bank and IMF have been bypassed.
- In the light of the above reasons there is the need for India to prepare a strategy to face Chinese challenge.

How should India respond?

- **International:-**
 - China should be engaged and encouraged to participate in existing institutions, laws and treaties. At the same time, countries concerned about China's expansionism should try to "contain" its reach with fresh alliances and alignments
 - Quad should not be put forward as an adversary or a rival to China but as a cooperative connectivity plan.
 - India needs to work on delivering projects outside the subcontinent like TAPI, Kaladan project etc
 - Regional groupings like BIMSTEC, SAARC needs strengthening to assert India as a regional power.
- **National:-**
 - Indian human capital needs to be skilled and demographic dividend needs to be utilized so that domestic economy improves
 - Sectors like textiles where India has a comparative advantage to China need to be promoted.
 - India needs to focus on sectors like education, health, reducing malnutrition and improving the social indicators which would automatically lead to inclusive growth.
 - Indigenization of defence technology is essential for showing the strength of the nation which China did effectively. India needs to learn that.

Q7) What should be India's priorities when dealing with the ASEAN? Also comment on current state of India's relationship with ASEAN countries. (250 Words)

[The Indian Express](#)

[The Wire](#)

Background:-

- *India-ASEAN relations have traversed a long, dynamic path interspersed with multiple achievements to reach the year 2017, when the two are celebrating 25 years of their partnership.*
- *India and ASEAN uphold each other's centrality in shaping the evolving regional architecture.*

Status of relationship with ASEAN:-

Success:

- **Political cooperation:**
 - ASEAN-India Centre (AIC) has boosted the India-ASEAN strategic partnership by focusing on policy research, policy recommendations, and interactions among think-tanks and other organisations in the two regions.
 - They are active participants in the East Asia Summit (EAS), ASEAN Regional Forum (ARF), ASEAN Defence Ministers Meeting Plus (ADMM-Plus), and the Expanded ASEAN Maritime Forum (EAMF).
- **Economic:**
 - ASEAN is currently India's fourth largest trading partner, accounting for 10.2% of India's total trade. India is ASEAN's seventh largest trading partner.
 - India's service-oriented economy perfectly complements the manufacturing-based economies of ASEAN countries.
 - The ASEAN-India Free Trade Area (AIFTA) **reflects India's adherence to the vision of having a reliable institutional architecture for economic ties with ASEAN.**
 - Greater connectivity between India and Southeast Asia will engender developmental gains for India's north eastern region.
 - The Kaladan Multi Modal Transport project, India-Myanmar-Thailand Trilateral Highway and the Rih Tedim Project in Myanmar will in due course contribute to the enhancement of connectivity between India and Southeast Asia, via India's Northeast.
 - Mekong Ganga cooperation initiative.
 - The ASEAN has provided the platform for promoting regional economic integration, limiting great-power competition and avoiding regional conflict.
- **Cultural:-**
 - The large Indian Diaspora in many of the Southeast Asian countries, especially Malaysia and Singapore, help strengthen diplomatic, economic and security relations between India and ASEAN as they have contributed to a deepening of bonds.
- **Others:-**
 - Both are cooperating on multiple issues like disaster management, climate change, Rohingya crisis, piracy and maritime security There is, however, considerable scope for further growth.

Concerns:-

- Although India's declaratory commitment to security cooperation with the ASEAN has grown under the Look East and Act East policies, and its military capabilities have become considerable, **the Indian defence establishment has been disappointing in its delivery.**
- After signing India-ASEAN Trade in Goods Agreement India's goods trade deficit with ASEAN widened from \$4.98 billion in 2010-11 to \$14.75 billion in 2015-16, and then narrowed to \$9.56 billion in 2016-17
 - The huge goods trade deficit has led to questions on whether the pact is only helping ASEAN nations and not benefiting India
- The free mobility of labour within the Asian economic community region might hamper India's prospects in terms of mobility of skilled workers, which has just been implemented with the India-ASEAN Services agreement. It could also choke out some of the investment that India might have obtained from the region due to easier flow of capital within the region

India's priorities should be ?

- A **historic power shift in Asia marked by China's dramatic** rise and widespread questions about the future of the US's role in the region has generated considerable geopolitical turbulence. So India associating with ASEAN is necessary for the balance of power in Asia.
- India must now rise to the occasion and extend unflinching solidarity with the ASEAN that has been so **instrumental in promoting peace and prosperity in South East Asia** over the last five decades.
- Although **India's security engagement** with the region has expanded significantly in recent years, it remains tentative and way below potential. Addressing that must be one of the top priorities
- A new and specific framework for deepening the defence partnership with the ASEAN is needed.
- Both regions are also increasingly facing non-traditional security challenges like piracy and terrorism, for which greater coordination is needed.
- **Terrorism:**
 - It is time that India and ASEAN jointly address this challenge by intensifying cooperation in this crucial area.
- **The RCEP agreement would complement India's existing free trade agreements** with the Association of South East Asian Nations and some of its member countries, as it would deals with Japan and South Korea.
- Industries like automobiles, gems and jewellery have seen some integration between India and ASEAN nations. **The recently implemented investment agreement along with the 'Make in India' initiative should help such integration, targeting sectors like electronics and pharmaceuticals.**
- India's trade advantage as an exporter of professional services and IT-related services should see greater exports with the implementation of the services agreement.
- India intends to extend the trilateral highway to Cambodia, Laos and Vietnam, and the proposed route from India to Vietnam will be known as the East-West Economic Corridor (EWEC).
- India needs to do a more convincing job as a beneficial strategic partner of ASEAN by boosting its domestic economic reforms agenda, enhancing connectivity within the region, and increasing its presence in regional institutions.
- India's integration in the automobile sector is already under way especially with countries like Malaysia, Thailand and Indonesia. India's advantage in generic pharmaceuticals should be leveraged by ASEAN countries through investments that would facilitate Indian pharmaceuticals to become innovation-oriented.

