



# INSIGHTS IAS

SIMPLIFYING IAS EXAM PREPARATION

- I A S   S E L F   S T U D Y   G U I D E -

## SECURE SYNOPSIS

### MAINS 2019

GS-II

# JANUARY 2019

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**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.

INSIGHTS IAS



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## General Studies Paper - II

**TOPIC:** Indian Constitution- historical underpinnings, evolution, features, amendments, significant provisions and basic structure ;

**Q) The amendments proposed by the government in relation to POCSO act, 2012, will undermine the right to life enshrined in the Indian constitution. Discuss. (250 words)**

Indianexpress

### **Why this question**

The Cabinet of the central government has recently given its nod to introduce certain amendments to the POCSO Act, 2012. POCSO act is a stringent act aimed to address child sex abuse and the proposed amendments have made it more so. However, the amendments have been criticized on various fronts by several activists and other people.

### **Directive Word**

Discuss- this is an all-encompassing directive which mandates us to write in detail about the key demand of the question. we also have to discuss about the related and important aspects of the question in order to bring out a complete picture of the issue in hand.

### **Key demand of the question**

The question wants us to write in detail about the Protection of Children from Sexual Offences Act, 2012 (POCSO), its proposed amendments and it also want us to bring out how these amendments would affect the right to life as manifested in the constitution.

### **Structure of the answer**

**Introduction**– write a few introductory lines about the recent amendments to the POCSO act. E.g The Union Cabinet has approved amending the Protection of Children from Sexual Offences Act, 2012 (POCSO), to introduce the death penalty as a punishment for certain offences.

### **Body-**

Discuss the recently proposed amendments in the POCSO act. E.g

- Death penalty has been prescribed for offences of penetrative sexual assault and aggravated penetrative sexual assault (Sections 4, 5 and 6).
- Cases of sexual assault by police officers, members of the armed forces, public servants, gang-penetrative sexual assault, and relatives are treated as “aggravated” cases, as are cases where the survivor is less than 12 years old.

Discuss how the amendments would affect the right to life as enshrined in the constitution. E.g

- POCSO is already a stringent act. Under POCSO there is a presumption that a person who is prosecuted for an offence has actually committed the offence, unless the contrary is proved (Section 29).
- It is especially difficult for the poor or disadvantaged groups to overturn these presumptions.
- Under Article 21 of the Constitution, a person can only be deprived of their life or liberty in accordance with the procedure established by law. This procedure must be just, fair and reasonable.
- Without quality legal representation, it is virtually impossible for an accused to overcome the presumption of guilt. Imposing death penalty in an offence with a presumption of guilt cannot be a just or fair procedure etc.

**Conclusion**– based on your discussion, form a fair and a balanced conclusion on the given issue.



### **Introduction:**

POCSO or The Protection of Children from Sexual Offences Act (POCSO Act) 2012 was established to protect the children against offences like sexual abuse, sexual harassment and pornography. It was formed to provide a child-friendly system for trial underneath which the perpetrators could be punished. The Union Cabinet has approved amending the POCSO Act, to introduce the death penalty as a punishment for certain offences.

### **Body:**

The POCSO Act has been in force since 2012. Although it has acted as a deterrent, there are some instances of child abuse. **Example:** Gang rape cases in Kathua, J&K; Unnao in Bihar in 2018. The Central Government has decided to make the law stricter and proposed the following amendments to POCSO Act.

- Introduction of the death penalty as a punishment for offences of penetrative sexual assault and aggravated penetrative sexual assault (Sections 4, 5 and 6).
- Cases of sexual assault, by following, will be treated as “aggravated offence”.
  - police officers
  - members of the armed forces
  - public servants
  - gang-penetrative sexual assault and
  - relatives
  - where the survivor is less than 12 years old
- Attempt to inject hormones in children to attain early sexual maturity for the purpose of penetrative sexual assault.
- A hefty fine would be imposed for not deleting, not destroying child pornographic material or not reporting child pornography.

The proposed amendments have been debated at great lengths due to the following concerns

### **Guilty till proved innocent:**

- Instead of “innocent until proven guilty”, the court assumes that the accused is guilty once the prosecution lays the foundation of the case.
- The Act also presumes that the accused person had a sexual intent when touching the child (Section 30).

### **Burden of proof:**

- Usually, in criminal cases, the burden of proof lies on the prosecution, and the guilt must be proved beyond reasonable doubt.
- Under POCSO, however, there is a presumption that a person who is prosecuted for an offence has actually committed the offence, unless the contrary is proved (Section 29).
- Thus, POCSO is already a stringent act. The amendments don't try to make any changes in above sections.

### **Affects Right to Life:**

- Under Article 21 of the Constitution, a person can only be deprived of their life or liberty in accordance with the procedure established by law. This procedure must be just, fair and reasonable.
- Imposing death penalty in an offence with a presumption of guilt cannot be a just or fair procedure.
- Without quality legal representation, it is virtually impossible for an accused to overcome the presumption of guilt.

### **Against the poor:**

- Legal process requires high-quality lawyering, which is highly expensive.
- Economic vulnerability impacts the experience of the prisoner during the investigation and trial.
- For daily-wage earners, the legal process means loss of income as well.
- If the accused is in jail, their family will have to collect evidence and find witnesses.
- Neighbours or employers may not readily give evidence for migrant workers.
- About half of the sample of 383 prisoners spoke about lack of access to lawyers. (**Death Penalty Project Report, 2016**)



### **Reports and Recommendations overlooked:**

- The **262<sup>nd</sup> Law Commission Report** has recommended universal abolition of the death penalty, except in terror cases.
- Even **Justice Verma committee** decided against recommending the death penalty for rape.
- Death penalty has not proved to be a deterrent against commission of such heinous acts.
- The Death Penalty Project Report also revealed that Death row prisoners are typically overwhelmingly poor, lower caste, or religious minorities.
- About 76% of death row prisoners were from backward classes and religious minorities.
- Provision of death penalty in rape cases will only make matters worse by slowing the administration of justice. Besides, when victim is the sole witness, as in most sexual assault cases, it will induce murder of rape victims by the perpetrators of the crime to destroy the evidence.

The following issues need to be looked into instead of enforcing death penalty for effective implementation of laws like POSCO:-

- The appalling lack of infrastructure and manpower in the criminal justice system.
- Most districts continue to try cases of child sexual abuse in regular sessions courts, designated as special courts for the sake of compliance
- Investigations are regularly botched up by an understaffed, poorly trained, overburdened police force which has little to no forensic support.
- The fact that the ordinance reduces the time given to the police to file a charge sheet, and to the court to decide appeals against sentencing, displays a complete lack of understanding about the issues on the ground.
- Given the unavailability or unreliability of age-related documents in most parts of the country, reliance is placed on ossification tests to prove the age of the victim in cases under the POCSO.

### **Way Forward:**

- The Supreme Court has ruled in **Bachchan Singh case** that death penalty should be awarded in the “**rarest of the rare**”
- Fast track courts and Special trial courts (already in provision of POCSO Act) to provide justice at the earliest to the victims. Instead of death penalty, a combination of heavy financial penalty, life imprisonment with no provision of parole can act as deterrent.
- Reformative justice instead of Retributive justice, along with counselling to get back into the society as a reformed human being.
- Providing sex-education to children, which is neglected in India. This makes them more aware of the various protective laws like POCSO, good touch-bad touch etc.

## **Q) Discuss the constitutional provisions related to reservation for Indian citizens. (250 words)**

Indianexpress

### **Why this question**

*The government has recently passed a bill in Lok Sabha which gives reservations in employment to economically weaker but socially higher caste people of India. In this context it is essential to revisit the constitutional provisions dealing with the issue of reservations in India.*

### **Directive word**

*Discuss- this is an all-encompassing directive which mandates us to write in detail about the key demand of the question. we also have to discuss about the related and important aspects of the question in order to bring out a complete picture of the issue in hand.*

### **Key demand of the question.**

*The question wants us to write in detail about the constitutional provisions dealing with the issue of reservations. We have also to discuss at length as to how courts have interpreted those provisions in order to give a complete picture.*

### **Structure of the answer**

**Introduction-** write a few introductory lines about the recent passing of the bill providing quota to socially forward classes.



*Discuss the constitutional provisions related to the bill.*

- *On the one hand, there is the principle of Equality, which prohibits the State from discrimination against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them under Article 15(1),*
- *“equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State” under Article 16(1),*
- *in addition to prohibition against discrimination against any citizen on the same grounds as in Article 15(1), specifically with respect to employment or appointment under the State.*
- *The other leg is the special provisions, which under Article 15(4) empowers the State to “make any provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and Scheduled Tribes”, and*
- *under Article 16(4) provides “for the reservation of appointments or posts in favour of any backward class of citizens, which in the opinion of the State, is not adequately represented in the services under the State”.*

*Discuss about the Mandal Case Judgement. E.g The majority judgment in the Mandal case per Justice Jeevan Reddy held that “a backward class cannot be determined only and exclusively with reference to economic criterion. It may be a consideration or basis along with and in addition to social backwardness, but it can never be the sole criterion.*

**Conclusion-** based on your discussion, form a fair and a balanced conclusion on the given issue.

#### **Introduction:**

The President of India has given his assent to the bill providing **10% reservation in jobs and educational institutions to the economically weaker sections in the general category**. The legislation will be known as the **Constitution (103 Amendment) Act, 2019** and it shall come into force on such date as the Centre notifies.

#### **Body:**

**The principle of equality permeates the Constitution of India. The relevant Constitutional provisions stand on two legs, which are mutually supportive.** On the one leg it provides

- **Article 15 (1)** provides that the State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them
- **Article 16 (1)** provides for equality of opportunity for all citizens in matters of employment or appointment to any office under the state. No citizen can be discriminated on grounds only of religion, race, caste, sex, descent place of birth or residence.

The other leg is the **special provisions**, which under

- **Article 15 (4)** empowers the State to “make any provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and Scheduled Tribes”.
- **Article 16 (4)** provides “for the reservation of appointments or posts in favour of any backward class of citizens, which in the opinion of the State, is not adequately represented in the services under the State”.
- **Article 46** directs the state to promote with special care the educational and economic interests of the “weaker sections of the people”, particularly of the Scheduled Castes and the Scheduled Tribes and also directs the state “to protect them from social injustice and all forms of exploitation”
- **Articles 330-342 under Part 16 of the Constitution** outline special provisions for certain classes – SCs, STs, Backward Classes and Anglo Indians. The Constitutional promise is explicitly for ‘social exclusion and discrimination’. Notably, the “socially and educationally backward classes” was the target group in quotas for OBCs.

#### **Mandal case Judgement:**

- The term “backward class of citizens” has been generally understood, and also defined by the Supreme Court in the Mandal case (Indra Sawhney vs. Union of India, 1992) judgment, to include the SCs, STs, and Socially and educationally Backward Classes. These are not



exceptions, but special provisions to ensure that the **principle of Equality enshrined in Articles 14, 15(1) and 16(1) becomes really effective**, in the peculiar inherited Indian context of a society riddled by gross inequalities between social classes.

#### **Definition of Backward classes:**

- The majority judgment in the Mandal case per **Justice Jeevan Reddy** held that “a backward class cannot be determined only and exclusively with reference to economic criterion. It may be a consideration or basis along with and in addition to social backwardness, but it can never be the sole criterion”.
- As the Mandal judgment describes, the founding fathers of the Constitution were keenly and poignantly aware of the “historic injustices and inequities” prevalent over the centuries in Indian society. These were not inequities against individuals. These were deprivations imposed on certain social classes as a whole.

#### **Way Forward:**

- The problem faced by children and young people of Socially Advanced Castes who are genuinely poor is that they are not able to afford education to the fuller level for want of financial capacity.
- This problem has to be resolved and can be resolved by having a comprehensive scheme of scholarships and educational loans, so that no child or youth of any caste has to drop out of education at any stage only on account of financial incapacity.
- Creation of jobs by improving the infrastructure – social and physical, better governmental policies for public and private investments to spur the economy.

#### **Conclusion:**

- Reservation to the weaker sections is an positive affirmative action needed for their welfare. The 103<sup>rd</sup> Constitutional Amendment Act though is a beneficial move for the “**forward poor**”. Similar moves by previous governments have been judicially reviewed and struck down. It is prudent to look at other alternatives to alleviate the conditions of EWS.

### **Q) Combating discrimination based on caste is no longer a priority for Indian reformers. Do you agree. Comment. (250 words)**

Indianexpress

#### **Why this question**

*The article discusses the other side of the discrimination based on caste and analyzes the declining interest of the social reformers of today in fighting against this discrimination.*

#### **Directive word**

*Comment- here we have to express our knowledge and understanding of the issue and form an overall opinion thereupon.*

#### **Key demand of the question.**

*The question wants us to express our opinion as to whether combating discrimination based on caste is/ is not a priority for Indian social reformers and activists today. We have to substantiate our opinion with proper facts/ arguments.*

#### **Structure of the answer**

**Introduction-** write a few introductory lines about the social and economic inequalities in India. E.g present some statistics on economic inequality and mention the dilution of social discrimination with age.

#### **Body-**

Mention that in the pre-1947 era eradicating casteism was an important strand of both the freedom struggle and many Hindu reform movements. Give names of such movements, struggles and associated endeavours and personalities.



*Discuss why the general population particularly the educated urban class reformers no longer give so much priority to combating discrimination based on caste. E.g*

- *First, thanks to our Constitution and progressive laws, the most abhorrent forms of casteist bias have been criminalised.*
- *Second, overt casteism is no longer visible in the anonymity of our cities; atrocities directed at Dalits are largely of rural provenance.*
- *The third and perhaps most important reason why the socially privileged feel absolved of any further responsibility for fighting casteism is the policy of reservations. Mandatory quotas in universities, government jobs and elected offices are seen as having done enough (and indeed too much in the eyes of many) to create secure pathways for SCs to achieve upward mobility.*

*Despite this grim picture, many believe that with all the enabling conditions now in place it is simply up to the Dalit community to pull themselves up.*

**Conclusion-** based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

Caste based discrimination has been present in India for about three millenia now. Post independence, the relevance of caste system in Indian society has certainly reduced but not diminished. The most recent incident is the lynching of Dalits by cow-protection groups in Una, Gujarat shows that it is perpetrating and deeply rooted.

The fact that Dalits are poorly represented in the government services, boards of companies show that they are still economically deprived too. The reformers in post independence period too are relatively less interested in combating Caste discrimination. The **2005 economic census** shows that Dalits in India own just 9.8% of enterprises despite constituting 16.4% of the population. And the vast majority of these are small single-person businesses.

### **Body:**

#### **Pre-Independence Era:**

In the pre-1947 era, eradicating casteism was an important strand of both the freedom struggle and many Hindu reform movements. Efforts by many social reformers like Jyotiba Phule (Satya Shodak Samaj), E.V Ramaswamy Naicker (Self Respect Movement), K Kelappan (Temple Entry movements and Vaikom Satyagraha); Freedom fighters like Gandhiji (Harijan Sevak Sangh), M G Ranade(Prarthana Samaj) and Dr.B.R Ambedkar (Bahishkrith Hitakarni Sabha) etc.

#### **Post – Independence period:**

The general population particularly the educated urban class reformers no longer give so much priority to combating discrimination based on caste.

- First, **Constitutional provisions and progressive laws** are provided and the most abhorrent forms of casteist bias have been criminalised. **Example:** Article 17 of our constitution abolishes untouchability. Prevention of Atrocities Act, Prevention of Manual Scavenging Act is enacted.
- Second, **overt casteism** is no longer visible in the anonymity of our cities; atrocities directed at Dalits are largely of rural provenance. **Example:** The Una incident was in a village.
- The third is the **policy of reservations. Affirmative action** is perhaps the most important reason why the socially privileged feel absolved of any further responsibility for fighting casteism. **Mandatory quotas** in universities, government jobs and elected offices are seen as having done enough to create secure pathways for SCs to **achieve upward mobility**.
- Fourth, multiple government schemes to alleviate the poverty of the SCs and for their socio-economic welfare.
- Many believe that the empowerment of Dalits can be done by themselves. **Case Study:** In a 2017 survey by the Centre for the Study of Developing Societies and Azim Premji University, nearly half the upper-caste people polled said the reason Dalits lag behind other groups was due to a “lack of effort”. However, the situation of Dalits is still grim.



- Caste discrimination is still all pervasive. Discrimination based on caste status is a root cause of the high poverty levels that caste-affected people experience. Most Dalits, live below the poverty line, earn less than the minimum wage, have no access to education, experience segregation in access to housing and suffer from numerous diseases, not least because of lack of access to safe drinking water and sanitation. This inequality is exacerbated by the lack of implementation of existing laws to protect the Dalits.

#### **Way Forward:**

- **Give a voice to oppressed groups:** We can tackle bias against caste and gender first of all by recognising the value and dignity of all work (including unpaid work) and all workers (including those in the most difficult arduous and degraded occupations). Creating **Alternative livelihoods** by providing skills training to women of the house.
- **Political Voice:** The reservations provided at the local Self Governments should be filled with true spirit of democracy.
- **Review of the Reservation Policy:** To ensure that the social and economic justice is granted to the needy and true beneficiaries.
- **Protective Legislations** should be strictly enforced, so that no offender is left scot-free
- Private sector companies, schools, and colleges should extend reservations to SCs.
- **Sensitization of Kids** at schools about the ills of caste discrimination.
- **SHG's, NGOs** can play a vital role at the grassroots level to create awareness and uplift the people discriminated by caste. They can be the “**voice of the voiceless**”. Mass movements on Social Media like #MeToo can be started to spread awareness of the perpetuating caste discrimination issues.

#### **Conclusion:**

- India's battle against caste discrimination remains tragically incomplete, casting an aspersion on our status as a civilised liberal democracy. It is to be ensured that the steps taken to undo the harm done by such medieval practices are made more effective and do not create further inequality in the society.

#### **Q) The 10% quota for higher-caste EWSs discredits the moral foundation of the principle of social justice. Comment. (250 words)**

Epw

##### **Why this question**

*The recently introduced act to provide 10% reservations to the higher caste EWSs of the society has been highly criticized for its callous and highly political approach towards some of the most important economic questions of India. It is important to discuss how this policy affects India and the principle of natural justice.*

##### **Directive word**

*Comment- here we have to express our knowledge and understanding of the issue and form an overall opinion thereupon.*

##### **Key demand of the question.**

*The question wants us to express our knowledge and understanding of the issue of providing reservations to high-caste EWS of India and express our opinion as to how it does/does not discredit the moral foundation of the idea of social justice.*

##### **Structure of the answer**

**Introduction-** write a few introductory lines about the recent bill for providing reservations to higher-caste EWS of Indian society. E.g mention the criteria used for identification of the beneficiaries and mention the benefits provided directly.

##### **Body-**

*Discuss the pros and cons of the bill. E.g*



- If the Court assents to the legislation and it is implemented by the government, it is expected to help the needy among the higher castes.
- In some cases, it is also expected to eliminate the desperation of those who, in the past, would resort to obtaining fake Scheduled Caste (SC) and Scheduled Tribe (ST) certificates that were used to seek entry into professional courses
- Centre did not give enough time for discussion on it before it was tabled in Parliament for its final approval.
- Similarly, an objection is raised about the procedure that the government adopted in order to fix the criteria for educational and economic backwardness.
- How has the government arrived at the figure of 10%, without any proper and thorough documentation by a duly constituted commission?

*Discuss how the scheme discredits the moral foundations of the principles of social justice. E.g*

- Issue of fake certificates
- The 10% quota is expected to reinforce the urge among the higher castes to be a part of the reservation fraternity, along with the SCs, STs, and Other Backward Classes (OBCs).
- The 10% quota is at variance with the very normative basis of the reservation policy, which was envisioned for the benefit of the SCs.
- It is needless to mention that the potential beneficiaries of the legislation would benefit from a 10% quota based purely on the economic criterion, that is, without having had to experience being subjected to the practices of untouchability, which originally served as the fundamental basis for providing the quota for the SCs etc.

**Conclusion-** based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

The President of India has given his assent to the bill providing **10% reservation in jobs and educational institutions to the economically weaker sections in the general category**. The legislation will be known as the **Constitution (103 Amendment) Act, 2019** and it shall come into force on such date as the Centre notifies.

### **Body:**

The **pros** of the reservation Act are:

- **Alleviation of Poverty:** It is expected to help the needy among the higher castes.
- **Reduces ghost beneficiaries:** In some cases, it is expected to eliminate the desperation of those who, in the past, would resort to obtaining **fake Scheduled Caste (SC) and Scheduled Tribe (ST)** certificates that were used to seek entry into professional courses.
- **Removes Prejudice:** The reservation will prevent these higher castes from holding reservations responsible for national disintegration and perpetuation of casteism, as they widely believe.
- **Reduces Unwanted Adoptions:** The legislation is also expected to keep savarna-caste aspirants from seeking adoption into SC/ST families in order to procure SC/ST certificates.
- **No deceptive self-characterisation:** Ironically, the 10% quota can help these savarnas retain their authentic caste identity. In this way, they can now avoid facing humiliation in courts of law on account of being exposed as fake caste certificate holders.

The **cons** of the reservation are:

- **Sincerity of the Government:** Centre did not give enough time for discussion on it before it was tabled in Parliament for its final approval.
- **Lack of objectivity:** an objection is raised about the procedure that the government adopted in order to fix the criteria for educational and economic backwardness. The government arrived at the figure of 10%, without any proper and thorough documentation by a duly constituted commission.
- **Discredits the moral foundation of the principle of social justice:**
- The **principle of social justice** calls for '**equal treatment of equals**' and '**affirmative action for less advantage sections**'.
- Constitution outlines special provisions for **only four classes** – SCs, STs, Backward Classes and Anglo Indians in the Articles 330-342 under Part 16.
- The provision is clearly mentioned as reservation is explicitly for 'social exclusion and discrimination'. Notably, the "**socially and educationally backward classes**" was the target group in quotas for OBCs.
- **Unfairness or an element of injustice** is rooted in the practice of **untouchability**, whereas pure economic backwardness is rooted in the systemic inability to provide jobs to the higher castes.
- The **lack of opportunities is not due to untouchability**, but due to the **inability of the state and the market to provide enough jobs for the qualified and the needy**.
- The new reservation policy has transformed from a policy meant to provide a level playing field for those **suffering from historical discrimination and those who are weaker sections of the society to a policy meant as a dole for those sections of society who are poor and lack jobs**.
- The **Indira Sawhney case** had further held that **social backwardness cannot be determined only with reference to an economic criterion**.
- **Violation of DPSP:**
- The **Article 46**, which is a non-justiciable Directive Principle, says that the state shall promote educational and economic interests of "weaker sections", in particular SCs and STs, and protect them from "social injustices" and "all forms of exploitation".
- While the **103rd Amendment mentions Article 46 in its statement and objects**, it seems the government overlooked the fact that upper castes neither face social injustice nor are subjected to any form of exploitation.
- Moreover, the Constitution makes provisions for commissions to look into matters relating to **implementation of constitutional safeguards for Scheduled Castes (Article 338), Scheduled Tribes (338A) and Socially and Educationally Backward Classes (339)**, but has not created any commission for the economically backward classes.
- **Violation of Basic Structure Doctrine:**
- The 10% reservation will be in addition to the existing cap of 50% reservation for the Scheduled Castes, Scheduled Tribes and the Other Backward Classes, taking the **total reservation to 60%**.
- This would leave other candidates with just 40% government jobs or seats, amounting to **violation of Article 14 (Right to Equality)**, which is a part of **Basic Structure**.
- The 60% reservation will also lead to "**sacrifice of merit**".

**YOU ARE ELIGIBLE FOR THE TOI  
10% RESERVATION IF YOU:**



**1 Have household income of less than ₹8 lakh a year**

At least 95% (127 crore) Indians earn less

**2 Have agricultural land of less than 5 acres**

86% land holdings in India fall under this category



**3 Have a house smaller than 1,000 square feet**

At least 80% of households in India have houses smaller than 500 sq ft

**4 Have a residential plot smaller than 100 yards in a municipality**

Data not available



**5 A residential plot of less than 200 yards in a non-notified municipality**

NA



### **Conclusion:**

Thus, the quota for the economically poor among the upper castes has been seen essentially as a **poverty alleviation move dressed up as reservation**. Reservation to the weaker sections is an positive affirmative action needed for their welfare. The 103<sup>rd</sup> Constitutional Amendment Act though is a beneficial move for the “**forward poor**”. Similar moves by previous governments have been judicially reviewed and struck down. It is prudent to look at other alternatives to alleviate the conditions of EWS.

**Q) The parliamentary developments in UK has led to utter confusion in UK but has important lessons that liberal democracies around the world can learn. Discuss in context of India whose parliamentary system borrows heavily from UK ? (250 words)**

Indianexpress

#### **Why this question**

*The article discusses the voting patterns in UK parliament regarding the passage of the deal and No confidence motion against the government. The article delves deep into the lessons we can learn which can also deepen our understanding of Indian democracy.*

#### **Key demand of the question**

*The question expects us to bring out the developments in UK and highlight what lessons it offers to liberal democracies around the world. Thereafter, we need to specifically discuss the lessons for India and how we should ingrain it in our democracy.*

#### **Directive word**

*Discuss – This is an all-encompassing directive – you have to debate on paper by going through the details of the issues concerned by examining each one of them. You have to give reasons for both for and against arguments.*

#### **Structure of the answer**

**Introduction** – Explain about the recent developments in Brexit.

#### **Body**

*Discuss the lessons that can be drawn from parliamentary proceedings in UK related to Brexit*

- *the drama has foregrounded the quirks and strengths of parliamentary democracy. They have foregrounded the fact that in a parliamentary system, legislators are supreme as they represent popular sovereignty.*
- *formal and informal coalition building among the ruling party, its allies and the opposition has ensured that every political group has played a role in this crucial process. This has produced delay and chaos, but it has also deepened the legitimacy of the political system*

*Discuss what lessons can be drawn from these developments for the Indian political system. Here you can discuss points like relevance of anti detection law, the art of consensus building across the opposition etc*

**Conclusion** – give your view and discuss the way forward.

#### **Introduction:**

The final deal to exit the European Commission was put out to vote in the Parliament. Prime Minister Theresa May's Brexit deal was rejected by 230 votes, the largest defeat for a sitting government in history. With this, she had to face a **no-confidence motion**, which she survived.

#### **Body:**

The happenings in the Britain parliament have lessons for liberal democracies across the world.

- Every democracy has various views about an issue. The **clashes between the majoritarian and minoritarian views** are bound to happen. In this context, Britain can't seem to get its exit right from EU.



- May's success in overseeing Brexit under some kind of a deal is crucial to the ongoing struggle for **acceptance of women in high politics**.
- The drama has put in the fore the **quirks and strengths of parliamentary democracy**. Misjudged decisions by former PM led to resignation of two PM's in a quick succession **leading to instability in executive**.
- MPs of the governing party have voted against their prime minister's policy but voted for their government. They have fore-grounded the fact that in a parliamentary system, **legislators are supreme as they represent popular sovereignty**.
- The **formal and informal coalition** building among the ruling party, its allies and the **opposition has ensured that every political group** has played a role in this crucial process. This has produced delay and chaos, but it has also **deepened the legitimacy of the political system**.

The lessons that can be drawn from these developments for the Indian political system are as follows.

- India has borrowed many of its constitutional features from Britain like the **Parliamentary Government, Rule of Law, Legislative procedure, Cabinet System and parliamentary privileges** to name a few.
- **Anti-defection law** present under the **10th schedule of constitution** abstains legislators from voting against the whip issued. The legislators will be disqualified if they detract and thereby **goes against the principles of Liberal democracy where they can't voice their honest views**.
- It also exposes the chinks in the parliamentary system of India where although **legislators are supreme as they represent popular sovereignty**, they are **bound by party ideologies. Independence of legislators is curbed**.
- The **co-operation and consensus building among legislators** cutting across party lines can be learnt from the above scenario in UK.
- The **coalition governments** formed just to get hold of power, increased horse-trading to defeat the coalition government, **policy paralysis due to varying ideologies** of coalition partners are some of the issues in coalition politics found in India.
- The executive is to be held responsible to the legislative which is the core of parliamentary democracy.
- **Instances of passing many legislations through money bill evading scrutinies of upper house, repeated usage of ordinance to overpower the legislative, non-formation of committees to scrutinize the laws, non-passage of private member's bill are some of the crucial issues plaguing Indian parliamentary democracy**.
- The British media has extensively criticized May and her supporters for Brexit. But they have not misused any of their legislative privileges to harass the journalists. This upholds the plurality of views and voice of dissent.

### **Conclusion:**

In a parliamentary democracy, the **Parliament represents the people** and therefore, it is expected to have an **upper hand over both Executive and Judiciary**. Democracy is also about developing institutions and working through these institutions.

**Q) Saving the Constitution is not about saving a text, it is about renewing a commitment to each other. Comment. (250 words)**

Indianexpress

#### **Why this question**

*This republic day we need to introspect our relationship with the constitution and with the fellow citizens which ascribe to that constitution. In this context it is important to discuss about the need for renewing our commitment to each other in order to preserve and uphold the constitution in its true spirits.*

#### **Directive word**

*Comment- here we have to express our knowledge and understanding of the issue and form an overall opinion thereupon.*



### **Key demand of the question**

The question wants us to express our knowledge and understanding about the constitution and express our opinion as to how underlining the importance of fraternity and commitment to each other can help upholding the constitution.

### **Structure of the answer**

**Introduction**– Write a few introductory lines about the constitution. E.g mention the process of framing of constitution and the source from which it derives its authority.

### **Body-**

Discuss the importance of fraternity in upholding the constitution. E.g

- We speak of the Constitution as if it were a thing: A self-evident truth, recourse to which can resolve all our disputes.
- We ask: What does the Constitution "say"? If we just discovered what it says, it would bind us.
- The question is not what the Constitution says. But what we can get the Constitution to say. It does not make us, as much as we make it.
- The Constitution is a slow but steady expansion of liberty and equality, institutionalisation of an accountable state, and the creation of a new collective power that is capable of acting in concert to chart its own destiny.
- Its success is that it has endured, different parties repose their faith in it.
- The constitutional project is not a leap of faith in a thing called the Constitution, it is a leap of faith in each other.
- Its controversies cannot be settled by something called "the constitutional text"; it can be settled only by a mutual consensus etc.

**Conclusion**– based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

The Indian Constitution is unique in its contents and spirit. It derives the power from the **citizens of India**. It accepts the **necessity of modifications according to the changing needs of the society**. The constitution will always have something that is contemporary and something that has a more durable importance.

### **Body:**

Fraternity means a sense of brotherhood. Fraternity assures the dignity of an individual and the unity and integrity of the nation. Fraternity thus is the spirit of common brotherhood amongst all the people of India transcending religious, linguistic, caste, regional or sectional diversities. Mere saving of the values of constitution without commitment of the people towards it shows a lack of commitment to our renewal of relationship towards it.

- Constitution is believed to be the solution for all disputes arising in the society. In reality the question is not what the Constitution says. But what we can get the Constitution to say. It does not make us, as much as we make it.
  - **Example:** Constitution promotes socio-economic justice in the DPSP. The non-implementation of SC decisions by the government like payment of MGNERGA wages in Swaraj Abhiyan case.
- The philosophical values of the constitution promote fraternity, secularism, tolerance.
  - **Example:** instances of mob lynching, discrimination meted out to vulnerable societies show there is a complete violation of it by people.
- The Constitution is a slow but steady expansion of liberty and equality, institutionalisation of an accountable state, and the creation of a new collective power that is capable of acting in concert to chart its own destiny.



- **Example:** The Kesavananda Bharti case came up with the judicial innovation of Basic Doctrine Structure which has expanded the scope of constitutional rights like Right to Education, Right to Privacy etc.
- Indian constitution **ensures the freedom of speech of every citizen.**
  - **Example:** There are instances of banning of novels, movies by the governments of day bowing to pressure from some sections of the society causing violence and enmity between people.
- The constitutional project is not a leap of faith in a thing called the Constitution, it is a leap of faith in each other.
  - **Example:** Article 15 guarantees the right to equality to all without any discrimination. However, sexual harassment, violence is meted out to women, transgender which shows not just violating text of Constitution. It also reveals how there is a lack of humanitarian spirit among us.
- The controversies cannot be settled by something called “the constitutional text”; it can be settled only by a mutual consensus.
  - **Example:** The recent incidents such as women entry to Sabarimala was upheld by Supreme Court. However, there are lot of violent incidents showing the hard measures of imposing the constitutional values is not a solution but there is a need of mutual consensus among the people over such issues of faith.

There is a need to improve the fraternity between people to reduce the various conflicts arising in the society. These can lead to destruction of secular fabric, tolerant and diverse nature of Indian society by polarizing people.

#### **Way Forward:**

- Value education to the people to inculcate tolerance, equality and fraternity.
- By following the fundamental duties to respect every individual and inculcating a spirit of brotherhood among citizens.
- Judicial reviews to ensure that the legislations are serving all the citizens of the country.
- Effective implementation of laws in true letter and spirit at the grassroots level.

#### **Conclusion:**

Constitution is not a mere text of rules and regulations. It is an organic document with spirit and values which must be inculcated in the people. The need of the hour is build up the fraternity among “the people” from whom the constitution draws its power.

#### **Q) Constitution alone cannot fight social evils. Comment in the context of the Sabarimala temple controversy. (250 words)**

Indianexpress

##### **Why this question**

*The recent Sabarimala controversy highlights the deep social divides still relevant In Indian society. In this context it is essential to discuss whether constitution alone can help India in solving its social problems.*

##### **Directive word**

*Comment- here we have to express our knowledge and understanding of the issue and form an overall opinion thereupon.*

##### **Key demand of the question.**

*The question wants us to express our knowledge and understanding of the Sabarimala controversy and express our opinion as to whether constitution alone can help us in fighting social evils like the one being exposed by the Sabarimala controversy.*

##### **Structure of the answer**

**Introduction**— write a few introductory lines about the Sabarimala controversy. E.g throw some light on the nature of the dispute and how it affects women's rights.