Conclusion:-

- The India-ASEAN relations have traversed a long path since the inception of the partnership a quarter of a century ago. Deeper engagement and further cooperation should be prioritised by both sides if the full potential of this engagement is to be realised.

Q8) Security, connectivity, commerce and culture are the cornerstones of ASEAN-India relationship. Analyse. (250 Words)

[The Hindu](#)

[The Hindu](#)

Background:

- The year 2017 was an important landmark as India and the ASEAN commemorated 25 years of their partnership, 15 years of summit-level interaction, and five years of strategic partnership.

Security:

- India and several other countries have supported **freedom of navigation, ensuring maritime security, expeditious resolution of disputes according to provisions of international law**, viz., the UN Convention on the Law of the Seas 1982, developing a Code of Conduct, and settlement of disputes through dialogue and peaceful means.
- **China's increasing intemperance and intractability over the last many years** has added to the anxieties and concerns of countries in South East Asia and beyond. They want India to play a more active countervailing role in the region.
- **Stronger relations between India and Myanmar have also helped to quell insurgency and extremism in the north-eastern states of India.** Peace, stability and security of north-east India will be further preserved and promoted with more robust ties and understanding with Myanmar

- **Cooperation to curb terrorism especially in the face of the rising influence of the Islamic State has assumed priority. Defence partnerships with several ASEAN states are advancing rapidly.**
- **India and ASEAN are natural partners in their desire to create a free, open and inclusive regional architecture.** They are active participants in the East Asia Summit (EAS), ASEAN Regional Forum (ARF), ASEAN Defence Ministers Meeting Plus (ADMM-Plus), and the Expanded ASEAN Maritime Forum (EAMF).
- Both want freedom of navigation, and are fighting piracy.

Connectivity:

- Connectivity between India and ASEAN, particularly Myanmar and Thailand, has emerged as a **significant element in cementing bonds between the two regions.**
- **Better infrastructure connecting Northeast India and ASEAN** has become the sine qua non for stronger economic and trade partnership and vital contributor to prosperity and economic development of the region.
- **Connectivity projects, viz., the Trilateral Highway between north-east India and Myanmar and onwards to Thailand (and Laos and Vietnam) as well as the Kaladan multi-modal transit and transport project,** have been under implementation for several years.
- **Rih Tedim Project in Myanmar** was in progress to enhance connectivity between India and ASEAN nations via the North East.
 - The Rih-Tedim Road project will provide all weather connectivity between eastern Mizoram and western Myanmar,
- Process for Kalewa-Yargi road has also been speeded up.
- **A consensus on finalising the proposed protocol of the India-Myanmar-Thailand Motor Vehicle Agreement (IMT MVA)** has been reached. This agreement will have a critical role in realizing seamless movement of passenger, personal and cargo vehicles along roads linking India, Myanmar and Thailand.
- **India announced a Line of Credit of US\$ 1 billion to promote projects** that support physical and digital connectivity between India and ASEAN and a Project Development Fund with a corpus of INR 500 crores to develop manufacturing hubs in CLMV countries
- **Concerns:-**
 - Issues related to increasing the maritime and air connectivity between ASEAN and India and transforming the corridors of connectivity into economic corridors are under discussion.

Commerce:

- India and the ASEAN nations account for almost one-third of the global population and a combined GDP of approximately \$3.8 trillion, according to *The Diplomat*. Together, they would form the third largest economy in the world.
- While the volume of trade and investment flows between ASEAN and India remained low foreign direct investments (FDI) flow from India to ASEAN increased by 9.4 percent, from \$0.96 billion in 2015 to \$1.05 billion in 2016.
- India's two-way trade with ASEAN now stands at approximately USD 76 billion.
- The India-ASEAN Free Trade pact in services and investments, which was concluded in 2014 and came into effect a year later, has the potential to reduce India's trade deficit with the region as also impart a strong impulse to bilateral exchanges.
- **Concerns:-**
 - India's difficulties with the 16-nation Regional Comprehensive Economic Partnership (RCEP) :-
 - India is holding out over concerns of unfettered access to Chinese goods, and the lack of access for Indian services
 - India's economic focus too is not in tune with other regional powers which view ASEAN as an important market for exports and investments. **India's export sector remains weak and the government's focus has shifted to boosting manufacturing domestically.**

Culture:

- The large Indian diasporas in many Southeast Asian countries help strengthen diplomatic, economic and security relations between India and ASEAN as they contribute to expand and intensify bonds. **The Indian diaspora comprises an important instrument of India's soft power.**
- Exchange programmes have been put in place for frequent interaction between students, senior officials, diplomats, academics, media professionals, etc.

Other areas as well:

- India has been involved actively in addressing non-traditional security threats and also undertaking mission oriented tasks as well as exercises as envisioned under the ASEAN Community Vision 2025 on Disaster Management.
- Relations with ASEAN have become multi-faceted to encompass security, connectivity, strategic, political, space technology, counter-terrorism and anti-insurgency operations, anti-radicalisation, trade and investment, maritime security and defence collaboration, in addition to economic ties.

Other Concerns:

- India's expectations regarding a more robust support for its regional outreach too have not been met.
- India's capacity to provide development assistance, market access and security guarantees remains limited
- ASEAN's inclination to harness New Delhi for regional stability remains circumscribed by its sensitivities to other powers.
- The interests and expectations of the two sides remain far from aligned, preventing them from having candid conversations and realistic assessments.

What more is needed?

- They also need to focus on areas such as digital technologies.
- India as a facilitator of the ASEAN-wide digital economy would not only challenge China but also emerge as an economic guarantor of its own.
- India now needs to focus on more effective delivery of projects it is already committed to.
- With China having three times more commercial flights than India to Southeast Asia, improving air connectivity between India and ASEAN countries should also be high on the agenda.
- Besides, the Bay of Bengal can be used as an exploratory ground for the development of an India-ASEAN maritime framework.
- Cultural connect between the two needs strengthening.
 - While India offers scholarships to students from ASEAN states to study at Nalanda University, this initiative should be extended to the IITs and the IIMs.
 - Tourism too can be further encouraged between India and the ASEAN with some creative branding by the two sides.

Conclusion:

- Despite progress made over the last 25 years in India-ASEAN ties, there remains immense scope for further growth in the relationship. This is one of the most dynamic regions of the world today, and it is necessary for both India and ASEAN to actively collaborate to shape the so-called 'Asian century'.
- A stronger partnership and enhanced cooperation should be prioritised by both sides if the full potential of this engagement is to be realised.

Q9) The Delhi Declaration, announced during the recent ASEAN-India Commemorative Summit, is significant for addressing India's various security concerns. Do you think such declarations will have tangible outcomes? Critically analyse. (250 Words)

[The Hindu](#)

[The Indian Express](#)

Background:-

- ASEAN-India commemorative summit recently presented Delhi declaration which would largely cater to the needs of Indian security to marks 25 years of diplomatic partnership.

Important points of Delhi Declaration (Extra)

- **Terrorism:**
 - Deepen cooperation in combating terrorism in all its forms and manifestations, violent extremism and radicalisation through information sharing, law enforcement cooperation and capacity building under existing ASEAN-led mechanism.

- **Cyber-security:**
 - Strengthen cooperation on cyber-security capacity building and policy coordination, including through supporting the implementation of ASEAN Cyber security Cooperation Strategy.
- **Transnational crimes:**
 - It called for strengthening cooperation to combat other transnational crimes, including people smuggling, trafficking in persons, illicit drug trafficking, cyber crime, and piracy and armed robbery against ships.
- **Political and Security Cooperation:**
 - Reaffirm importance of maintaining and promoting peace, stability, maritime safety and security, freedom of navigation and over flight in the region.
 - It calls for other lawful uses of seas and to promote peaceful resolution of disputes, in accordance with universally recognised principles of international law, including 1982 United Nations Convention on the Law of the Sea((UNCLOS)
- **Maritime cooperation:**
 - It emphasised need to promote maritime transport cooperation and encourage potential private sector participation in development of seaports, maritime logistics network and maritime services in order to create greater efficient linkages and continue discussions on these priority areas.

Significant for addressing India's security concerns because:-

- India and 10 ASEAN countries for **first time mentioned cross-border movement of terrorists** and made commitment to counter the challenge through close cooperation as part of the declaration.
- This declaration sought a **comprehensive approach to combat terrorism** through close cooperation by **disrupting and countering terrorists**, terrorist groups and networks, including by countering cross border movement of terrorists and foreign terrorist fighters and misuse of Internet including social media by terror entities.
- For India, **this emboldens Delhi's efforts to list JEM chief Maulana Masood Azhar as a global terrorist, and pressure Pakistan** to take action against Mumbai terror attack mastermind and Jamaat-ud-Dawa founder Hafiz Saeed.
- This assumes significance as **India has always accused Pakistan of cross-border terrorism** and many ASEAN countries have been victims of terrorist attacks in Indonesia and Thailand among others.
- Countries would deepen cooperation in combating terrorism in all its forms and manifestations, **violent extremism and radicalisation through information sharing, law enforcement cooperation** and capacity building under the existing ASEAN-led mechanisms.
- They would strengthen **cooperation to combat other transnational crimes, including people smuggling, trafficking in persons, illicit drug trafficking, cybercrime, and piracy and armed robbery against ships.**
- More cooperation for Comprehensive Convention on International Terrorism (CCIT) at the United Nations is gained.
- It also agreed to uphold freedom in the maritime domain.

Yes, it will provide tangible outcomes:-

- It would also ensure tackling of border management and insurgency from cross border of Myanmar ensuring safety of North eastern states.
- In the Philippine context, it goes both ways. If development leads to peace, peace leads to development. The World Bank said in a report in October that the development of strife-torn Mindanao is key to the country's long-term economic goal
- **Maritime cooperation can lead to freedom of navigation, anti piracy initiatives as well.**
- **India can deal with the golden triangle organised crime issue, effectively curb drug trafficking in the region.**
- **It will put pressure at international level to take measures and tackle terrorism effectively.**

No, it will not provide tangible outcomes:-

- **ASEAN policy-making is slow in its production of legislation as well as its ratification process and implementation of measures.**
- **Some of the ASEAN members are part of China's one road one belt initiative** so its not sure to what extent they would put pressure on Pakistan and even China.
- When the ASEAN convention on counter terrorism was signed in 2007, long after the idea for a regional counter-terrorism treaty emerged, **Southeast Asia was one of the last regions of the world to adopt such legislation.**

- ASEAN has failed to impose itself as the dominant forum for regional counter-terrorism policymaking as regional states tend to prefer using bilateral arrangements.
- **India's terrorism concerns largely emanate from western borders so this declaration does not deal with that.**
- **Necessary infrastructure to uphold security is lagging in north east so only information sharing might not help.**
- **Even with this declaration India might not be able to put pressure on Pakistan as UN designated terrorist Hafiz Saeed is still roaming free.**
- **Chinese dominance in Indo Pacific region :**
 - **Countries are still divided on ideological lines with respect to maritime cooperation.**
- **Southeast Asia's counter- terrorism landscape is highly complex and asymmetrical in terms of member states' respective counter-terrorist capabilities, efficiency and involvement in transnational cooperation.**
 - These gaps can be exploited by terrorists, notably for the smuggling of foreign fighters and weapons, made evident by the presence of Uyghurs and other non- Southeast Asian militants in Mindanao.