### **Body-**

*Discuss the SC judgement allowing all women to visit the inner shrine.*

*Discuss whether Constitution alone is enough to fight social evils in India. E.g*

- *By cheering on the Supreme Court ramming through of changes that cut across deeply-held beliefs of Ayyappa devotees — rather than engaging with them, we are actually compromising the prospects for religious reform.*
- *We are therefore risking the credibility of the courts and undermining our secular democracy.*
- *By relying on the SC, we have a missed opportunity for how Sabarimala doors might have been opened to all women by drawing on its richly liberal heritage rather than disowning it.*
- *The issue needs empathetic and respectful engagement, accompanied by moral pressure and even peaceful protest.*
- *When we cross into the terrain of illiberal — but not obviously harmful — beliefs and practices, the courts and the government need to exercise restraint.*
- *By wading into thorny matters of doctrine and tradition, on which it has little expertise, the Supreme Court will only damage its credibility. We can see this in the tortured reasoning in the Sabarimala verdict, for instance, on whether or not Sabarimala worshippers constitute a distinct religious community or whether they are part of the multi-layered, diverse, and overlapping strands that make up the Hindu tradition etc.*

**Conclusion**— based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

- Sabarimala is considered to be one of the holiest temples in Hinduism, with one of the largest annual pilgrimages in the world.
- The faithful believe that the deity's powers derive from his asceticism, and in particular from his being celibate.
- Women between the ages of 10 and 50 are barred from participating in the rituals.
- The exclusion was given legal sanction by Rule 3(b) of the Kerala Hindu Places of Public Worship (Authorisation of Entry) Rules, 1965.

### **Body:**

#### **Supreme Court's verdict:**

- The Supreme Court, in **Indian Young Lawyers Association v. State of Kerala**, a majority opinion of 4:1 lifted the centuries-old practice of prohibiting women to enter the Lord Ayyappa temple at Sabarimala in Kerala.
- The Court condemned the prohibition as hegemonic patriarchy. It said that exclusion on grounds of biological and physiological features like menstruation was unconstitutional as it was **violative of the right to equality and dignity of women**.
- Right of women to enter Sabarimala was guaranteed under **Article 25(1)**. This provision states that all persons are equally entitled to practise religion.

India is a diverse society, considered as '**fruit-salad of cultures**', where each has its unique identity. The question whether Constitution alone is enough to fight social evils in India is a matter of debate.

- Many social evils like **illiteracy of females, Domestic violence, female infanticide, prostitution, dowry, trafficking of humans** are still prevalent in India despite measures taken by the Governments and Courts taking the support of Constitution. Many of these social evils are promoted by the religious backing and cultural bolstering.
- By using hard measures like verdicts of top courts and imposing rules against such practices, there is no guarantee that the practices will be wiped out. **Example:** The recent flogging of Dalits at Una, Gujarat
- This would **risk the credibility of the courts, undermining our secular democracy and compromising the prospects for religious reform**.



- Rather, there is a need to engage with the people, understand their concerns and try to educate them of the ramifications.
- These issues need **empathetic and respectful engagement**, accompanied by **moral pressure and even peaceful protest**.
- The courts and the government need to exercise restraint in beliefs and practices as the religious institutions also have a **fundamental right under Article 26**.
- Dragging the state into matters of faith opens the door to a religious state.
- There is a need to reform many discriminatory practices that continue to prevail — be it the absence of women priests in our temples, mosques, and churches, or the persistence of caste-considerations in marriages.
- In a secular state like India, these practices have to be **fought socially and politically** rather than, taking the legal route.
- Kerala has a proud tradition of exactly this sort of social campaign against caste-based exclusion. In Tamil Nadu, the Dravidian movement used its political strength and the popular appeal of its ideology to significantly roll back the social dominance of upper castes.
- The Anglican Church has admitted women to the priesthood because, after years of debate, the congregation was persuaded, not because of British court judgments or pressure from the government.
- The more that reformist efforts tap the resources within the religious tradition that they seek to change, the more likely they are to be effective.
- Dalit priests are increasingly found in temples in the south not least because modern-day reformers have cited the narratives of “untouchable” saints in the Vaishnava Alvar and Saiva Nayanar canons.

### **Conclusion:**

In a liberal democracy, everybody has their rights. In matter of social and cultural values, it is always better to convince and win over those who don't share your views. Hard measures may fuel the same sort of political backlash against liberal mores from religious-minded traditionalists that is being witnessed in previously-secular countries such as Turkey, and, jeopardise much-needed progress on social and religious reforms in our country.

*Topic – Structure, organization and functioning of the Executive and the Judiciary; Ministries and Departments of the Government; pressure groups and formal/informal associations and their role in the Polity.*

### **Q) Evaluate whether the All India judicial service is an idea whose time has come? (250 words)**

[Indianexpress](#)

#### **Why this question**

*The article examines the policy suggestion of Niti Ayog of having all India judicial service and gives its view. This debate has often cropped up and this article would enable you to prepare points on things that are faulty with such a proposal.*

#### **Key demand of the question**

*The question expects us to discuss the suggestion of Niti Ayog regarding creation of all India judicial service, highlight it's pros and cons and give our view on whether or not the time for this idea has come.*

#### **Directive word**

*Evaluate – When you are asked to evaluate, you have to pass a sound judgement about the truth of the given statement in the question or the topic based on evidences. You have to appraise the worth of the statement in question. There is scope for forming a personal opinion here.*

#### **Structure of the answer**

**Introduction** – Explain that the vision document titled ‘Strategy for New India @ 75’, released by the NITI Aayog in December last, amongst other things, proposes a spate of judicial reforms. The



*think-tank has come out batting for the creation of an All India Judicial Service, akin to the other central services like the IAS and the IPS*

### **Body**

*Explain the genesis of the idea – the constitutional provisions regarding AIJS. Explain that 14th Report on Reform of Judicial Administration — alluded to the need for creating a separate all-India service for judicial officers. This report favoured an AIJS to ensure that subordinate court judges are paid salaries and given perks at parity with government bureaucrats, thereby incentivising the option of the state judiciary as a viable career prospect*

*Examine issues with the policy proposal of Niti Ayog*

- *AIJS is being proposed as a panacea to cure the chronic vacancy crisis plaguing the Indian subordinate judiciary. Given the limited extent to which the Constitution only permits the appointments of district judges to such a prospective AIJS, it will not magically remedy this crisis. At best, what an all India service potentially offers is a more streamlined and regularised recruitment process for the limited number of vacancies for district judges in the country.*
- *second concern is the much wider composition of the AIJS proposed by NITI Aayog, than what is permissible under Article 312. The top government think-tank has rather ambitiously pitched an omnibus service to covering entry level civil judges, prosecutors and legal advisers to comprise the service. Such a sweeping mandate would require considerable amendments to the Constitution, especially with respect to the appointments process for the lower subordinate judiciary etc*

**Conclusion** – give your view on whether the proposal needs to be given merit and discuss way forward.

### **Introduction:**

The vision document titled '**Strategy for New India @ 75**', released by the **NITI Aayog** in December last year, amongst other things, proposes a spate of judicial reforms. The think-tank has come out batting for the creation of an All India Judicial Service(AIJS), akin to the other central services like the IAS and the IPS.

### **Body:**

#### **Status of AIJS:**

- The idea was **first mooted by the Law Commission in the 1950s** to have an AIJS. Under this the district judges will be recruited centrally through an all-India examination. They will then be allocated to each State along the lines of the AIS.
- The proposal for an All-India Judicial Service was **first suggested in the Chief Justices' Conference in 1961** as a way to remove any scope for judicial or executive intervention in the appointments to the judiciary in the High Courts and the Supreme Court in India. The idea had to be shelved after some states and High Courts opposed it.
- The Constitution was amended in 1976 (42<sup>nd</sup> Amendment) to provide for an AIJS under **Article 312**. Article 312 was amended to confer power on the Rajya Sabha to initiate the process for setting up an AIJS, by passing a resolution supported by two-thirds majority in the upper house.
- The proposal was again floated by the ruling UPA government in 2012 but the draft bill was shelved again after opposition from High Court Chief Justices who labelled this an infringement of their rights.
- Currently, on similar lines **subordinate and district judges are recruited by High Courts** on the basis of a common examination.

#### **Other recommendations:**

The **14th Report on Reform of Judicial Administration** — alluded to the need for creating a separate all-India service for judicial officers. This report favoured an AIJS to ensure that



subordinate court judges are paid salaries and given perks at parity with government bureaucrats, thereby incentivising the option of the state judiciary as a viable career prospect.

#### **Need for AIJS:**

- The AIJS is an attempt to ensure that younger judges are promoted to the SC and HCs. In the existing system, recruits join as magistrates in the subordinate judiciary and take at least 10 years to become district judges.
- This is expected to ensure a **transparent and efficient method of recruitment** to attract the best talent in India's legal profession.
- Currently India's legal infrastructure is facing various issues, particularly the lower judiciary. At present India has just **13 judicial posts per million people, though the Law Commission had recommended 50 judges per million of the population**, based on the ratio prevalent in the US previously.
- Judiciary is suffering from massive vacancies across the nation and the scarcity is worsened in some states due to judicial absenteeism. Hence there is need of urgent mechanism to appoint new judges.
- As a consequence, the **pendency is high with the number of cases about 2.8 crores**.
- Similarly judiciary suffering from various infrastructures related issues, like newly appointed judges does not have required court rooms; hence there is need of huge investment.

#### **Issues with the policy proposal of Niti Aayog:**

##### **Solving Vacancy issues:**

- The AIJS is being proposed as a panacea to cure the **chronic vacancy crisis** plaguing the Indian subordinate judiciary.
- An all India service potentially offers is a more streamlined and regularised recruitment process for the limited number of vacancies for district judges in the country.

##### **Violates Basic Structure Doctrine:**

- Niti Aayog's document **rather ambitiously proposed an AIJS** to cover entry level civil judges, prosecutors and legal advisers to comprise the service (subordinate judges).
- A sweeping mandate would require considerable amendments to the Constitution, especially with respect to the appointments process for the lower subordinate judiciary (that is, all ranks below that of a district judge).
- Presently, the appointments to the subordinate judiciary are made under Articles 233 and 234 of the Constitution under State High Court Purview.
- These amendments, establishing a centralised appointments mechanism, may arguably be constitutionally untenable and **vulnerable to being struck down as flagrant violations of the basic structure doctrine and judicial federalism**.

##### **Oversimplification:**

- The idea of an AIJS has been significantly contentious within the legal fraternity and other concerned stakeholders.
- The proposal for AIJS was floated by the ruling UPA government in 2012 but the draft bill was shelved again **after opposition from High Court Chief Justices** who labelled this an infringement of their rights.
- Taking into account local laws, practices and customs which vary widely across States and even training judges in this line would be a problem.
- The need to ensure reservation for locally domiciled citizens, the central selection mechanisms will throw up grave concerns impugning their utility and legality as judicial reforms.

##### **Way Forward:**

- The Supreme Court has itself said that an AIJS should be set up, and has directed the Union of India to take appropriate steps in this regard.
- Young recruits from outside can easily learn the local language and adapt themselves to local conditions like the Indian Administrative Service officers.
- **Devise alternative judicial mechanisms** to solve many disputes at the lowest levels itself.



### **Conclusion:**

- The current situation of judiciary is well below the expected lines, hence there is an urgent need of reforms. However, a well deliberated, consensus-oriented decision will go a long way.

### **Q) Critically analyze the process of selection of supreme court judges in India. How can the process be made more transparent ? (250 words)**

#### **Why this question**

*The recent decision of the collegium to replace two HC chief justices selected for elevation has once again brought the system of appointment of judges under the scanner. This article analyzes this issue in detail.*

#### **Key demand of the question**

*we have to describe the provisions dealing with the appointment of SC judges and discuss those provisions critically. We also have to suggest measures to rectify the arrangement. we have to identify and briefly discuss the key provisions dealing with the appointment of SC judges in India and form an opinion on them, particularly on their shortcomings. then we have to simply enlist measures required to prevent the executive's unnecessary intervention into the judiciary. Directive word*

#### **Directive word**

*critically analyze-When asked to analyze, you have to examine methodically the structure or nature of the topic by separating it into component parts and present them as a whole in a summary. When 'critically' is suffixed or prefixed to a directive, all you need to do is look at the good and bad of something and give a fair judgement.*

#### **Structure of Answer:**

**introduction-** briefly describe article 124 of the constitution and mention NJAC .

#### **Body**

- enlist the eligibility and procedure of selection of SC judges in detail.
- describe the first, second and third judges cases
- discuss the shortcomings in the process. e.g lack of well defined rules and procedures and instances of discretion
- suggest necessary amendments required in the legal provisions. e.g prescription of time limit and also bringing transparency and logic in the process of selection of judges etc.

#### **Conclusion – Give your view and discuss way forward.**

#### **Introduction:**

**Article-124** of the constitution deals with the appointment of judges in higher judiciary. With the **99th constitutional amendment act and NJAC Bill 2014**, National judicial appointment commission was established by the union government to bring transparency and accountability in appointment of judges. However, the Supreme Court struck down the amendment citing it as a **threat to judicial independence, an integral part of Basic Structure Doctrine**.

#### **Body:**

The Constitution mentions the following as criteria for eligibility:

- Should be a citizen of India.
- Should have been a judge of High court for five years (Continuously) or Advocate of high court for 10 years.
- A distinguished jurist, in the opinion of President.

Process of selection of judges of Supreme Court:

- The method of selection of judges by a **Collegium of Supreme Court judges** finds **no place in the Constitution**.



- The Constitution confers the power of appointment of judges on the **President of India**, the Government of India to be **made in consultation with the Chief Justice of India and other judges of the Supreme Court and the High Courts**.
- With the best of intentions of securing the **independence of the judiciary**, the Supreme Court rewrote the provisions of the Constitution for appointment of judges and appropriated the power to appoint judges by the judges.
- **S P Gupta case or First Judges Case (1981):**
  - By the first case the **power was vested in the Chief Justice of India in whom it was held the primacy lay in appointments assisted by two judges of the Supreme Court**. It declared that the “primacy” of the CJI’s recommendation to the President can be refused for “cogent reasons”. This brought a paradigm shift in favour of the executive having primacy over the judiciary in judicial appointments for the next 12 years.
- **Supreme Court Advocates-on Record Association vs. Union of India case — the “Second Judges Case”(1993):**
  - In the second case the **court took away the primacy of the Chief Justice of India** and vested the power in a **Collegium of the Chief Justice of India and some senior-most judges of the Supreme Court**.
  - **“Justiciability” and “primacy”** required that the **CJI** be given the **“primal”** role in such appointments. It overturned the S P Gupta judgment, saying “the role of the CJI is primal in nature because this being a topic within the judicial family, the **executive cannot have an equal say in the matter**. Here the word ‘**consultation**’ would **shrink in a mini form**.
- **Third Judges Case(1998) (by a follow-up President’s Reference to the Court):**
  - The Collegium was expanded to include the **CJI and the next four (up from two) senior-most judges**. It was concluded that the **CJI could only recommend judges** for appointment after **consultation** with the other four judges, and any candidate has to be **supported by a majority of the Collegium**.
  - Once the Collegium makes a recommendation to the President, the **President can either accept it or send it back to the Collegium for reconsideration**. If the Collegium **once again recommends** that candidate for appointment with unanimous agreement the **President is bound by the recommendation**.
  - The final position is thus that even though the formalities need to be performed by the President, the actual decision-making power when it comes to appointment of Supreme Court judges rests with the Collegium

However, there are shortcomings in the process:

- **Controversial appointments:**
  - There is a failure to make an assessment of the personality of the contemnor at the time of recommending his name for elevation.
  - **Example:** The controversy over the proposed elevation of Justice P.D. Dinakaran of the Karnataka High Court to the Supreme Court by the collegium of the Chief Justice and four senior-most judges of the Supreme Court was criticised for overlooking apparently suitable judges by the collegiums
- The **executive has little or no role** in the appointment of judges as a result.
- **Supreme court is overburdened:**
  - The Supreme Court did not realise the burden it was imposing on the collegium of selecting judges for the Supreme Court and High Courts and transferring them from one High Court to another.
  - An administrative task of this magnitude must necessarily detract the judges of the collegium from their principal judicial work of hearing and deciding cases.
- **Lacking this infrastructural backup** the collegium resorts to ad hoc informal consultations with other judges in the Supreme Court who are expected to know the merits of a proposed appointee from a High Court or occasionally by sounding a member of the Bar.
  - These methods are poor substitutes for a full time intensive collection of data about an incumbent, his work, standing, merit, integrity and potential which requires to be made considerably in advance for filing in the vacancy.
  - This system **overlooks several talented junior judges and advocates**.



- Besides, the **collegium's deliberations are secret**, the system is opaque and the choice of a judge is only known when his name is forwarded to the Government for formal appointment.
- **The collegium has necessarily limited its field of choice to the senior-most judges from the High Court for the appointments to the Supreme Court**, overlooking the several talented junior judges in the High Courts or members of the bar.
- **Skewed representation of socio economic backward classes** like women, scheduled castes and tribes in the Supreme Court.

The collegium system needs reforms:

- The need of the hour is to **revisit the existing system through a transparent and participatory procedure**, preferably by an independent broad-based constitutional body guaranteeing judicial primacy but not judicial exclusivity.
- The new system should **ensure independence, reflect diversity, demonstrate professional competence and integrity**.
- The system needs to establish a body which is independent and objective in the selection process. In several countries of the Commonwealth, **National Judicial Appointment Commissions** have been established to select judges. Such judicial commissions have worked with success in the U.K., South Africa and Canada.
- Setting up a **constitutional body accommodating the federal concept of diversity and independence of judiciary for appointment of judges to the higher judiciary** can also be thought of as an alternate measure.
- There should be a **Fixed time limit** for approval of recommendations.
- As of now, instead of selecting the number of judges required against a certain number of vacancies, the collegium must provide a panel of possible names to the President for appointment in order of preference and other valid criteria.
- **New memorandum of procedure:**
  - After the Second and Third Judges Cases, a Memorandum of Procedure had been formulated to govern how the process of how the Collegium would make recommendations to the Executive.
  - The government therefore suggested that a new MOP be drafted and finalised for appointment of SC judges and the Executive to get a veto over candidates for national security reasons in this new MOP.

### **Conclusion:**

The appointment of judges to higher judiciary is shrouded with opacity and delays. This has in turn lead to delayed justice, huge pendency of cases, nepotism which can malign the judiciary organ of our democracy. There is an urgent need to take up the reforms and induce the transparency and uphold the sanctity of Judiciary.

### **Q) The judicial appointment to the higher courts remains riddled with arbitrariness, opacity, and an absence of accountability. Analyze. (250 words)**

epw

#### **Why this question**

*The article highlights some of the controversies in the appointment of judges which brings the focus back on appointment process of judges. It makes sense to revise the issues involved and think of a way forward to prevent this issue from recurring.*

#### **Key demand of the question**

*The question expects us to first explain the appointment process, thereafter highlight the issues with the appointment process and give suggestions regarding what needs to be done.*

#### **Directive word**

*Analyze – When asked to analyze, you have to examine methodically the structure or nature of the topic by separating it into component parts and present them as a whole in a summary.*

#### **Structure of the answer**

**Introduction** – Explain the recent controversies pertaining to the collegium which has brought the focus on this issue.



## **Body**

*Explain about the appointment process in brief and mention the 3 judges case*

- *The right to select judges to the Supreme Court was taken upon itself by the apex court in 1993 and revalidated in a 1998 judgment (Third Judges case).*
- *The current government tried to change that with the passage of a law on the National Judicial Appointments Commission (NJAC), but the law was shot down — again by the Supreme Court.*
- *NJAC was struck down by the SC because it would have compromised the independence of the CJI and given a role to the government in the appointment of judges.*

*Discuss the controversies often associated with the collegium system and the need for reforms*

- *Credibility of the SC: Controversial collegium system of judicial appointments undermines the independence of judges and raises doubts about the credibility of the highest court. The judiciary off late has been caught in many such situations of credibility crisis off late.*
- *Politicization of appointment: Government is not only the biggest litigator but also the greatest threat to the abuse of power. Judicial review as a concept is supposed to control the government and keep it in check.*

*Discuss what needs to be done – memorandum of procedure of appointment of judges*

**Conclusion** – Give your view and discuss way forward.

## **Introduction:**

- The change in resolution by SC **stopped the elevation** of Justice Pradeep Nandrajog, Chief Justice of Rajasthan High Court, and Justice Rajendra Menon, Chief Justice of Delhi High Court, who had been **recommended for the Supreme Court by the Collegium** on December 12.
- The Supreme Court, which has a **new Collegium** that held its first meeting on January 10, **decided instead to elevate** Justice Dinesh Maheshwari, Chief Justice of Karnataka High Court, and Justice Sanjeev Khanna, a judge of Delhi High Court.
- No criteria have been set out by the collegium as to why Khanna and Maheshwari have been elevated, apart from a bland statement that alludes to their “merit.” No reasons are given for rejecting Menon and Nandrajog.
- The lack of clarity again shines a spotlight on the **opaque collegium system of appointments** in the higher judiciary.

## **Body:**

Process of appointment of judges

- In the **Third Judges Case (1998)** (by a **follow-up President's Reference to the Court**), the Supreme Court expanded the Collegium formed in the **first (1981) and second (1993) judges cases** to include the **CJI and the next four (up from two) senior-most judges**.
- With the **99th constitutional amendment act and NJAC Bill 2014**, National judicial appointment commission was established by the union government to bring **transparency and accountability in appointment of judges**.
- In the **Fourth Judges Case (2015)**, Supreme Court set aside the **99th constitutional amendment** creating the National Judicial Appointments Commission. The Supreme Court ruled that the amendment was a **threat to judicial independence, an integral part of Basic Structure Doctrine**. A majority of judges took pains to point out how much the **independence of the judiciary was guaranteed by the collegium system of appointments**.



The controversies often associated with the collegium system are

- **Credibility of the SC:**
  - Controversial collegium system of judicial appointments undermines the independence of judges and raises doubts about the credibility of the highest court.
  - There is a failure to make an assessment of the personality of the contemnor at the time of recommending his name for elevation.
  - **Example:** The controversy over the proposed elevation of Justice P.D. Dinakaran of the Karnataka High Court to the Supreme Court by the collegium of the Chief Justice and four senior-most judges of the Supreme Court was criticised for overlooking apparently suitable judges by the collegiums
  - The judiciary off late has been caught in many such situations of **credibility crisis** off late.
- The **executive has little or no role** in the appointment of judges as a result.
- **Supreme court is overburdened:**
  - The Supreme Court did not realise the burden it was imposing on the collegium of selecting judges for the Supreme Court and High Courts and transferring them from one High Court to another.
  - An administrative task of this magnitude must necessarily detract the judges of the collegium from their principal judicial work of hearing and deciding cases.
- **Lacking this infrastructural backup** the collegium resorts to ad hoc informal consultations with other judges in the Supreme Court who are expected to know the merits of a proposed appointee from a High Court or occasionally by sounding a member of the Bar.
  - These methods are poor substitutes for a full time intensive collection of data about an incumbent, his work, standing, merit, integrity and potential which requires to be made considerably in advance for filing in the vacancy.
  - This system **overlooks several talented junior judges and advocates.**
- Besides, the **collegium's deliberations are secret**, the system is opaque and the choice of a judge is only known when his name is forwarded to the Government for formal appointment.
- **The collegium has necessarily limited its field of choice to the senior-most judges from the High Court for the appointments to the Supreme Court**, overlooking the several talented junior judges in the High Courts or members of the bar.
- **Skewed representation of socio economic backward classes** like women, scheduled castes and tribes in the Supreme Court.

The collegium system needs reforms:

- The need of the hour is to **revisit the existing system through a transparent and participatory procedure**, preferably by an independent broad-based constitutional body guaranteeing judicial primacy but not judicial exclusivity.
- The new system should **ensure independence, reflect diversity, demonstrate professional competence and integrity.**
- The system needs to establish a body which is independent and objective in the selection process. In several countries of the Commonwealth, **National Judicial Appointment Commissions** have been established to select judges. Such judicial commissions have worked with success in the U.K., South Africa and Canada.
- Setting up a **constitutional body accommodating the federal concept of diversity and independence of judiciary for appointment of judges to the higher judiciary** can also be thought of as an alternate measure.
- There should be a **fixed time limit** for approval of recommendations.
- As of now, instead of selecting the number of judges required against a certain number of vacancies, the collegium must provide a panel of possible names to the President for appointment in order of preference and other valid criteria.
- **New memorandum of procedure:**
  - After the Second and Third Judges Cases, a Memorandum of Procedure had been formulated to govern how the process of how the Collegium would make recommendations to the Executive.
  - The government therefore suggested that a new MOP be drafted and finalised for appointment of SC judges and the Executive to get a veto over candidates for national security reasons in this new MOP.


**Conclusion:**

- Faced with intense public scrutiny and government pressure, the judiciary's institutional weaknesses are being laid bare.
- These are not simply the moral failings of one individual or the consequences of the misjudgement of a few.
- It is another illustration of the institution's inability to accept its internal infirmities.

**Topic – Functions and responsibilities of the Union and the States, issues and challenges pertaining to the federal structure, devolution of powers and finances up to local levels and challenges therein.**

**Q) Getting rid of the minimum education criteria for contesting panchayat polls is a welcome decision, especially in India which is home to 35% of the world's illiterate population. Critically analyze. (250 words)**

[Livemint](#)

**Why this question**

The article discusses the recent decision of Rajasthan government to do away with educational qualification as a criteria for contesting local polls. When this decision came out, there was huge debate over the constitutional as well as the functionality of the decision, including a verdict by court in rajbala vs state of Haryana 2015. It is expected of aspirants to form a perspective on this issue.

**Key demand of the question**

The question expects us to explain the recent decision of the government with regards to minimum educational qualification and discuss the pros and cons of the decision including the judicial verdict on the issue. Finally we need to provide a fair and balanced opinion and discuss way forward.

**Directive word**

Critically analyze –

**Structure of the answer**

**Introduction** – explain about the recent decision of Rajasthan government to do away with educational qualification as a criteria for contesting local elections.

**Body**

Highlight the fact that such preconditions have been prescribed by several governments including Rajasthan and Haryana. Discuss the rationale behind such legislations. Explain that the idea behind such educational qualification criteria, two child policy etc is to ensure that people who come into governance are socially and ethically aware of their duties and responsibilities. Explain the verdict of SC in rajbala vs state of Haryana India regarding constitutionality of such preconditions.

Discuss the impact of such judgments – Highlight that it acts as exclusionary as a sizable section of population who are illiterate because of the ineffectiveness of state in imparting education to all are being penalized.

Discuss the cons of having such preconditions. Explain that While the Constitution states the eligibility criteria for becoming MLAs and MPs in India in terms of, say, the age of a person, there are no required minimum educational qualifications for them or even the ministers. Etc

**Conclusion** – Give your view on this issue and discuss way forward.

**Introduction:**

Rajasthan government has approved to do away with the minimum education qualification required to contest panchayat and urban bodies' elections. The education criteria was introduced by the previous government. The criteria was

- To contest the municipal, zila parishad or panchayat samiti polls, a contestant must have a minimum qualification of secondary education (Class X).
- To contest the sarpanch elections, an aspirant from the general category must have passed Class VIII and a SC/ST aspirant must have passed Class V.

**Body:****Rationale behind Minimum Education Criteria:**

- The Minimum Education Criteria was introduced in Haryana too in 2015.
- The constitutional validity of decision was subsequently upheld by Supreme Court in **Rajbala vs. State of Haryana**
- The SC had ruled that “it is the education which gives a human being the power to discriminate between right and wrong, good and bad”.
- The uneducated or illiterate can be easily misled by officials.
- Supporters claim that the criteria will incentivize women’s literacy in rural areas.
- To ensure that people who come into governance are socially and ethically aware of their duties and responsibilities.
- There are other criteria like two-child policy too present in states. About 12 states currently have the policy, Assam being the latest entrant into the list.

**Cons of Minimum Education Criteria:****Social:**

- The criteria penalises the people for failure to meet certain social indicators. **g.:India** which is home for 35% of World’s illiterate population will be at disadvantage.
- The already marginalised sections like Dalits, women will be excluded. **g.: The literacy rate (Census 2011)** for women in Rajasthan is 52% and most of the literate women are in urban areas.
- The criteria discriminates on the **lines of religion, caste and sex**, because mostly those who are deprived of education are the SC’s, ST’s and women.
- The Right to Education became a fundamental right as recent as 2002, thereby putting many at disadvantage prior to it.
- Mainstreaming of many sections of people will be hindered.

**Political:**

- It violates the **right of every citizen to vote and to contest elections**, which forms the basic structure of our constitution.
- There are **no minimum education qualification for MP’s or MLA’s** in the Constitution.
- The very essence of involving people at grass-roots level envisaged in 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendments will be defeated by excluding a large chunk of people.
- The State’s ineffectiveness in imparting education will bear a brunt on the people now.
- To mandate what makes a person good goes against the spirit of democracy.

**Ethical:**

- Honesty, reliability, ability to connect with people, deal with crisis are traits of a leader for which education is not necessary.
- Experiences has shown that wisdom plays a greater role than education at local governance levels.
- As Dr. B.R Ambedkar opined, an illiterate person is not necessarily an unintelligent person.

**Pros of Minimum Education Criteria:**

- The candidates will be better aware of the provisions of Constitution and cannot be misled by conniving officials or vested interests.
- With education, the states will have to truly devolve the functions that local governments can take care of by themselves.
- Ministry of Panchayat reports have successively highlighted difficulty in training uneducated representatives.
- The issue of “Token Representation” or “Panchayat-Pati” system would be eliminated as education gives a sense of confidence among the marginalised sections.
- The criteria in itself promote the awareness of importance of education among the parents which will benefit the generations to come.

**Conclusion:**

- The need of the hour is to implement the ground reforms like adult education, right to free and compulsory education better before implementing such laws.
- There is more imperative need to tackle challenges like criminalization of politics, transparent electoral funding currently.



**Q) The policy of reservation has transformed from an affirmative action policy to an anti poverty measure. Critically examine. (250 words)**

Indianexpress

### **Why this question**

*The recent decision of the government to introduce 10% reservation for economically weaker section in general category marks another chapter in the never ending reservation saga and needs to be analyzed.*

### **Key demand of the question**

*The question expects us to discuss the policy of reservation and examine whether the policy has transformed from a policy meant to provide a level playing field for those suffering from historical discrimination and those who are weaker sections of the society to a policy meant as a dole for those sections of society who are poor and lack jobs.*

### **Directive word**

*Critically examine – When you are asked to examine, you have to probe deeper into the topic, get into details, and find out the causes or implications if any. When ‘critically’ is suffixed or prefixed to a directive, all you need to do is look at the good and bad of something and give a fair judgement.*

### **Structure of the answer**

**Introduction** – Explain about the recent measure to introduce 10% reservation for economically weaker section in general category.

### **Body**

*Explain in detail the measures taken by the government*

- *Those who have an annual salary of less than ₹8 lakh per year and possess less than 5 acres of land will be able to avail themselves of reservation in educational institutions and jobs.*
- *A Constitution Amendment Bill was approved by the Cabinet in this regard.*
- *The Bill will also cover those from the Muslim, Sikh, Christian, Buddhist and other minority communities.*
- *The quota will be over and above the existing 50% reservation to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes (OBC).*
- *Examine whether the policy is in contravention to the Indra Sawhney judgement and what the judgement says regarding reservation for economically weaker section*
- *Examine whether the policy has transformed from a policy meant to provide a level playing field for those suffering from historical discrimination and those who are weaker sections of the society to a policy meant as a dole for those sections of society who are poor and lack jobs.*

**Conclusion** – Give a fair and balanced view and discuss way forward.

### **Introduction:**

The President of India has given his assent to the bill providing **10% reservation in jobs and educational institutions to the economically weaker sections in the general category**. The legislation will be known as the **Constitution (103 Amendment) Act, 2019** and it shall come into force on such date as the Centre notifies.

### **Body:**

The key measures taken by the government in this act are

- It provides reservation for:
- People who have an annual income of less than Rs.8 lakhs.
- People who own less than five acres of farm land.
- People who have a house lesser than 1,000 sq feet in a town.



- Residential plot below 100 yards in notified municipality.
- Residential plot below 200 yards in non-notified municipality area.
- The Bill will also cover those from the Muslim, Sikh, Christian, Buddhist and other minority communities.

#### Impacts of the Act:

The act is in conflict with many provisions of the constitution as well as Supreme Court judgements.

#### • Legal Scrutiny:

- The SC has held that in general conditions the special provision should be less than 50% (M R Balaji and Ors v. State of Mysore).
- The Supreme Court has ruled multiple times against exceeding its **1992 formula of a maximum of 50% reservation** (Indira Sawhney v. Union of India).
- It also defined that a backward class cannot be determined only and exclusively with reference to economic criterion.
- It may be a consideration or basis along with, and in addition to, social backwardness, but it can never be the sole criterion.

#### • Violation of Basic Structure Doctrine:

- The 10% reservation will be in addition to the existing cap of 50% reservation for the Scheduled Castes, Scheduled Tribes and the Other Backward Classes, taking the **total reservation to 60%**.
- This would leave other candidates with just 40% government jobs or seats, amounting to **violation of Article 14 (Right to Equality)**, which is a part of Basic Structure.
- In **Kesavananda Bharati (1973)**, the Supreme Court held that Parliament can amend the Constitution but does not have power to destroy it — no amendment can change its “basic structure”.
- The judgment held that constitutional amendments which offended the basic structure of the Constitution would be *ultra vires*.
- The 60% reservation will also lead to “**sacrifice of merit**”.

#### • Violation of DPSP:

- The **Article 46**, which is a non-justiciable Directive Principle, says that the state shall promote educational and economic interests of “weaker sections”, in particular SCs and STs, and protect them from “social injustices” and “all forms of exploitation”.
- While the 124th Amendment mentions Article 46 in its statement and objects, it seems the government overlooked the fact that **upper castes neither face social injustice nor are subjected to any form of exploitation**.

## YOU ARE ELIGIBLE FOR THE TOI 10% RESERVATION IF YOU:



### 1 Have household income of less than ₹8 lakh a year

At least 95% (127 crore) Indians earn less

### 2 Have agricultural land of less than 5 acres

86% land holdings in India fall under this category



### 3 Have a house smaller than 1,000 square feet

At least 80% of households in India have houses smaller than 500 sq ft

### 4 Have a residential plot smaller than 100 yards in a municipality

Data not available



### 5 A residential plot of less than 200 yards in a non-notified municipality

NA



- Moreover, the Constitution makes provisions for commissions to look into matters relating to implementation of **constitutional safeguards for Scheduled Castes (Article 338), Scheduled Tribes (338A) and Socially and Educationally Backward Classes (339)**, but has not created any commission for the economically backward classes.
- **Against Spirit of Reservation:**
  - Constitution outlines special provisions for only four classes – SCs, STs, Backward Classes and Anglo Indians in the Articles 330-342 under Part 16.
  - The provision is clearly mentioned as reservation is explicitly for '**social exclusion and discrimination**'. Notably, the "socially and educationally backward classes" was the target group in quotas for OBCs.
  - Thus, the quota for the economically poor among the upper castes has been seen essentially as a **poverty alleviation move dressed up as reservation**.
  - The policy has transformed from a policy meant to provide a level playing field for those suffering from historical discrimination and those who are weaker sections of the society to a policy meant as a dole for those sections of society who are poor and lack jobs.