Way forward/suggestions:-

- In light of the extensive use of modern communication technologies by terrorists, individuals vulnerable to extremist discourse tend to radicalise or self-radicalise online. Any strategy aimed at disrupting radicalisation, recruitment and recidivism by former offenders must therefore include an online aspect. But states have so far experienced difficulty in dealing with online propaganda.
- The "build community" approach to counterinsurgency is something widely shared by experts and world leaders
- There is a need for developing more infrastructure with integrated border management at the borders especially of Indian Myanmar
- Technological capabilities can be increased along the border to reduce loss of human life
- More exercises and work shops can be initiated by countries for greater cooperation in upholding Delhi declaration.

Q10) India can be a 'consensus builder' in its neighbourhood before moving ahead with its role as 'net security provider'. Comment. (250 Words)

[The Hindu](#)

[The Indian Express](#)

Background:-

- India is gaining momentum in the international arena by being members of MTCR, Wassenaar agreement, Australia group, now it is developing Assumption island in Seychelles as well. This raised questions whether India needs to be a consensus builder or net security provider in its neighbourhood.

Challenges in India's neighbourhood :-

- Piracy, terrorism, human and drug trafficking, Border conflicts
- China strategic expansion by developing infrastructure in Sri Lanka, CPEC corridor , opening the naval base in Djibouti etc
- US is pulling out from international agreements like TPP, US moving out from Afghanistan puts China in the forefront. also
- Refugee crisis – Rohingya issue
- Also there are issues of instability due to the situation in Pakistan and Afghanistan.

To ensure the challenges are solved India needs to develop militarily and be a net security provider through the assumption island of Seychelles, Strengthening border management through integrated check posts, defence relations with ASEAN

However there are some issues for India to be a net security provider :-

- India is strongly dependent on other countries for military infrastructure and indigenisation of technology is still very less.
- India has no policy like China's One belt one road to include many countries
- Lack of strong international role
- India's foreign policy is focussed on non interference of other country's internal affairs
- India is still unable to deliver projects on time like BBIN, TAPI are being delayed.

So India needs to first try to build consensus in the neighbourhood and then be ready to engage militarily.

Why India should be a consensus builder in its neighbourhood:-

- Indian foreign policy relied on its deep resources of wisdom and inner strength based on a percept of it being a civilizational state that was reflected in its international conduct. **To that effect, foreign policy has been driven by peace rather than security.** It gave India a global persona of benign international influence.
- An honest attempt to build a **new paradigm of India-China trust grounded on the shared historical and cultural awareness**, as also on the collective wisdom of ordinary citizens on both sides, may prove to be more effective
- Transforming India's old arrangements with **smaller neighbours like Bhutan and Nepal** and developing India as a regional economic hub,
- India need to try **to implement the projects it promised in Myanmar**, trilateral highway on time and encourage economic cooperation
- By focussing on **SAARC, BIMSTEC** India can ensure the cohesiveness and solidarity among the countries in the region gaining the trust.
- There need to be **moral consistency in its actions like** Housing projects in Jaffna, the parliament in Kabul and the Sittwe port renovation project in Myanmar are all symbols of Indian efforts to reach out in the region.
- **By focussing on connectivity India needs to link ASEAN** for the benefitting of north east bringing. This ensures India as a regional power.
- **In the light of climate change India can engage with other countries on early warning systems and disaster mitigation.**
- **It have increase relations in space diplomacy, more people people contact as well.**

Q11) What are the Missile Technology Control Regime (MTCR), Wassenaar Arrangement and Australia Group? How do these elite regimes control the export of weapons and transfer of weapons technologies? Why does membership in them matter to India? Examine. (250 Words)

The Indian Express

Background:-

- In the 18 years since its nuclear tests, India's pursuit of nuclear legitimacy has taken several forms.
- Successive governments have renounced further tests, promulgated defensive nuclear doctrines and accepted international supervision.
- As part of this effort, India has placed particular emphasis on joining key export control regimes.

MTCR :-

- MTCR is an informal political understanding among states that seek to limit the proliferation of missiles and missile technology.
- It has 35 members. India was admitted in June 2016. China is not a member.
- MTCR's initial aim of controlling proliferation of nuclear missiles was expanded in 1992 to include delivery systems for chemical and biological weapons as well.
- It encourages members not to export missiles delivering any weapon of mass destruction.

Australia group :-

- It is an informal forum of countries which through the harmonisation of export controls, seeks to ensure that **exports do not contribute to the development of chemical or biological weapons.**
- The principal **objective of its members is to use licensing measures to restrict exports of certain chemicals, biological agents, and dual-use chemical and biological manufacturing facilities and equipment that could contribute to the proliferation of CBWs.**
- It has 43 members; India was admitted as a participant on January 19 this year. China is not a member of the AG.

Wassenaar Agreement:-

- It aims to promote transparency and greater responsibility in transfers of conventional arms and dual-use goods and technologies so there are no destabilising accumulations and terrorists do not acquire them.
- It has 42 members; India was admitted as a "participating state" in 2017.
- Members must be producers/exporters of arms/sensitive industrial equipment
- Members must have national polices for non-proliferation and an effective export control regime

- Members must adhere to global non-proliferation compacts including the Nuclear Non-Proliferation Treaty, Biological Weapons Convention, Chemical Weapons Convention.