### **Way forward:**

#### **Spread the benefits: about Alternative Strategies:**

- **First strategy** may be to try and spread the benefits of reservations as widely as possible within the existing framework:
  - Ensure that individuals use their reserved category status only once in their lifetime.
  - This would require that anyone using reservations to obtain a benefit such as college admission must register his/her Aadhaar number and she would be ineligible to use reservations for another benefit (e.g. a job) in the future.
  - This would require no changes to the basic framework but spread the benefits more broadly within the reserved category allowing a larger number of families to seek upward mobility.
- A **second strategy** might be to recognise that future economic growth in India is going to come from the private sector and entrepreneurship:
  - In order to ensure that all Indians, regardless of caste, class and religion, are able to partake in economic growth, we must focus on basic skills.
  - We have focused on admission to prestigious colleges and government jobs, but little attention is directed to social inequality in the quality of elementary schooling.
  - The IHDS shows that among children aged 8-11, 68% of the forward caste children can read at Class 1 level while the proportion is far lower for OBCs (56%), SCs (45%) and STs (40%).
  - This suggests that we need to focus on reducing inequalities where they first emerge, within primary schools.

### **Conclusion:**

The policy for reservation despite the constitutional provisions and Supreme court Judgements shows that it is more of a poverty alleviation scheme than an affirmative policy. The government rather needs to focus on job generation, improving education system and relooking at the existing reservation criteria so that the benefits reach true beneficiaries.

### **Q) The lack of alarm caused by the denial of local democracy reveals our collective bias regarding the place of local governments.. Comment. (250 words)**

The hindu

#### **Why this question**

*Despite the constitutional amendments made to empower the local government in India, the progress has been tardy and the mechanism has not yet taken its due place. In this context it is important to discuss the status of local government in India.*

#### **Directive word**



*Comment- here we have to express our knowledge and understanding of the issue and form an overall opinion thereupon.*

### **Key demand of the question.**

*The question wants us to express our knowledge and understanding of the issue and express our opinion as to why the lack of alarm caused by the denial of local democracy reveals our collective bias regarding the place of local governments.*

### **Structure of the answer**

**Introduction**– write a few introductory lines about the constitutional status of local bodies. E.g mention the aims of 73rd and 74th amendments of the constitution.

### **Body-**

Discuss the problems/issues in devolving powers to the local governments in India. E.g

- Prescribing various kinds of criteria like educational qualification, presence of a functional toilet at home etc.- It restricts a citizen's right to contest elections and thereby challenges the basic premise of a republican democracy.
- Though local governments now have a definite space within India's constitutional structure, they are still seen as administrative vessels for implementing programmes of the Central and State governments.
- Not holding elections to local governments.
- In most States, tasks like delimitation of seats are still done by the State government instead of the SEC. It is often under the guise of delimitation of seats that local government elections are delayed, especially when the party in power fears losses etc.

**Conclusion**- based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

The 73<sup>rd</sup>, 74<sup>th</sup> constitutional amendment gave constitutional status to local self-governments. At present India has around 2.5 lakh institutions of local self-governance with 32 lakh representatives. They were created to realize the objectives of **article 40** of the constitution to create a truly participatory democracy.

The act underscored the “**duty on the Centre as well as the States to establish and nourish the village panchayats so as to make them effective-self-governing institutions.**”

### **Body:**

However, even after 25 years of existence, they have failed to be effective instruments of governance for following reasons:

- **Systemic issues**
  - State finance commissions are not as effective as central finance commission
  - State election commissions are alleged over issues like delimitation of constituencies.
  - Periodic elections are not held and dissolution of Panchayat before the tenure. **Example:** Elections to panchayats and municipalities in Tamil Nadu have not been held since 2011. In Visakhapatnam, elections to its Municipal Corporation were last held in 2007.
- Issues related to **funds, functions and functionaries**
  - Devolution of powers as per eleventh schedule except in few states like Kerala, Madhya Pradesh is not satisfactory.
  - Although local governments now have a definite space within India's constitutional structure, they are still seen as **administrative vessels** for implementing programmes of the Central and State governments.
  - The issue of “**Token Representation**” or “**Panchayat-Pati**” system would be marginalises the weaker sections.
- **Recent amendments** in state acts like introduction of the Minimum Education Criteria in Haryana and Rajasthan; presence of a functional toilet at home. The constitutional validity of decision was subsequently upheld by Supreme Court in **Rajbala vs. State of Haryana**



- verdict.** It restricts a citizen's right to contest elections and thereby challenges the basic premise of a republican democracy.
- Capacity building of both panchayats and urban local bodies is not proportional to the responsibilities they are assigned.
  - Departmentalization of development: a lot of government bodies have sidelined local bodies. For example, recently in Haryana, a rural development agency was created to sideline panchayats.
  - **Mani Shankar Aiyyar committee** observed that **decentralization has led to decentralization of corruption.**
  - There are criticisms that initiatives like smart city projects affect the autonomy of urban local bodies.
  - In urban areas, participation from people in elections as well as in governance is very limited.

All the above factors combinedly resulted in ineffectiveness of local self-governments.

However , there have been lots of positives too like improvement in women participation , building the foundation for participatory democracy , utilization of local resources, customization of projects to local needs etc.

### **Way Forward:**

Following steps can be taken to improve the effectiveness of LSG to realize their true potential.

- Devolution of powers as per eleventh schedule like in **Kerala and Madhya Pradesh**.
- Reservation for women should be increased from 33 % to 50 % like in Maharashtra and Bihar.
- Capacity building of all elected representatives especially women.
- **Principle of subsidiarity** to be upheld at all levels like recommended by **second ARC**.
- **Property taxation reforms to be introduced to make urban bodies self-sufficient financially.**
- Platforms like **mahila gram sabha** need to be encouraged to help women voice their needs and participate in decision making process.
- To implement the ground reforms like adult education, right to free and compulsory education better before implementing laws like minimum education criteria.

### **Conclusion:**

- Local bodies need to be empowered to create greater inclusiveness, participation and women empowerment at the grassroots level. Integrating institutional reforms in local governance with economic reforms was **Gandhiji's far-sighted vision of 'PoornaSwaraj'**.
- The 73rd and 74th Amendments of the Constitution which seek to create an institutional framework for ushering in grass roots democracy through the medium of genuinely self-governing local bodies in both rural and urban areas of the country.

**Q) Critically comment on the way the courts have interpreted the Section 124(A) of the penal code. Comment on what do you think the future of sedition law in India should be ? (250 words)**

Livemint

#### **Why this question**

*Sedition law is again in news courtesy chargesheet filed against the accused in JNU row. This issue needs to be examined in detail and we need to form an opinion on what the future of sedition law in the country should be.*

#### **Key demand of the question**

*The question expects us to explain what section 124A entails and comment on the courts interpretation of the same. Thereafter, we need to logically give an argument regarding the future of sedition law in the country.*



### **Directive word**

*Critically comment – When you are asked to comment, you have to pick main points and give your ‘opinion’ on them based on evidences or arguments stemming from your wide reading. Critically comment is also forming opinion on main points but in the end you have to provide a fair judgement.*

### **Structure of the answer**

**Introduction** – Highlight why this issue is in news.

### **Body**

Explain that In india,sedition is 124A of Indian penal code & when person charged under this IPC. The offence is punishable with imprisonment for life.

Court have interpreted 124A of Indian penal code in many cases relate to 124A section:

- *Kedar Nath Singh Vs State of Bihar 1962: constitutional bench of supreme court made clear that allegedly seditious speech & expression may be punished only if speech is an incitement to violence or public disorder.*
- *Subsequent cases have further clarified the meaning of this phrase. In Indra Das vs State of Assam & Arup Bhuyan vs State of Assam, Supreme Court stated that only speech that amounts to “incitement to imminent lawless action” can be criminalised.*
- *Balwant Singh v. State of Punjab, Supreme Court overturned the convictions for sedition(124A IPC) and Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc (153 A IPC).*
- *Based on the opinion of the court and how the sedition law has been used in the country, give your view on the future of sedition law.*

**Conclusion** – Give your view and discuss way forward

### **Introduction:**

The Delhi Police filed a charge sheet against 10 people, including student leaders Kanhaiya Kumar, Umar Khalid, and Anirban Bhattacharya, in a sedition case for allegedly raising “anti-national slogans” during an event on the Jawaharlal Nehru University (JNU) campus in February 2016.

### **Body:**

### WHAT IS IT?

- **Sedition law:**  
Section 124A of the Indian Penal Code, 1860
- **Definition:** Whoever by words, either spoken or written, or by signs, or by visible representation, or otherwise brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards, the government established by law in India, shall be punished
- **Punishment:**  
Imprisonment for life, to which fine may be added, or imprisonment which may extend to three years, to which fine may be added, or just a fine

### WHAT THE SUPREME COURT SAID:

#### LANDMARK JUDGEMENTS

1962

#### KEDAR NATH SINGH VS STATE OF BIHAR

The Supreme Court held that “a citizen has a right to say or write whatever he likes about the government, or its measures, by way of criticism or comment, so long as he does not incite people to violence”

1982

#### P.ALAVI VS STATE OF KERALA

Where the court held that sloganising, criticising of Parliament or the judicial set-up did not amount to sedition

1995

#### BALWANT SINGH AND ANR VS STATE OF PUNJAB

The SC says: “Raising some slogan (“Khalistan Zindabad”) a couple of times...which neither evoked any response nor any reaction from the public cannot attract such punishment”



'Sedition' is an offence incorporated into the Indian Penal Code (IPC) in 1870. Section 124A of the IPC defines sedition and says:

- whoever by words either spoken or written or by signs or by visible representation or otherwise brings or attempts to bring into hatred or contempt, the government established by law; or
- whoever by the above means excites or attempts to excite disaffection towards the government established by law, has committed the offence of sedition.

The offence is punishable with imprisonment for life.

Courts have interpreted 124A of Indian penal code in many cases relate to 124A section:

- **Kedar Nath Singh Vs State of Bihar 1962:** constitutional bench of Supreme Court made clear that allegedly seditious speech & expression may be punished **only if speech is an incitement to violence or public disorder.** Subsequent cases have further clarified the meaning of this phrase.
- **Indra Das vs. State of Assam & Arup Bhuyan vs State of Assam:** Supreme Court stated that **only speech that amounts to "incitement to imminent lawless action" can be criminalised.**
  - Therefore, advocating revolution or advocating even violent overthrow of State, does not amount to sedition, unless there is incitement to violence & more importantly, incitement is to imminent violence.
- **Maneka Gandhi case, 1978:** The Maneka Gandhi judgment was a balanced judgment and is one of the best judgments that Indian Supreme Court has ever given.
  - The judgment's importance can be seen today also because the way in which the bench construed Article 21 and expanded its horizons has given way for the resolving of problems left unsolved by the Parliament.
  - The SC stated that Criticizing and drawing general opinion against the Govt. policies and decisions within a reasonable limit that does not incite people to rebel is consistent with the freedom of speech.
  - The judgment **saved the citizens from unquestionable actions of Executive.**
- **Balwant Singh v. State of Punjab:** In one of most important judgements in this regard, Supreme Court **overturned the convictions for sedition(124A IPC)** and Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc (153 A IPC).
  - In this case, accused raised slogans such Khalistan Zindabad, Raj Karega Khalsa (Khalsa will rule) & Hinduan Nun Punjab Chon Kad Ke Chhadange, Hun Mauka Aya Hai Raj Kayam Karan Da (Hindus will leave Punjab, we will rule) i.e. a few hours after Indira Gandhi's assassination.
  - Despite the slogans clearly undermining Indian sovereignty and government, SC acquitted or free from charge or verdict of not guilty the accused because the slogans did not imminently incite violence.
  - Thus, **even advocating secession of country or violent overthrow of government, does not attract sedition unless there is imminent incitement to violence.**
  - **'Incitement' rather than 'advocacy' is the important element of section 124A.**

#### **Dark side of Applying Sedition Law:**

- **Before Independence**, this charge was used by the **British to suppress the freedom movement.**
- Ironically, the same draconian law has become a tool that the country is now using against its own people.
- During colonial period section 124-A was interpreted by the privy council in a way to suppress **every act that expressed discontent against the government.**
- Many freedom fighters were slapped with these charges for invoking feelings of nationalism and educating people of India against the policies adopted by the colonial power.
- Draconian laws such as the Section 124-A only serve to give a legal veneer to the regime's persecution of voices and movements against oppression by casting them as anti-national.
- Figures of the **National Crime Records Bureau** reveal that in the two years preceding the JNU case, there were a total of 77 sedition cases.
- Beyond the high-profile urban cases, the reach of Section 124-A has extended even to faraway places. An entire village in Kudankulam, Tamil Nadu had sedition cases slapped



against it for resisting a nuclear power project. Adivasis of Jharkhand, resisting displacement, topped the list of those slapped with sedition in 2014.

- **Instead of critically analysing why citizens**, be they in Kashmir or Chhattisgarh or Bhima Koregaon, are driven to dissent, the government is using an **iron-fist policy with the sedition law playing a leading role to completely shut out contrarian views**.

#### **Way Forward:**

- All speech-related offences should be made bailable offences; this would lessen the harmful impact of using arrest and custody as a way of harassing anyone exercising their rights under Article 19(1) (a). The **chilling effect on freedom of speech and expression** must be erased.
- Forming a committee involving Government and renowned civil society members while deciding cases under section 124 A.
- To limit the discretionary power as much as possible through better and comprehensive drafting of guidelines.
- The offences should be made non-cognisable so that there is at least a judicial check on the police acting on the basis of politically motivated complaints.
- In the case of offences under Sections 153A (“promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc, and doing acts prejudicial to maintenance of harmony”) and 295A of the Indian Penal Code, it is mandatory under Section 196(1) of the Code of Criminal Procedure **to obtain prior sanction of the government before taking cognisance of the offences**. This needs to be extended to the offence of sedition under Section 124A.
- In the case of hate speech, it is important to **raise the burden of proof on those who claim that their sentiments are hurt rather than accept them at face value**.
- And finally, it is crucial that courts begin to **take action against those who bring malicious complaints against speech acts**.

#### **Conclusion:**

- **Dissent is the lifeblood of democracy**. Democracy has no meaning without freedoms and sedition as interpreted and applied by the police and governments is a negation of it. Hence, before the law loses its potency, the Supreme Court, being the protector of the fundamental rights of the citizens has to step in and evaluate the law and may declare Section 124A unconstitutional if necessary.
- The word ‘sedition’ is thus extremely nuanced, and needs to be applied with caution. It is like cannon that ought not be used to shoot a mouse; but the arsenal also demands possession of cannons, mostly as a deterrent, and on occasion for shooting.

### **Q) Without proper planning, 10% reservation could cause significant strain for universities in India. Analyze. (250 words)**

#### Reference

#### **Why this question**

*10% reservation for economically weaker sections has been introduced recently. The decision to not let this impact seats in educational institutions is likely to cause strain on them. This question expects you to analyze such issues.*

#### **Key demand of the question**

*The question expects us to discuss the decision of granting reservation to economically weaker sections, analyze how it is likely to cause strain on educational institutions and what must be done in this regard.*

#### **Directive word**

*Analyze – When asked to analyze, you have to examine methodically the structure or nature of the topic by separating it into component parts and present them as a whole in a summary.*

#### **Structure of the answer**

**Introduction** – highlight the recent decision to grant 10% reservation to EWS.



### **Body**

- Explain that in order to ensure that the reservations don't impact seats for other categories, additional 25% seats to be created in educational institutions. This additional enrolment would require universities and colleges to add to infrastructure very quickly – classrooms, teachers, hostels and much more.
- Highlight the issues with Indian universities and how this measure is likely to break their already overstretched backs
- Discuss what needs to be done in this regard.

**Conclusion** – Give your view and discuss way forward.

### **Introduction:**

- The President of India has given his assent to the bill providing **10% reservation in jobs and educational institutions to the economically weaker sections in the general category**.
- The legislation will be known as the **Constitution (103 Amendment) Act, 2019** and it shall come into force on such date as the Centre notifies.

### **Body:**

- The act was passed in a hurry. State governments were not consulted about this move that required the Constitution to be amended. The Union government wants to **ensure that no group is left out by new quota**.
- The government is keen on a roll-out in the forthcoming academic session and is framing rules for implementation of the quota in private institutions as well. The constitutional amendment passed by Parliament states the reservation will be applicable in **aided as well as unaided institutions**.

There are significant strains on the educational institutes as

### **Universities:**

- In order to ensure that the reservations don't impact seats for other categories, **additional 25% seats to be created in educational institutions**.
- This additional enrolment would require universities and colleges to add to infrastructure very quickly – classrooms, teachers, hostels in a short span of time.
- In centrally funded higher education institutions (HEIs) from the 2019-20 academic session, the **Centre has decided to foot the additional financial requirements**.
- **The paucity of time and the amount of money allotted for infrastructure** would be debatable if it is possible to implement the quota in such a short span.
- A point in case was **Punjab University's** statement that it would need about Rs 500 crore to implement the new quota.

### **Private Institutions:**

- The anxiety is even more acute in private institutions, which will now have to implement the quota system that it had ignored all these years.
- Most colleges have loans to repay and any restrictions on their ability to charge fees they consider appropriate would result in great financial stress.
- Implementing the new quota is also expected to delay the **process of hiring teachers this year**.

### **State Governments:**

- The quota would place an additional burden on state governments if they are expected to implement it in the 2019-2020 academic year.
- Most Indians who access higher education attend state-level institutions, which receive grants from the state coffers.
- This does not bode well for state budgets, especially in states like Kerala, Maharashtra and Tamil Nadu where public higher education institutions are strong.

### **Students:**

- **Lack of clarity** on **payment of fees** in private colleges despite gaining an entry through EWS quota will be a futile attempt for the students.



### Way Forward:

- The problem faced by children and young people of Socially Advanced Castes who are genuinely poor is that they are not able to afford education to the fuller level for want of financial capacity.
- The **Union government should lead by example** by starting **new, good-quality universities** instead of adding burden on the existing ones.
- A **one-time fund can be granted to states** for expanding the educational infrastructure.
- This problem has to be resolved and can be resolved by having a **comprehensive scheme of scholarships and educational loans** through direct benefit transfer.
- Roping in **CSR funds of Corporates, NGOs, CSOs** for help in infrastructure funding.
- A robust system must be put in place **to weed out the ghost beneficiaries** of such quota which adds to fiscal strain.

### Conclusion:

The Reservation Act will definitely be a boon to many poor students. However, there should be a deliberated, well-thought out roadmap for the implementation, barring which the amendment itself would be a futile effort.

### *Topic: Statutory, regulatory and various quasi-judicial bodies*

### **Q) The 2014 NGT ban on rat hole mining in Meghalaya has only accentuated the problem. Critically analyze.(250 words)**

#### Downtoearth

##### **Why this question**

*The recent disasters involving rat hole mining in Meghalaya has brought the focus on rat hole mining in the state. The NGT order on rat hole mining, it appeared, had dealt with the problem conclusively. However, the recent disasters have shown that the problem persists. Hence this question.*

##### **Key demand of the question**

*The question expects us to discuss the pros and cons of NGT decision on banning rat hole mining and discuss the way forward for ensuring that a fair and practical solution is devised.*

##### **Directive word**

*Critically analyze – When asked to analyze, you have to examine methodically the structure or nature of the topic by separating it into component parts and present them as a whole in a summary. When ‘critically’ is suffixed or prefixed to a directive, all you need to do is look at the good and bad of something and give a fair judgement.*

##### **Structure of the answer**

**Introduction** – Explain about the 2014 order banning rat hole mining.

##### **Body**

*Discuss the impact of the ban. Highlight that while it was thought that the ban had succeeded in tackling the problem of rat hole mining, the recent incidents have shown that the problem continues.*

*Discuss how the ban has magnified the problem*

- *Blueprints of mines are not available which hampered rescue operations in the current disaster*
- *rat-hole mining has to be regulated and not banned as it will impact the livelihood of many people. Moreover the current legal limbo is only benefiting the rich etc*

*Discuss what needs to be done to effectively deal with the situation. Evaluate whether ban is the way forward or regulations are required*

**Conclusion** – Give your view and discuss the way forward.



## **Introduction:**

The National Green Tribunal (NGT) **banned** rat-hole mining in **2014**, and **retained** the ban in **2015**, on grounds of it being '**unscientific and unsafe**' for workers. The **verdict was upheld by Supreme Court** too.

The collapse of a coal mine in **Meghalaya's East Jaintia Hills**, trapping at least 15 workers who are still missing and are feared dead, has thrown the spotlight on rat-hole mining's continuance, despite the ban.

## **Body:**

### **The impact of the ban:**

- The NGT order banned **not only rat-hole mining but all “unscientific and illegal mining”**.
- The court placed much emphasis on a **report of O P Singh**, professor of environmental studies of North Eastern Hills University of Shillong that explained the **grave environmental concerns and health concerns**.
- Rat-hole mining, which started with gusto in the 1980s, has poisoned three rivers in the Jaintia hills: the **Myntdu, Lunar and Lukha**. These rivers have very high acidic levels.
- It also took into consideration the **dignity of the mine workers especially children** who were employed.

It was thought that the ban had succeeded in tackling the problem of rat hole mining, the recent incidents have shown that the problem continues. The **ban has accentuated the problems** to a higher level. This is due to various reasons like

### **Loopholes in the law:**

- The ban has been rendered meaningless by the Supreme court-sanctioned permission to transport “already-mined” coal till January 2019. Mine owners have used this loophole to continue mining operations illegally.
- Meghalaya comes under the **6<sup>th</sup> Schedule of Constitution**. The provisions allow for community ownership of land and autonomy over its use. However they are taken over by private players and tribals are left helpless.

### **Lack of Political and Executive will:**

- The unholy nexus of Politicians and Contractors: About 33% of political candidates have stakes in coal mining and transport companies, thus lobbying against the ban order.
- A **committee (headed by Retired Justice B.P. Katoki)** appointed by the National Green Tribunal (NGT) has blamed **poor implementation of NGT order by executive**.
- The committee revealed that the state government shockingly has **no records** about the rat-hole mines, number of workers involved and any other data relating to death or injuries to the workers.
- **Blueprints of mines are not available** which has hampered rescue operations in the current disaster.

### **Lack of Alternate Sources of Livelihood:**

- It takes **long to locate the quarry** as local people were scared to divulge information, fearing a backlash from mine owners and lose their livelihood.
- It gives quick money for day-to-day survival.
- It is a **cheap method for the mine owners** to extract coal and presence of abundance of Migrant labour.
- The ban has led to **secrecy** which hampers rescue process during cases of emergency.

### **Way Forward:**

- The Supreme Court must rectify this situation by banning transport of all coal, or by lifting the ban but enforcing regulation to make the mining non-polluting and safe.
- The State mining policy should include ways of alternative towards Rathole mining.
- Rat-hole mining has to be **regulated and not banned** as it will impact the livelihood of many people.
- The **Schedule VI provisions** must be implemented in true letter and spirit by granting community ownership rights. Involvement of Autonomous District and Regional Councils to further implement the orders is needed.
- **Alternative employment or economic engagement** for the coal mine owners and labourers must be provided. g.: MGNREGA.



- **Strict implementation of Child labour prevention laws and Right to Education Act** for the children involved in mining.
- Use of **Satellite imagery and drone technology** to find the locations of illegal mines as suggested by **BP Katoki committee**.
- Using experts like Geologists to **evaluate the stability and prepare maps for the tunnels**.
- Adopting eco-friendly and global best practices to reduce the risks.
- Involvement of **Social Activists, NGO's and Local community** and education of the people about safety and security needed during rat-hole mining.

#### **Conclusion:**

- The road ahead is to restore the environmentally degraded areas and rehabilitate exploited labour force.

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

**Q) In its present form the Muslim Women (Protection of Rights on Marriage) Bill, 2018 is very problematic and does little towards gender justice. Analyze. (250 words)**  
Epw

#### **Structure of the answer**

**Introduction**— write a few introductory lines about the Muslim Women (Protection of Rights on Marriage) Bill, 2018. E.g mention that the bill has been passed by the LS and is currently in RS; briefly mention the aims of the bill.

#### **Body-**

Discuss the problems associated with the provisions of the bill and how it does little towards the stated aim of ensuring gender justice. E.g

- Since marriage is a civil contract, violation of this contract demands civil action, but the bill makes it a cognisable non-bailable offence.
- As the majority judgment has set aside the practice of triple talaq and pronounced it to be unconstitutional and/or un-Islamic, the bill serves no purpose of further criminalising the practice of triple talaq.
- The bill, which prescribes up to three years' imprisonment, is silent on the provision of sustenance for the affected woman and her family.
- The bill under discussion criminalises triple talaq by a Muslim man, but there is no corresponding penal provision for a non-Muslim man abandoning his wife. This goes against the universal principle of equality before law and is, hence, unfair towards non-Muslim women etc.

**Conclusion**— based on your discussion, form a fair and a balanced conclusion on the given issue. E.g need for a proper debate and involvement of all stakeholders in the process.

#### **Introduction:**

The Supreme Court's judgment in the **Shayara Bano case** held that the practice of talaq-e-biddat (or triple talaq) **unconstitutional**. This was hailed as a step towards the emancipation of Muslim women and a win in the war against institutional remnants of gender inequality. After the judgement, government passed **Muslim protection Bill also known as, Triple Talaq Bill** in Lok Sabha but there have been criticism about the legal and procedural aspects of the bill.

#### **Body:**

The Bill makes all declaration of talaq, including in written or electronic form, to be void (i.e. not enforceable in law) and illegal. The Bill makes declaration of talaq a cognizable offence, attracting up to three years' imprisonment with a fine.

The bill has run into issues due to few clauses added in the bill.



### **Problematic:**

- Marriage is a civil contract, violation of this contract demands civil action, but the bill makes it a cognisable non-bailable offence. Accused Muslim husband pronouncing triple talaq is **criminally culpable**.
- It negates the Supreme Court ruling by unwittingly favouring a sense of medieval view that the pronouncement of talaq-e-biddat breaks the marriage, and, therefore, needs to be criminalised.
- The pronouncement of talaq-e-biddat cannot be brought under the definition of emotional abuse mentioned in Section 3 of the Protection of Women from Domestic Violence Act, 2005 (PWDVA). This view is as legally untenable.
- That part of the Bill which re-declares triple talaq to be illegal and void is largely surplus since the apex court has already done so under articles 141 and 142.
- **No country has criminalised triple talaq.** It has been made illegal and void. For instance, in Algeria, talaq pronounced outside court is not considered legal.
- The most significant ground on which the triple talaq Bill fails the test of constitutionality is found in Article 21 which states that no person shall be deprived of his life or personal liberty except according to procedure established by law.
- Bill also constitutes **unwarranted punitive deprivation of personal liberty of Article 19, especially clauses 19(1)d and 19(1)g.** Thus, if a man is unjustifiably jailed under the proposed law even for a few weeks, he will be denied of these rights for that period.

### **Does little towards Gender Justice:**

- The bill, which prescribes up to three years' imprisonment, is silent on the provision of sustenance for the affected woman and her family.
- The Bill does not provide the victimised woman any additional benefits in terms of her rights in marriage and divorce which were already promised under CrPC and PWDVA.
- The Bill does not add anything new to the already existing maintenance responsibilities of the husband covered under various Acts.
- The bill under discussion criminalises triple talaq by a Muslim man, but there is no corresponding penal provision for a non-Muslim man abandoning his wife. **This goes against the universal principle of equality before law** and is, hence, unfair towards non-Muslim women.
- Furthermore, since the present Bill says that triple talaq is cognizable and non-bailable, **married Muslim man** become vulnerable target as policemen can arrest and investigate the accused with or without the complaint from wife or any other person.

### **Procedural Issues:**

- The government's refusal to send the bill to a parliamentary select committee, for example, goes against the democratic spirit of deliberation and involvement of all stakeholders in such a legislation.
- It would be difficult for a woman to prove that the man has given her triple talaq in one sitting.
- **Divorce is not a crime.** Not fulfilling monetary responsibilities as the law obligates of divorced wife and children or dependents, in case they are unable to maintain themselves is considered as an offence only after due process of law. The fact is there are existing laws that have already covered the issue.

### **Way Forward:**

- Instead of criminalisation, the pronouncement of triple talaq could have been defined as infliction of domestic violence and brought under the purview of **the domestic violence law of 2005**.
- This could have opened up ways to address the problem of married women's abandonment which is prevalent across religions.
- Civil character of children custody and allowance of marital law must be preserved.
- Government needs to get the bill scrutinized by parliamentary select committee, consult multiple stakeholders and then pass the bill.
- **Law Commission Consultation Paper on 'Reform of Family Law'** : The Commission says the best way forward may be to **preserve the diversity of personal laws, but at the same time, ensure that personal laws do not contradict fundamental rights guaranteed**



**under the constitution of India.** In order to achieve this, it is desirable **that all personal laws relating to matters of family must first be codified to the greatest extent possible, and the inequalities that have crept into codified law, these should be remedied by amendment.**

**Q) Explain the provisions of fugitive economic offenders act, 2018 and critically examine its impact ? (250 words)**

The hindu  
prsindia

**Why this question**

Vijay Mallya is the first person to be declared a fugitive economic offender and thus we need to be aware of this development as well as the law behind it and its impact.

**Key demand of the question**

The question expects us to first explain the key provisions of the bill and thereafter bring out why the Bill is significant and what will be its likely impact.

**Directive word**

**Critically Examine** -When you are asked to examine, you have to probe deeper into the topic, get into details, and find out the causes or implications if any . When 'critically' is suffixed or prefixed to a directive, all you need to do is look at the good and bad of something and give a fair judgement.

**Structure of the answer**

**Introduction** – Highlight that Vijay Mallya is the first person to be declared a fugitive economic offender.

**Body**

*Discuss the key provisions of the Bill*

- applicable in cases where value exceeds 1000cr,
- gives power for confiscation of property irrespective of whether the proceeds are on account of crime or not,
- prohibits fugitives from pursuing civil cases in India
- provides for confiscation of benami properties.

*The Enforcement Directorate (ED) will be the apex agency to implement the law etc*

*Highlight that off late a number of economic offenders such as Nirav modi, Vijay Mallya etc who were supposed to face trial have escaped the clutches of law and this law is an attempt to bring them to book. The bill has been brought because existing civil and criminal provisions in law are inadequate to deal with the severity of the problems. The bill provides teeth to the powers enjoyed by law enforcement agencies to book such culprits.*

*Also highlight the cons of the law*

- Under the Bill, any court or tribunal may bar an FEO or an associated company from filing or defending civil claims before it. Barring these persons from filing or defending civil claims may violate Article 21 of the Constitution i.e. the right to life. Article 21 has been interpreted to include the right to access justice
- The Bill does not require the authorities to obtain a search warrant or ensure the presence of witnesses before a search. This differs from other laws, such as the Code of Criminal Procedure (CrPC), 1973, which contain such safeguards. These safeguards protect against harassment and planting of evidence.

**Conclusion** – give your view on the need of this law and discuss way forward.



### **Introduction:**

Economic offences are on the rise with many scams surfacing recently. The Government enacted the fugitive economic offenders' law in August 2018. Vijay Mallya became the first Indian to be declared a fugitive economic offender under the provisions of law. The decision comes against an application by the **Enforcement Directorate before the special Prevention of Money Laundering Act (PMLA) court** to classify Mallya as a fugitive economic offender.

### **Body:**

The key provisions of the Act are

- The Act allows for a person to be declared as a fugitive economic offender (FEO) if: (i) an arrest warrant has been issued against him for any specified offences where the value involved is **over Rs 100 crore**, and (ii) he has left the country and refuses to return to face prosecution.
- The Act makes provisions for a Court, 'Special Court' under the Prevention of Money-laundering Act, 2002. A Director, appointed by the central government, will have to file an application to a Special Court.
- The Act allows authorities to provisionally attach properties of an accused, while the application is pending before the Special Court.
- Upon declaration as an FEO, properties including benami properties of a person may be confiscated and vested in the central government, free of encumbrances (rights and claims in the property).
- The FEO or any company associated with him may be barred from filing or defending civil claims.

There have been several instances of economic offenders fleeing the jurisdiction of Indian courts. Vijay Mallya fled the country to avoid being arrested for economic fraud, recent Nirav Modi-PNB fraud. The **existing civil and criminal provisions** in law are not entirely adequate to deal with the severity of the problem. The Act comes as an effective, expeditious and constitutionally permissible deterrent against fugitive economic offenders. It also helps banks and other financial institutions to achieve higher recovery from financial defaults. The act provides teeth to the powers enjoyed by law enforcement agencies to book such culprits.

## **THE EXISTING LAWS FOR SEIZING ASSETS**

### **Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI)**

Lender can take possession of the assets kept as security over non-repayment of loans

### **Prevention of Money Laundering Act (PMLA)**

Proceeds of the crime are attached by the Enforcement Directorate

### **Insolvency and Bankruptcy Code, 2016 (IBC)**

Insolvent firms are either revived by creditors and interim resolution professional or the assets are liquidated

### **Recovery of Debts due to Banks and Financial Institutions Act, 1993 (RDDIFI)**

A debt recovery tribunal can pass orders for the attachment of assets that were given as security on non payment of dues/loans

Graphic by Subrata Jana/Mint

Source: Mint research



### Some cons of the law:

- **Against Right to Life:** Any court or tribunal may bar an FEO or an associated company from filing or defending civil claims before it. Barring these persons from filing or defending civil claims **may violate Article 21** of the Constitution i.e. the right to life. Article 21 has been interpreted to include the right to access justice.
- **Higher Threshold:** The threshold level of Rs 100 Cr will let many offenders with lower credits go scot free. This is also against **Right to Equality**.
- **Possibilities of Witch-hunt:** The Bill does not require the authorities to obtain a search warrant or ensure the presence of witnesses before a search. This differs from other laws, such as the Code of Criminal Procedure (CrPC), 1973, which contain such safeguards. These safeguards protect against harassment and planting of evidence.
- **Procedural Delays:** Proceedings for forfeiture of property have been marked by shortcomings and procedural delays. Disposal of confiscated assets has not been easy, especially at a price sufficient to recoup losses or pay off all creditors. The uncertainty of deterrence due to threat of confiscation of property looms large.
  - Example: A case in point is Sahara's Amby Valley, which despite efforts by Bombay high court's official liquidator has been unable to find suitable buyers for almost a year.
- **Legal challenges:** The confiscation is not limited to the proceeds of crime. It further extends to any asset owned by an offender, including benami property. Such clauses are liable for legal challenge, especially if there are third party interests and doubts about real ownership.