How do these regimes control the export of weapons and transfer of weapon technologies ?

- **MTCR:-**
 - MTCR members are **supposed to establish national export control policies** for ballistic missiles, cruise missiles, unmanned aerial vehicles, space launch vehicles, drones, remotely piloted vehicles, sounding rockets, their components and technologies.
 - The regime's guidelines say there will be a strong presumption to deny exports of "Category I" items, which include complete missiles and rockets, major sub-systems, and production facilities.
 - "Category II" exports i.e., specialised materials, technologies, propellants, and sub-components for missiles and rockets some of which also have civilian uses, **are less severe**.
 - MTCR is a voluntary regime, **places no legal obligations on its members, and has no enforcement mechanism**.
 - It is clear that **exports to fellow members are not treated differently from exports to non-members**
- **Australia group:-**
 - **Members commit to prevent spread of Chemical based weapons proliferation**
 - **Including being a party to Biological and Toxins Weapons Convention and Chemical Weapons Convention**
 - Being a manufacturer/exporter/transshipper of AG-controlled items
 - Having an effective export control system with legal penalties and sanctions built in.
 - The obligations are not legally binding.
- **Wassenaar agreement:-**
 - The Wassenaar Arrangement requires participating states to apply export controls to all items in the Wassenaar "Control List" and the "Munitions List", with the objective of preventing unauthorised transfers or re-transfers of those items.
 - Participating states must also exchange information to assist in developing common understandings of transfer risks. They must report their arms transfers and transfers/denials of certain dual-use goods and technologies to countries outside the Arrangement on a six-monthly basis.
 - In order to do all this, members agree to guidelines, elements and procedures as a basis for decision-making through their own national legislation and policies.

Why membership matters:-

- **With respect to MTCR**
 - It burnishes its image as a non-proliferator, thereby making it easier for other missile-making countries to export to India.
 - India is the only one of the four unrecognised nuclear powers (the others are Pakistan, Israel and North Korea) that is a member of MTCR.
 - Now it is easier for other MTCR members to justify transferring sensitive technology to India.
 - India's space programme will be an obvious beneficiary.
 - Membership will ease the way for New Delhi to export its supersonic BrahMos cruise missile, co-developed with Russia.
- **Being part of Australian group**
 - Would help strengthen supply chain security in the dynamic industry fields of biotechnology and chemicals along with meeting non-proliferation objectives.
- **Wassenaar agreement:-**
 - India's admittance to Wassenaar agreement despite being a non-signatory of the NPT has been seen as a sign of its growing nuclear legitimacy.
 - Membership of the Wassenaar Arrangement is, along with membership of MTCR and Australia Group, three-fourths of the way into the membership of the Nuclear Suppliers' Group.
 - Wassenaar Arrangement will embed India deeper in the global non-proliferation architecture and enable access to critical technologies in the defence and space sectors.
- The membership of these groups will give India a distinct advantage when participating in the management of global commerce in advanced technology.

Problems:-

- The US is likely to treat the export of armed drones to India with much more caution than it does to NATO allies.
- Not only is India working on nuclear-capable cruise missiles that could, in theory, benefit from drone technology US officials will also be hesitant to expand India's perceived options for striking Pakistan.
- Indian drones in Pakistan would face a drastically less permissive environment than their CIA counterparts, which fly in specially cleared airspace.

Conclusion:-

- India is moving in the right direction by being part of these groups and gaining international legitimacy. This shows the growing stature of India in the world arena .

Topic: Effect of policies and politics of developed and developing countries on India's interests, Indian diaspora.

Q1) America's threat to cut aid to Pakistan will have little effect on cross border terrorism emanating from India's neighbours. Comment. (150 Words)

[The Indian Express](#)

Background:-

- Recently the United States President made a statement that US has given Pakistan more than 33 billion dollars in aid over the last 15 years but acted as a safe haven to the terrorists US hunt in Afghanistan.
- This statement brings India and cross border terrorism affecting it to the forefront.

The American threat has little effect because :-

- The proposed cut for 2018 is \$350 million. The withheld amount stays in an escrow account, but Pakistan can technically claim the money within two years.
 - Also this is not the first time that US would cut funding. Cutting of aid has not translated into strict sanctions like the one imposed on North Korea
 - Pakistan's case:-
 - Pakistan security and military establishments have attempted to establish operational links with drug syndicates and fundamentalist groups in India, Pakistan and Afghanistan.
 - Pakistan-based Islamist fundamentalist organizations like Lashkar-e-Taiba and Jaish-e-Mohammad are inextricably linked with international jihadist groups like Taliban and Al Qaida.
 - There are strong evidences of state sponsored terrorism from Pakistan
 - Pakistan has refused to designate terrorists and organisations recognised by the UN.
 - The US power is diminishing in the world and there is rise of China clout which is very visible in Pakistan-China relations .China is cooperating with Pakistan at multiple levels .
 - Even terror groups in Pakistan are self sustaining
 - There is also ISIS issue which is not originating from Pakistan per se but still an issue of cross border terrorism for India.
 - **Bangladesh:-**
 - After the assassination of Mujibur Rehman, subsequent governments in Bangladesh have allowed ISI activities directed against India to flourish.
 - The extremely porous Indo-Bangladesh border is prone to illegal immigration and has often been used by the ISI to push in its agents.
 - Threat from Bangladesh assumes serious dimensions since it became a base for northeast insurgent groups like ULFA and Naga factions. Of late, it has also been serving as a conduit for ISI sponsored infiltration of terrorists along India and Bangladesh's porous border.
 - Similarly, due to the open borders between India and Nepal the latter country serves as the easiest entry route
- Despite such cuts in financial aid there would have impact on Pakistan economy and it is just a short term solution .

What can be done?

- Terrorism affects all the nations in the world .So there is need for stronger collaboration at global level.
- **Strengthening India's border management:**
 - LOC do not have even proper fences.
 - Israeli border protection system has a state of the art long-range day cameras with night observation systems, third generation thermal imagers, long-range detection radars, electronic touch and motion sensors on the fence as well as underground sensors to detect any attempt of digging tunnels.
 - US border -The entire length of border could be seen online by the ordinary citizens who could alert the border guarding agency of any suspicious movement
- India need to balance regional development and create employment opportunities for the youth to stop linkages with organized crime across the countries in the region.

Q2) Recently, Russia has positioned itself as a key player in the Middle East's affairs. What implications will it have on the region? Also examine how will it affect India's interests in the region. (250 Words)

[EPW](#)

How Russia is a key player in Middle East:-

- Over the past two years, Russian President Vladimir Putin has received the leaders of Middle Eastern states 25 times.
- **Balancing nature of Russia:-**
 - The limited nature of Russia's footprint and refrain from interfering in long-standing intramural disputes, such as those between Iran and Israel, Iran and Saudi Arabia, especially in the Yemen conflict, Iraq and Turkey vis-à-vis the Kurdish question, and Israel and Syria, especially on the Golan Heights and Hezbollah.
 - Unlike the Soviet Union, Russia has acquired even more flexibility in engaging with regional actors because it is no longer constrained by the dilemma of picking sides between nationalist and communist groups.
- **Syria:-**
 - Syrian war offered Russia an opportunity to make sure Russia would become one of the primary power brokers in the Middle East.
 - Russia has altered the course of the Syrian civil war and taken control of the peace process
 - Russia ordered a squadron of Russian jets to deploy to the Hmeymim airbase near Latakia, a stronghold of Assad loyalists.
 - It was Russia's first military deployment outside the former borders of the Soviet Union since Moscow's disastrous 1979 invasion of Afghanistan.
 - Within days, some 30 Russian warplanes had already begun to turn the war in Assad's favor.
 - **Though the deployment was tiny, it was a pivotal moment for Moscow's foreign policy. Suddenly, Russian planes were flying in the same airspace as those of America and its allies, who were battling ISIS.**
 - Russian role in Syria has helped deplete U.S.-backed rebel forces and allowed Assad to regain control of the strategically vital city of Aleppo.
- **ISIS:-**
 - As ISIS grew more influential in Syria Russia grew doubtful of Western efforts to combat the militant group and Russia fought against it
 - Russian and Turkish warplanes participated in joint airstrikes against ISIS.
- **Declining American role:-**
 - America's steady disengagement from the Middle East militarily and oil under Obama helped Russia.
- **Egypt:-**
 - Russia saw an opportunity in Egypt because the U.S. has pushed for a reform environment since the Arab Spring.

- The Russia was also ready to sell cheap arms to regional powers. Moscow has sold \$4 billion worth of weapons to Egypt since 2012
- Egypt has also acknowledged Moscow's new-found status by hosting an air drill which is Russia's first such exercise in Africa.
- Egypt also signaled its support for Russia by becoming one of only four countries to support Russia's resolution on Syria in the United Nations.

▪ **Iran:-**

- Iran has joined Moscow in taking control of the Syrian peace process, becoming joint arbiters of talks in Astana that outlined a roadmap to peace and a new constitution for Syria that will inevitably reflect Assad's military victories on the ground.
- Russian arms supplies including an S-300 anti-aircraft missile system have helped Iran keep up with massive military spending by its regional rivals Israel and Saudi Arabia.
- In exchange, Iran gave Russia temporary access to its Hamadan air base for raids on Syria and allowed Moscow to fire cruise missiles from warships in the Caspian Sea .
- By keeping Assad in power, Russia helped Iran maintain an axis of resistance against Israel and the United States.

▪ **Israel:-**

- Putin has even achieved new levels of friendship with Israel. Russian jets now operate within reach of the Golan Heights,
- With US making demands like restricting settlements which was not the case with Russia Israel started good relations with Russia.

▪ **Iraq:-**

- Russia provides advanced weapons, including attack Sukhoi aircraft, to the Iraqi government and smaller weapons to the Kurdish forces fighting the terror group known as ISIS.

Implications:-

- Russia's return to the Middle East has proved a stunning, sudden success and a setback to American power and prestige.
- As a result of Russian intervention, the Asad regime appears now largely immune from U.S. military action.
- A much broader strategic rationale for enhanced Russian-Iranian partnership is taking shape.
- Expanded Russian military role in Iran would give it the capability to project power in ways never before seen in the Persian Gulf, Strait of Hormuz, and Indian Ocean- critical lines of communication where U.S. military dominance has gone largely unchallenged for decades
- Potentially profound implications for vital Saudi interests in the Gulf where Saudi countries can try to accommodate Russian interests rather than confrontation.