### Way Forward:

- To avoid failed attempts at sale the bill should provide for time limits for disposal and encashment of property, separate limits for movable-immovable property and running business. Any property which would be subject to valuation loss over a period of time must be disposed of quickly.
- To further strengthen it, the bill should separately provide for dealing with siphoning off of funds, round-tripping, and employing any scheme or edifice to cause loss.
- India has presented a nine-point programme to take action against fugitive economic offenders at the ongoing G20 Summit in Argentina.

### **Q) Irrespective of its fate in the Upper House, the proposed citizenship amendment Bill has polarised the Northeast. Critically examine. (250 words)**

Indianexpress

#### **Why this question**

*Since Lok Sabha has passed the citizenship amendment Bill, the Bill has caused issues in North East and ignited a debate. Such debate has to be understood in depth.*

#### **Key demand of the question**

*The question expects us to discuss the details of the Bill, examine the reasons why it is leading to issues in North East, discuss other issues in the Bill and thereafter provide the way forward.*

#### **Directive word**

*Critically examine – When you are asked to examine, you have to probe deeper into the topic, get into details, and find out the causes or implications if any. When 'critically' is suffixed or prefixed to a directive, all you need to do is look at the good and bad of something and give a fair judgement.*

#### **Structure of the answer**

**Introduction** – In your introduction, highlight that lok sabha has recently passed the bill and highlight the issues it has created in North East.



### **Body**

*Explain about the Bill – The Bill paves the way to grant citizenship to six religious minorities — Hindus, Jains, Sikhs, Parsis, Christians and Buddhists — from Pakistan, Afghanistan and Bangladesh who came to India before 2014.*

*Discuss why it is leading to issues in North east*

- *there has been a strong resistance to the Bill (especially in Assam) as it would pave the way for giving citizenship, mostly to illegal Hindu migrants from Bangladesh, in Assam who came after March 1971, in violation of the Assam Accord of 1985.*
- *There are an estimated 20 million illegal Bangladeshi migrants in Assam and they have inalienably altered the demography of the state, besides putting a severe strain on the state's resources and economy.*
- *The people of Assam — which has historically had the highest migration from what is now Bangladesh — see the bill as an unconstitutional attempt to undermine the current NRC process, and grant Indian citizenship to a large number of people who would otherwise be ineligible.*

*Discuss the key issues in the Bill*

- *makes illegal migrants eligible for citizenship based on their religion and clearly violates Article 14 of the Constitution.*
- *The bill clearly violates the Assam Accord.*
- *The bill has potentially interesting implications for asymmetric federalism.*

**Conclusion** – Give a fair and balanced view and discuss way forward.

### **Introduction:**

The Citizenship Amendment Bill 2016 seeks to allow illegal migrants from certain minority communities in Afghanistan, Bangladesh and Pakistan eligible for Indian citizenship. In other words, it amends the Citizenship Act of 1955. The Bill was recently passed in the Lok Sabha. Nagaland, along with other north-eastern States, has witnessed several protests following the passage of the Bill in the Lok Sabha.

### **Body:**

The key features of the bill are:

- **Definition of Illegal migrants:**
  - The Citizenship Act, 1955 prohibits illegal migrants from acquiring Indian citizenship.
  - The Bill amends the act to provide that the following minority groups will not be treated as illegal migrants: **Hindus, Jains, Sikhs, Parsis, Christians and Buddhists** — from Pakistan, Afghanistan and Bangladesh who came to India before 2014
- **Citizenship by naturalisation:**
  - Under Citizenship Act, 1955, one of the requirements for citizenship by naturalisation is that the applicant must have resided in India for 12 of the 15 years preceding the date of application.
  - It appeals for the minimum years of residency in India to apply for citizenship to be lessened from at least 11 to six years for such migrants.
- **Cancellation of registration of OCI cardholder:**
  - The Bill provides that the registration of Overseas Citizen of India (OCI) cardholders may be cancelled if they violate any law.



The proposed legislation has polarised the Northeast and triggered a process of social and political realignment. Most disquietingly, it threatens to expose the faultlines that had led to the **rise of sub-nationalist politics** in the region in the 1980s. The bill is leading to following issues in North east:

- The Citizenship Amendment Bill has not been sitting well with the Assamese as it **contradicts the Assam Accord of 1985**, which clearly states that illegal migrants heading in from Bangladesh after March 25, 1971, would be deported.
- There are an estimated **20 million illegal Bangladeshi migrants in Assam** and they have inalienably **altered the demography** of the state, besides putting a severe strain on the state's resources and economy.
- Mizoram fears **Buddhist Chakmas and Hindu Hajongs from Bangladesh** may take advantage of the Act.
- Meghalaya and Nagaland are **apprehensive of migrants of Bengali stock**.
- Groups in Arunachal Pradesh fear the new rules may benefit **Chakmas and Tibetans**.
- Manipur wants the **Inner-line Permit System** to stop outsiders from entering the state.

The other key issues in the bill are:

- The bill seeks to facilitate granting of Indian citizenship for **non-Muslim migrants** from Bangladesh, Pakistan and Afghanistan. This clearly **violates Article 14** of our constitution.
- **Article 14** guarantees equality to all persons, citizens and foreigners, differentiating between people on the grounds of religion would be in **violation of the constitution**.
- The bill has potentially interesting implications for **asymmetric federalism**.
- The proposed law violates India's **long-standing refugee policy**. Although India does not have a codified refugee policy, the basic tenants of the scheme were listed by Jawaharlal Nehru during the Tibetan refugee crisis.
- One of the primary conditions given then was that refugees would have to return to their homeland once normalcy prevailed. The proposed law not only provides citizenship rights to such refugees, but greatly relaxes the procedure to avail of them.
- From reducing the registration fees to Rs 100 from Rs 3000 to delegating the authority from the Union government to district magistrate for speedy processing of applications, the proposed law serves citizenship to illegal immigrants on a platter.
- The Bill provides wide discretion to the government to cancel OCI registrations for both major offences like murder, as well as minor offences like parking in a no-parking zone or jumping a red light.
- Notwithstanding the tampering of domestic law with religious markers, the proposed Bill, if passed, will put our **international relations in jeopardy**. The Bill will stamp these countries as institutions of religious oppression and worsen bilateral ties in an already skewed regional socio-political atmosphere.
- The new law will also act as a push to the movement of India's citizenship policy on **jus soli to the racially manifested jus sanguine principle**, something which was actively avoided by our constitution makers.

The Citizenship (Amendment) Bill also fails on the **tenets of international refugee law**. Although India is **not a signatory to the 1951 UN Refugee Convention**, granting refuge based on humanitarian considerations is arguably a norm of customary international law. There are two fallacies with the proposed law in this regard:

- First, the Bill terms **minority religious people as migrants**, when they are not migrants but **refugees**. The word migration refers to the voluntary movement of people, primarily for better economic prospects. In contrast, **refugee is an involuntary act of forced movement**. The concerns of refugees are human rights and safety, not economic advantage. The purpose and intention of the Bill, as stated by the home minister, is to provide shelter to vulnerable, religiously persecuted people whose fundamental human rights are at risk. The correct terminology is important because the laws and policies for migrants and refugees are entirely different.
- Second, **shelter to individuals of a select religion defeats not only the intention but also the rationality of refugee policy**. If the motive of the government is to protect religiously persecuted people in the neighbourhood, the question of why they are ignoring the Muslim community is inevitable.


**Conclusion:**

- There is no harm in accommodating religiously persecuted people in the country. However, India's '**law of return**' should be looked at with suspicion, for it severely undermines the otherwise secular socio-legal framework of our nation.
- While religious persecution is a reasonable principle for differentiation, it cannot be articulated in a manner that **dilutes the republican and secular foundations of citizenship in India, and goes against constitutional morality.**

**Q) The success of Swachh Bharat mission lies in the behavioural change it has managed to bring, more than anything else. Critically analyze. (250 words)**

Indianexpress

**Why this question**

*The article discusses the impact of swachh Bharat mission in terms of numbers and the behavioural impact that it has managed to create. As we move into the fifth and final year of swachh Bharat mission, an assessment of the programme and its successes is important.*

**Key demand of the question**

*The question expects us to critically analyze whether the most important success of swachh Bharat mission lies in the behavioural change that it has led to or other things. Thus we have to give the numbers in terms of toilets having been constructed under SBM rural and urban, the number of villages which have attained ODF status, and the behavioural change that it has brought about. In the end your opinion is required on what the mission has achieved.*

**Directive word**

**Critically analyze** – When asked to analyze, you have to examine methodically the structure or nature of the topic by separating it into component parts and present them as a whole in a summary. When 'critically' is suffixed or prefixed to a directive, all you need to do is look at the good and bad of something and give a fair judgement.

**Structure of the answer**

**Introduction** – Give a brief introduction to the swachh bharat mission.

**Body**

Discuss the objectives of swachh Bharat and what it has managed to achieve so far in terms of numbers. No of toilets constructed, no of villages declared ODF etc

**Discuss the achievements under the scheme**

- Since October 2014, 91.5 million toilets have been constructed and 154.3 million rural households have toilets now. Goa and Odisha, however still lag behind. Barring these two states, IHHL (individual household latrine application) coverage in all states is in excess of 95 per cent (Telangana is marginally less). By October 2019, coverage should be universal.
- simple on-ground verification of numbers uploaded on the MDWS website in a few areas found that many of the toilets claimed may not actually exist on the ground. This was revealed when organizations working in those areas went to provide the communities where such toilets were built information on post-construction usage and instead found the toilets missing. This raises questions on the efficacy of the SBM's monitoring systems. Also a lot of money has been spent on building of toilets without an indication, at least until now, of toilet usage.

**Discuss the achievements with respect to creating awareness with regards to sanitation and the role of swachhrabis**

- programme has achieved success in area of raising awareness about sanitation. Any cleanliness initiative will not achieve its objective without people's participation. To that extent SBM surely deserves a credit. Other important initiatives include Bal Swatchata



*mission that was launched to inculcate cleanliness values and personal hygiene amongst children. This would go a long way in*

*Also discuss the positive impact of the scheme on sections of society such as manual scavengers etc*

**Conclusion – Give your view and discuss way forward.**

### **Introduction:**

Swachh Bharat Mission (SBM) is perhaps the largest behaviour change campaign ever, aims to make India a clean nation. The mission will cover all rural and urban areas. The World Health Organization (WHO) believes that SBM could prevent about 300,000 deaths due to water borne diseases assuming we achieve 100 per cent coverage by October 2019.

### **Body:**

#### **Achievements of SBM so far:**

- Five hundred and eighty four districts, 5,840 blocks, 244,687 gram panchayats and 541,433 villages are open defecation free (ODF).
- As of September 2018, the sanitation coverage of India is upwards of 93 per cent and over 465,000 villages have been declared ODF.
- Towards the end of 2017, an independent verification agency (IVA) conducted the **National Annual Rural Sanitation Survey (NARSS)**, and found that 93.4 per cent people who had toilets, used them regularly. NARSS also re-confirmed the ODF status of 95.6 per cent of the villages that had been verified ODF by the state governments.
- Since October 2014, 91.5 million toilets have been constructed and 154.3 million rural households have toilets now.
- IHHL (individual household latrine application) coverage in all states is in excess of 95 per cent, except Goa and Odisha.
- Over the last four years, a cadre of **500,000 swachhagrahis** has been created who have triggered lakhs of villages to become ODF.
- The foot-soldiers have helped in **geo-tagging toilets, verifying household behaviour, converting old toilets and retro-fitting them, engaging in other forms of cleanliness.**
- Bal Swatchata mission that was launched to inculcate cleanliness values and personal hygiene amongst children. This would go a long way in



However, some lacunaes are still present.

- States like Odisha, Goa, Tripura, Telangana are still lacking in IHHL (individual household latrine application) coverage.
- Simple on-ground verification of numbers uploaded on the MDWS website in a few areas found that many of the toilets claimed may not actually exist on the ground. This was revealed when organizations working in those areas went to provide the communities where such toilets were built information on post-construction usage and instead found the toilets missing. This raises questions on the efficacy of the SBM's monitoring systems.
- Treatment of Faecal Sludge, quality and maintenance of toilets built are very poor. Adoption of twin-pit toilets in rural areas is still inadequate.
- City drains are still cleaned by manual scavengers leading to violation of rule of law and death of many scavengers.



### Way Forward:

- Governmental Initiatives of Swachhata Pakwada Campaigns should be promoted to raise awareness of sanitation and hygiene. Adequate Budgetary Allocation should be given to construct twin-pit toilets at villages, public toilets etc.
- **Teach them young:** Children must be taught the importance of Sanitation and hygiene. Initiatives like Bal Swachhata Mission, Swachh Vidyalaya Abhiyan are pushing forward the objective.
- Competition raising initiatives like Swachha Survekshan Abhiyan will help in boosting the spirit of cities and towns to improve the ODF status.
- In places of water scarcity, trains etc. use of bio-toilets can be promoted.
- Technology like mini-jetting machines, robots to clean the clogged pits as done in Hyderabad and Trivandrum should be emulated in other places to curb manual scavenging.
- Swachhata Doots, NGOs and CSOs must be involved at the grassroots level to achieve 100% ODF by October 2<sup>nd</sup>, 2019.

### Conclusion:

The success of the Swachh Bharat Mission is linked to the participation of the people. It depends on people changing their attitudes towards cleanliness, building and using toilets, and maintaining personal hygiene among other things. This means creating a 'behavioural change' in an individual is critical to help break old habits and norms.

### Case Study of Behavioural Changes:

- Patakpur village in Unnao, Uttar Pradesh:
- A technique of behavioural change called **community led total sanitation (CLTS)** came in handy. World Vision India, a non-profit organisation, began working in the district to raise awareness.
- The technique helps shift the focus just acquiring the sanitation hardware to creation of open-defecation free villages. The onus of ensuring that all families have household toilets rests with the community. It integrates hygiene and health, keeping the community's ownership sustained.
- They used rangoli (colored powder) to draw a map of our village to explain how the faeces gets into our water sources, contaminating it. It took a while, but they were eventually convinced that their homes wouldn't become impure with toilets. Rather, not having one would make the village dirty and impure.
- Indore's 'Roko And Toko' Push To Stop Open Defecation:
- Under this unique initiative take up by Indore's civic body, 'dibba gangs' have been created to 'roko aur toko' those who defecate in the open. These 'gangs', mostly made up of schoolchildren, have taken to spreading the message by beating metal boxes loudly whenever they come across anyone defecating in the open.
- The 'gang members' can also impose a fine of ₹100 on anyone found defecating or urinating in the open. This initiative is successful since it involves members of the very community it is seeking to change.

**Q) While the Good Samaritan law is a step in the right direction, at the same time there needs to be more awareness around the subject. Discuss. (250 words)**

Livemint

#### Why this question

The article delves deep into the need for a good Samaritan law, the issues involved in its implementation and what needs to be done. With Karnataka becoming the first state to bring a good Samaritan law, the focus needs to shift in replicating this in other states and iron out the flaws in the law. The topic is important both for GS2 and GS4.

#### Key demand of the question

The question expects us to explain about good Samaritan law, highlight why such a law is important, bring out the details of the law and examine why despite such a verdict by SC, people are still wary of becoming good Samaritans.

#### Directive word



*Discuss – This is an all-encompassing directive – you have to debate on paper by going through the details of the issues concerned by examining each one of them. You have to give reasons for both for and against arguments.*

### **Structure of the answer**

**Introduction** – Explain who are good Samaritans and why such a law is needed. Sizeable proportion of these deaths could have been avoided if victims had received emergency medical treatment on time. In fact, the Law Commission of India in a report, noted that over 50 per cent of road accident deaths can be averted with timely medical care within the first one hour. This translates to 70,000 lives that could be saved.

### **Body**

Explain that In 2016, in a landmark judgement in the case of SaveLIFE Foundation versus Union of India, the Supreme Court instituted a Good Samaritan Law to insulate such persons from legal and procedural hassles that have traditionally followed the act of helping an injured person. Highlight the legislation brought about by Karnataka government.

Discuss what the law entails. Explain that despite the law people are not willing to come forward to act as good Samaritans. Explain that massive gap exists between the law and its on-ground implementation.

- The law explicitly instructs police and hospitals to allow Good Samaritans to keep their anonymity and minimize procedural hassle. However, over half (57%) of the medical professionals surveyed and almost two-thirds (64%) of the police officials interviewed still ask for the personal details of the people bringing the injured to hospitals.
- The study also revealed that most of the health professionals and police personnel interviewed had not received any priming on implementing the Good Samaritan Law.
- None of the hospitals and police stations surveyed had displayed a charter of rights for Good Samaritans, as mandated by the Supreme Court judgement.

Discuss the measures needed to address this – state governments must actively translate the judgement into state-specific Good Samaritan laws in order to establish implementation mechanisms for the law, including effective grievance redressal systems and reward and recognition schemes for Good Samaritans.

**Conclusion** – Give your view and discuss way forward.

### **Introduction:**

Good Samaritan (helpful bystander) is a person who offers assistance to the accident victim without fear of any criminal or civil liability. The objective behind effecting Good Samaritan law is to protect the bystanders from getting embroiled into police investigation or be subjected to harassment due to the legal procedures involved if they decides to help accident victims or even inform hospital and police.

### **Body:**

#### **The Need for Good Samaritan Law:**

- As per figures from the ministry of road transport and highways, the number of people killed in road crashes in India in 2017 was 147,913 or 405 deaths every day.
- The 201<sup>st</sup> Law Commission of India in a report noted that over 50 per cent of road accident deaths can be averted with timely medical care within the first one hour. This translates to 70,000 lives that could be saved.
- India reports on an average 15 deaths per hour due to road accidents. In a report in 2006, the Law Commission estimated that 50 per cent of accident victims would have survived had they got medical attention within an hour. The major impediment for bystanders in helping accident victims is harassment by police and other complex judicial processes.