Affects India:-

▪ **Indian foreign policy :-**

- Opposition to foreign intervention and support for state sovereignty (regardless of regime type) are long-held principles that by default make India's position neutral in the position in middle east.
- Stability provided in Middle east by Russia can help
 - India protect its interests given its increased dependency on oil and gas imports
 - India's 7 million migrant workers.
 - Reducing the spread of terrorism

Q3) Increasing protectionism in the West and the rise of new digital technologies pose challenges and opportunities for India's IT services industry. How should India weather these challenges? Examine. (250 Words)

[Livemint](#)

Background:-

- Political developments in Western polities in the past few years show that protectionist tendencies are on rise.
- Recently US government signed the "Buy American and Hire American" executive order. Since the order, various proposals have been made, or notified, that would make hiring H-1B workers difficult for companies.
- India has been the largest beneficiary of the old system with over 60% of the revenue of the \$150-billion-plus Indian IT industry is from exports to the US. The direction of recent policy would affect the Indian IT industry.

Challenges:

- So with the new policies of US India will be among the major losers .**This would make a significant dent on the bottom-line and cost-competitiveness of these IT companies.**
- Due to the rise of e-commerce, mobile computing and penetration of the internet, demand in the industry has shifted from traditional products towards new technologies. **Indian companies have been lax in responding to the challenge, favouring organic growth to acquisitions.**
- **Only 14% of Indian companies revenue come from their business in digital services and they're losing out on a growing market.**
- Executives point out that higher salaries push up costs and could create problems for existing staff who may already be H-1B visa-holders.
- Indian companies use to get hi-tech workers into the US is the L-1 visa, which allows intra-company transfers but Indian companies face a 40% rejection rate compared to small numbers for the rest of the world.
- Indian companies have also been looking for ways to reduce their dependence on the US market. But they have not had a great deal of success. **About 62% of the industry's revenues come from the US.**
- Local hiring could be a bigger concern, particularly in the US, the largest market for Indian IT.
- If protectionist policies continue beyond rhetoric and specific curbs are erected, there could be a 30-40% hit on net profit .
- Unfilled jobs in the US will be 2.4 million by 2018. Visa curbs will hurt them more in the long run.

Challenges for Indian IT

GROWING digital workforce

INCREASING digital share of business

SHIFTING from legacy to digital tasks

PROTECTING margins as onsite work increases

REORIENTING biz model away from labour arbitrage



No. of foreign nationals among tech workers of India companies

250,000

No. of nationalities

130 approx

H-1B visas issued to Indian tech workers in 2015

55,900

Opportunities :-

- In order to improve its cost competitiveness, Infosys, Wipro and TCS have been using their proprietary Artificial Intelligence (AI) platforms to increase productivity.
 - In 2016-17, both these firms said these automation tools helped each of the firms record productivity worth work done by 12,000 engineers.
- Tightening immigration controls in the US will mean more skilled homegrown professionals looking for opportunities in the Indian market not only for employment but also in the start-up space.

Suggestions :-

- Pushing for freer movement of its skilled professionals across borders. It has been lobbying at the World Trade Organization (WTO) for multiple-entry visas on cross-border movement of services, relieving professionals on short stints from social security contributions, insurance visas, etc as a part of the Trade Facilitation Agreement for Services. But judging by the opposition to this agenda.
- The necessary transformation of the IT sector in response goes beyond evolving new business models and services. Re-skilling employees to keep pace will be essential.
- Some major Indian companies are looking at using their offices in Ireland and Mexico so they can be close to their clients in the US.

Q4) Analyse why the rise of China and implications of non-market economics are said to be big disruptions that the world is witnessing today. (250 Words)

[The Hindu](#)

Background:-

- Non-market economy is the economy in which the government seeks to determine economic activity largely through a mechanism of central planning. Countries like China come under this. However with rising protectionism countries like US and European countries are moving towards being a non market economy.

Disruptions:-

- **Indian pacific:-**
 - There is an increase in Chinese assertiveness in the Indo-Pacific and there is the need for multilateral mechanisms to maintain peace in the region.
 - China is the disruptive force in the Indo-Pacific region. The trust deficit that exists in the region should be addressed by China.
- **Indian ocean:-**
 - China had been making increasing forays in the Indian Ocean in the name of anti-piracy and the scenario was likely to continue.
 - The recent opening of its naval base in Djibouti and the signing of free trade agreement with Maldives rose India's fear as well.
- **Neighbourhood:-**
 - The region was facing a deficiency of trust and fear of insecurity and called for trust between countries and transparent inter-operability.
 - The CPEC corridor as part of OBOR initiative created tensions in Indo-Pak border and threatened Indian sovereignty.
 - The Doklam issue heightened the insecurities of India and Bhutan to the military establishments of China in its neighbourhood.
- **Terrorism:-**
 - **China is**continuous **blocking** of Pakistan-based JeM chief Masood Azhar's designation as a global **terrorist** by the UN.
- A lot of market economies like US and China are also practising non-market economics.
 - **Economic :-**
 - China is a non market economy as there is huge centralised planning .
 - Dumping its exports like steel, electronic goods in India and other countries affects the cost competitiveness of the local products and also leads to huge electronic waste.
 - Balance of trade is tilted towards China.
 - China's role in infrastructure development in African countries is also concerning India.
 - The recent US protectionist policies curbing immigration and also trying to reduce the intake of H1 B employees created furore for the Indian companies and other countries.
 - **This policy has also affected immigrants as many jobs were lost.**

Benefits:-

- China has in a way opened up the international order, which allowed India to make its presence felt.
- Certainly, for India, in some ways China has been a motivator and an example.
- India can become a better destination for foreign investment.

Conclusion:-

- Initiatives like Quad and more regional groupings would take place to try to assert their stand against Chinese dominance.
- Reforms in the United nations are needed.
- India needs to focus on Indian ocean area and its neighbourhood implementing the projects on time and gaining trust to increase its stature.

Q5) A sharper geopolitical competition in the South Asian region adversely impacts the overall sub-systemic stability in the region. In the light of recent 'recalibration' of ties between the US and Pakistan, critically analyse. (250 Words)

[The Hindu](#)

Background :-

- In the light of the recent statement by US president on misuse of US aid by Pakistan, the S. appears to be radically resetting its administration's Pakistan policy with implications for the rest of South Asia.

How US –Pakistan ties changes the geopolitical competition in South Asian region and its stability:-

- Southern Asia's regional geopolitics would be reshaped along several disconcerting fault-lines. **The emerging China-Pakistan-Russia axis is set to play a dominant role in the regional geopolitical order.**
- Counter powers can be led by US along with Japan and India might be dragged into it.
- As Saudi Arabia has good relations with both Pakistan and India, America might use Saudi Arabia to influence Pakistan. This has implications to the region too.
- This will mean the end of the indirect influence (through the U.S.) that India has traditionally managed to exert on Pakistan, especially on terror-related issues.
- American absence would embolden Chinese manoeuvres against India.
- **China's dominance:**
 - Pakistan's confidence that it has an alternative in China has grown, with Beijing's pledge of more than \$100 billion in loans for the China-Pakistan Economic Corridor infrastructure, power projects, and so on.
- **America concerned about only its interests:-**
 - All American statements focus on Pakistan's support to terror groups that threaten the U.S. troops in Afghanistan. Therefore, action against the groups that threaten India is unlikely to be an immediate priority.
 - America continues to prioritize the elimination of anti-Afghanistan militants over the anti-India ones. The U.S. government delinked Lashkar-e-Taiba (LeT) but not the Haqqani Network or any other Afghanistan-focused terror group from aid certification requirements
- With the US move benefiting India, Islamabad may further escalate its proxy war against India in **Kashmir valley**.
- In the past **US has played a significant role in keeping extremist tendencies in Pakistan** under control. As their relation fractures India's regional security is affected.
- **The rise of Hafeez Saeed in Pakistan :-**
 - Saeed's recent release from house arrest and the emergence of the LeT-linked Milli Muslim League political party are a concern for India.
- **Afghanistan:**
 - With the U.S.-Pakistan relationship on the rocks, Pakistan could in due course loosen its grip on that leash, thereby enabling the group to do more damage in Afghanistan. And that should be an alarming thought for the United States and India

The US-Pakistan ties will not change much in the region:-

- The proposed cut for 2018 is \$350 million. The withheld amount stays in an escrow account, but Pakistan can technically claim the money within two years.
- Also this is not the first time that US would cut funding. Cutting of aid has not translated into strict sanctions like the one imposed on North Korea
- It gives credibility to Indian stand that Pakistan has been involving instate sponsored terrorism at the international level

What needs to be done?

- India needs to diplomatically its relations with China and America both.
- **US and Pakistan are mutually dependent but fractured relationship can cause disturbance:**
 - There's a need for continued access to Pakistan-based NATO supply routes that serve U.S. forces in Afghanistan.
 - America also continues to greatly value Pakistani intelligence support to help target al-Qaeda and ISIS in the region.
 - For Islamabad, military assistance and the prestige of maintaining a partnership with a great power are major perks that are tough to relinquish.

▪ **Strengthening India's border management:**

- LOC do not have even proper fences.
- Israeli border protection system has a state of the art long-range day cameras with night observation systems, third generation thermal imagers, long-range detection radars, electronic touch and motion sensors on the fence as well as underground sensors to detect any attempt of digging tunnels.
- US border -The entire length of border could be seen online by the ordinary citizens who could alert the border guarding agency of any suspicious movement
- India need to balance regional development and create employment opportunities for the youth to stop linkages with organized crime across the countries in the region.

Way ahead:

- India needs to engage and develop relationships with countries from important organizations like SCO, BRICS and try to enable solutions for the issue of cross border terrorism.

Topic: Important International institutions, agencies and fora- their structure, mandate.

Q1) The World Bank intends to revise the methodology it uses to calculate the ease of doing business index. Discuss the significance of this move and other issues associated with the ease of doing business index. (250 Words)

[The Hindu](#)

Background:

- The World Bank recently announced that it would revise the methodology it uses to calculate the ease of doing business index, a move that is expected to affect the rankings of countries in the last four years
- This index ranks countries based on how welcoming they are to businesses.

Significance:

- The decision to revise the methodology comes after the Bank's chief economist raised concerns that the rankings could have been influenced by politics. So the new methodology could be comprehensive.
- Accountability is present as the new index might have better objective criteria
- India has consistently questioned the methodology of concentrating only on a few mega cities, presenting an uncompleted picture. This might be better.
- Chile has seen wide fluctuations in its ranking of doing business, not because of underlying business conditions, but based more on the ideology of the government in power. This incidents can be avoided.

Issues associated:

- It limits its sample size to just a few major cities thus projecting an imperfect picture of overall business conditions.
- Governments may be gaming the rankings by tailoring their policies to specifically fit the World Bank's criteria instead of trying to enact wider structural reforms.
- Another criticism is whether the bank is right to measure a country's business environment based on written legal rules rather than investigating the actual ground conditions in which businesses operate. **Many businesses, for example, may be able to bribe their way out of bad rule**
- Significant variation between World Bank's surveys and actual business conditions.
- The data often focus on a specific business form generally a limited liability company (or its legal equivalent) of a specified size and may not be representative of the regulation on other businesses (for example, sole proprietorships).
- Transactions described in a standardized case scenario refer to a specific set of issues and may not represent the full set of issues that a business encounters.
- The methodology assumes that a business has full information on what is required and does not waste time when completing procedures. **In practice, completing a procedure may take longer** if the business lacks information or is unable to follow up promptly. Alternatively, the business may choose to disregard some burdensome procedures.

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