In 2016, in a landmark judgement in the case of **SaveLIFE Foundation versus Union of India**, the Supreme Court instituted a **Good Samaritan Law** to insulate such persons from legal and procedural hassles that have traditionally followed the act of helping an injured person.



Despite enactment of Good Samaritan law people are reluctant to help accident victims because-

- Crowd discourages individual to take any initiative or lone action. The pressure to behave like everybody else greatly increases when someone stands in a mass. So it is natural for people standing in a crowd to simply stare rather than to do something.
- The fear of getting into legal entangles, police investigation and long drawn judicial procedure still runs through the minds of bystanders.
- Most of the people are still unaware of such Good Samaritan guidelines given by Supreme Court. Most of the states are yet to make laws in the same. **For Example:** 84% of the people recently surveyed by SaveLIFE Foundation across 11 cities in India were unaware of the Good Samaritan Law.
- Police are failing to create confidence into the minds of people that they would receive the good treatment for such noble act of helping. During investigating sessions, the person who is not the perpetrator of a crime but merely a helper of the victim is subjected to the same routine ruthlessness that the perpetrator might deserve.
- Law keepers and public servants are unaware of the SC guidelines. The study also revealed that most of the health professionals and police personnel interviewed had not received any priming on implementing the Good Samaritan Law.
- Mobiles are playing a role of spoilers as there is increasing tendency of taking photos and shooting the accident scene.
- None of the hospitals and police stations surveyed had displayed a charter of rights for Good Samaritans, as mandated by the Supreme Court judgement.

Evidently, a massive gap exists between the law and its on-ground implementation.

#### **Way Forward:**

- State governments must actively translate the judgement into state-specific Good Samaritan laws.
- Establish implementation mechanisms for the law.
- Effective grievance redressal systems.
- Reward and recognition schemes for Good Samaritans.
- Provision for Good Samaritans as in the Motor Vehicles (Amendment) Bill.
- There is urgent need of reforming police behaviour and methods of investigation towards good Samaritans. Police particularly working on ground level must be sensitized towards citizen's concerns that deter them from offering help.
- Thumb rule to protect those who come forward to help accident victims from civil or criminal liability. It will be optional for them to disclose their identity to the police or medical personnel.

#### **Conclusion:**

These are still early days in the history of the Good Samaritan law. It will take a long time for people to feel secure under its provisions. The will of the society to bring positive change would save many premature deaths.

*Note: Karnataka came up with India's first Good Samaritan law. According to the new law, the Karnataka government will extend financial assistance to good samaritans who help accident victims, they will not have to make repeated attendances in courts and police stations. Further, in case of mandatory attendance at courts and police stations, a Good Samaritan Fund will be created which will take care of all expenses.*

*The new legislation stipulates that after the victim has been admitted to the hospital, the good samaritan can leave immediately and all government as well as private hospitals are bound to give first aid the accident victims.*

#### **Q) For Ayushman Bharat to succeed, the private sector will have to take greater ownership. Critically analyze. (250 words)**

Indianexpress

##### **Why this question**

*The success of Ayushman bharat is critical for improving the healthcare outcomes in the country and private sector has an important role to play in that. The article discusses these issues and needs to be discussed.*



### **Key demand of the question**

The question expects us to critically analyze the role of private sector in the success of Ayushman Bharat and bring out the pros and cons of involvement of private sector to conclude whether or not there should be greater involvement of private sector.

### **Directive word**

**Critically analyze** -When asked to analyze, you have to examine methodically the structure or nature of the topic by separating it into component parts and present them as a whole in a summary. When 'critically' is suffixed or prefixed to a directive, all you need to do is look at the good and bad of something and give a fair judgement.

### **Structure of the answer**

**Introduction** – Explain about Ayushman Bharat.

### **Body**

- Explain that India ranks as low as 145th among 195 countries in healthcare quality and accessibility, behind even Bangladesh and Sri Lanka. The country spends an abysmal 1.3 per cent of its GDP on health, way less than the global average of 6 per cent. Over 70 per cent of the total healthcare expenditure is accounted for by the private sector. Given the country's crumbling public healthcare infrastructure, most patients are forced to go to private clinics and hospitals. Health care bills are the single biggest cause of debt in India, with 39 million people being pushed to poverty every year.
- Highlight the constraints with increasing government finances for improving health infrastructure
- Discuss the capacity in which private sector can contribute towards the success of Ayushman Bharat and the constraints involved therein.

**Conclusion** – Give your view on how necessary private sector participation is for the success of Ayushman Bharat.

### **Introduction:**

**Ayushman Bharat** is a progression towards promotive, preventive, curative, palliative and rehabilitative aspects of Universal Healthcare through **access of Health and Wellness Centers (HWCs) at the primary level** and **provision of financial protection for accessing curative care at the secondary and tertiary levels through engagement with both public and private sector** (PMJAY).

PMJAY recently completed 100 days of its implementation. The scheme covers **1,350 medical conditions** ranging from caesarean section to coronary stenting and joint replacement. For each procedure, package rates have been fixed for different levels of hospitals.

### **Body:**

The program certainly has a good intent of giving the best of the medical services at lowest prices to the economically weaker, deprived sections of the society. The program is fraught with many challenges that can hinder its outcome. **The participation of Private sector is vital** because

- **Finance:** At **about 1.3% of the national income**, India's **public healthcare spending** between 2008 and 2015, has virtually remained stagnant. This is way less than the global **average of 6 per cent**. It is a herculean task to implement a scheme that could potentially cost Rs 5 lakh per person and benefit 53.7 crore out of India's 121 crore citizenry, or roughly about 44% of the country's population.
- **Doctor-Density Ratio:** The **WHO** reports the doctor-density ratio in **India at 8 per 10,000 people** as against **one doctor for a population of 1,000**. To achieve such access, merely increasing the number of primary and secondary healthcare centres is not enough.
- **Poor healthcare ranking:** India ranks as low as 145th among 195 countries in healthcare quality and accessibility, behind even Bangladesh and Sri Lanka.
- **Healthcare Expenditure:** **Over 70 per cent of the total healthcare expenditure** is accounted for by the private sector.



- **Crumbling public health infrastructure:** Given the country's crumbling public healthcare infrastructure, most patients are forced to go to private clinics and hospitals. India falls woefully short of number of hospital beds compared to WHO standards. Secondary-level hospitals like district hospitals and medical colleges have poor infrastructure, especially the former.

**ABOUT PMJAY**



**national  
health  
agency**

**AYUSHMAN BHARAT –  
PRADHAN MANTRI  
JAN AROGYA YOJANA**

**PMJAY**

-  A cover of Rs. 5 lakh per family per year
-  10.74 crore poor & vulnerable families entitled as per SECC.  
No cap on family size or age
-  States given flexibility to decide on mode of implementation
-  Benefits will be portable across the country
-  Around 85% of rural families and 60% of urban families have been identified
-  To be launched on 25<sup>th</sup> September – the birth anniversary of Pandit Deendayal Upadhyay

However, the state and the people are wary of private healthcare sector being a part of PMJAY due to the following concerns:

- **High Out of Pocket Expenditure:** Most consumers complain of rising costs. Hundred days into the PMJAY, it remains to be seen if private hospitals provide knee replacement at Rs 80,000 (current charges Rs 3.5 lakh) bypass surgery at Rs 1.7 lakh (against Rs 4 lakh).
- **Commercial motive:** lack of transparency and unethical practices in the private sector.
- **Concentrated in Urban areas:** Private hospitals don't have adequate presence in Tier-2 and Tier-3 cities and there is a trend towards super specialisation in Tier-1 cities.
- **Better infrastructure needed:** Under the PMJAY, the private hospitals have to get registered and fulfil the minimum requirements. They are also expected to expand their facilities and add hospital beds.
- **Lack of level playing field between the public and private hospitals:** This has been a major concern as public hospitals would continue receiving budgetary support. This would dissuade the private players from actively participating in the scheme.
- **Additional incentives to the private players:** The setting up hospitals in the underserved areas by private players can happen when there are incentives from the State. Lack of this would maintain status quo of last mile medical care which is in shackles.
- **Populist measures of the government:** The idea of bringing the Above Poverty Line (APL) population in the unorganised sector under ambit of scheme has been a bone of contention. A sizeable part would remain uninsured—**mostly lower-middle class and middle-class households** whose income-earning members work in the unorganised sector. The high cost of insurance as compared to PMJAY would deter this section from being insured.

#### Way Forward:

- The budgetary support being granted to public hospitals can be given as incentives to private players in underserved areas.
- The **National Health Authority** set up as an independent authority should provide for less interference from the government, thereby **encouraging private players to participate**.
- A binding policy commitment is imperative so as to reduce policy uncertainty and enable investments in hospital infrastructure by private players.
- Focus on Public-Private Partnership to reap the maximum benefits to citizens.



### **Conclusion:**

PM-JAY seeks to accelerate India's progress towards achievement of Universal Health Coverage (UHC) and Sustainable Development Goal – 3 (SDG3). While the contribution of the private sector will be the key to its success, it's the will and zeal of the government to implement it that will make or break the scheme.

### **Q) Discuss the provisions of right to disconnect Bill and analyze its need ? (250 words)**

Hindustantimes

#### **Why this question**

*This private member Bill has been introduced with a purpose of making work life balance easier. The provisions of the Bill along with other issues in the Bill needs to be discussed.*

#### **Key demand of the question**

*The question expects us to bring out the key provisions of the bill, discuss the provisions of the Bill and examine the reasons why the Bill is needed and issues involved therein.*

#### **Directive word**

*Discuss – Here your discussion should bring out the key provisions of the Bill.*

*Analyze – When asked to analyze, you have to examine methodically the structure or nature of the topic by separating it into component parts and present them as a whole in a summary.*

#### **Structure of the answer**

**Introduction** – Mention that the Bill is a private member Bill aiming to improve the work life balance.

#### **Body**

*Discuss the provisions of the Bill*

- Aim: The Right to Disconnect Bill aims at “reducing stress and ease tension between an employee’s personal and professional life.”
- The Bill gives employees the right to not respond to calls or any kind of communications from the employers after office hours.
- Bill requires the setting up of an Employee Welfare Authority, which will publish reports related to the impact employees have from prolonged use of digital tools beyond office hours etc

*Highlight the need and significance of the bill*

- Work life imbalance leads to stress, anxiety and many mental health issues etc
- traditional service sector has to often deal with unreasonable work hours, working overtime without extra compensation, or carrying their work home.
- Right to Disconnect Bill 2018, if passed, will help people strike work-life balance and lead a better life.
- Give example of other countries who have already adopted such laws

**Conclusion** – give your view on the utility of the Bill and discuss way forward.

#### **Introduction:**

The Right to disconnect bill is a **Private Member's Bill** which has been introduced in Parliament. It aims to confer the right on every employee to disconnect from work related telephone calls and emails beyond work hours and on holidays and right to refuse to answer calls and emails outside work hours. Such laws are present in France, Germany etc. and many MNCs have it as a policy.

**Body:**

**Article 42** of our constitution provides for **just and humane work conditions** under the **DPSP**. The bill strives to strike a balance between work and personal life in line with the above article. The **provisions** of the Bill are

- The Right to Disconnect Bill aims at “reducing stress and ease tension between an employee’s personal and professional life.”
- The Right to Disconnect is a proposed human right where a person will have a right to disconnect from his/her work or one can say no to engagement in work related communications i.e. emails, calls, and messages during non-working hours.
- In case an employee refuses to reply any call during out-of-work hours, such employee shall not be subject to any disciplinary action by the employer.
- Bill requires the setting up of an **Employee Welfare Authority**, which will publish reports related to the impact employees have from prolonged use of digital tools beyond office hours.
- Employers under the “Right to Disconnect” Bill can negotiate on **out-of-work hours** with employee.
- It also seeks to provide employees with **counselling for work-life balance, digital detox centres** for “reasonable personal use of digital and communication tools”.

**Rationale for the bill:**

- **Anxiety Disorder:** The first ever nationwide survey on mental health covering 28 states in 2015- 2016 gives us a better idea about the prevalence of anxiety disorders in India. The survey indicates that the total prevalence of anxiety disorders in India amount to 3.1 percent of the population.
- **Overworked:** A UBS report said “UBS assessed 77 cities around the world on a number of parameters including average annual working hours”. **Mumbai** leads the list of cities across the world with people working an average of 3,314 hours a year.
- **Weakening Social relations:** Relations can be built only through communication and spending time with people around you. And when one is not able to give much needed time to family and close ones, the relationship starts weakening.
- **Lack in Performance:** People can only perform best when there is a proper balance between work and private life. Until and unless there is high work pressure they are not capable of performing to their best capability.
- **Increasing lifestyle disorders:** **NFHS-4** revealed the trend of lifestyle diseases like hypertension, diabetes and coronary diseases due to sedentary lifestyle. An overworked person is definitely prone to such diseases. It in-turn has a cost on the country.
- **Employers’ overpower employees:** Corporate culture in India is famously dismissive of employees’ personal time and space, often making a virtue out of this fact.

**Challenges remain:**

- These expectations might be untimely as it's **a private member's bill**, and **no such bill has turned into an Act since 1970**.
- This is a labour law issue and industrial lobbies might oppose as the labour cost becomes expensive for them.
- This can in turn lead to contractualization of labour.
- Further, the bill concentrates mostly on the organized sector. The **lack of inclusivity** still puts about 85% of workforce at the mercy of the employers.

**Way forward:**

- The governments at the union and state level needs to recognize the issue and work on it as **labour is a concurrent subject**.
- Strengthening of the labour unions and codification of the labour laws.
- Taking cue from the global examples like France. Companies in Germany, even without formal laws, have been implementing this idea.
- Importance to private member's bill must be given as they are also **duly elected representative of the people**.

**Conclusion:**

- The bill has the right intent to strike a balance between an employee’s personal and professional life. However, there is a need in the attitudinal and behavioural changes of the employers and employees. To reap the demographic dividend, India needs a composed, healthy, active workforce which the bill aims at.



**Q) There is a need for National Clean Air Programme to create room for tighter action and better fiscal strategy . Examine. (250 words)**

Downtoearth

### **Why this question**

The NCAP is a much needed policy document that has been recently released by the central government. In this context it is important to understand the programme and discuss its shortcomings.

### **Directive word**

Examine- here we have to probe deeper into the topic, get into details, and find out the causes or implications if any.

### **Key demand of the question.**

The question wants us to dig deep into the recently released NCAP and bring out the reasons as to why the programme needs to create room for stronger action.

### **Structure of the answer**

**Introduction**– write a few introductory lines about the NCAP. E.g It proposes a framework to achieve a national-level target of 20-30 per cent reduction of PM2.5 and PM10 concentration by between 2017 and 2024.

### **Body-**

Discuss some of the important and salient provisions of the programme. E.g

- It is expected to be the only “cooperative and participatory initiative”.
- This will not be notified under the Environment Protection Act or any other Act to create a firm mandate with a strong legal back up for cities and regions to implement NCAP in a time bound manner for effective reduction.
- Central Pollution Control Board (CPCB) will execute this nation-wide programme in consonance with the section 162 (b) of the Air (Prevention and Control of Pollution) Act, 1986 etc.

Discuss why the programme needs to create room for stronger action and better fiscal strategy. E.g

- It has not taken on board the ‘polluter pay’ based taxation mechanism to mobilise resources for dedicated funding of pollution control action and also to discourage polluting products, processes and activities.
- Already, following the NGT order, 102 cities have started to prepare their first baseline action plans based on whatever data and expertise they have access to within a short time frame.
- This will have to be taken forward under the NCAP and what will matter most are the right governing principles, and detailed qualitative and quantitative indicators for strategy development and targeted reduction in each sector at local and regional scale.

**Conclusion**– based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

The government has formulated National Clean Air Programme (NCAP) as a medium term national level strategy to tackle the increasing air pollution problem across the country in a comprehensive manner. This is the first ever effort in the country to frame a national framework for air quality management with a time-bound reduction target.

### **Body:**

The overall objective is to **augment and evolve effective ambient air quality monitoring network across the country** besides **ensuring comprehensive management plan for prevention, control and abatement of air pollution**. The NCAP focuses on **collaborative and**



**participatory approach covering all sources of pollution and coordination between relevant Central Ministries, State Governments, local bodies and other stakeholders.**

The salient provisions of the programme are:

- Achieve a **national-level target of 20-30% reduction of PM2.5 and PM10 concentration by between 2017 and 2024.**
- **Central Pollution Control Board (CPCB)** will execute this nation-wide programme in consonance with the section 162 (b) of **the Air (Prevention and Control of Pollution) Act, 1986.**
- The programme has been launched with **an initial budget of ₹300 crore for the first two years.**
- The plan includes **102 non-attainment cities, across 23 states and Union territories**, which were identified by Central Pollution Control Board (CPCB) on the basis of their ambient air quality data between 2011 and 2015.
- *Non-attainment cities are those which have been consistently showing poorer air quality than the National Ambient Air Quality Standards. These include Delhi, Varanasi, Bhopal, Kolkata, Noida, Muzaffarpur, and Mumbai.*
- As part of the programme, the Centre also plans to **scale up the air quality monitoring network across India**. At least 4,000 monitors are needed across the country, instead of the existing 101 real-time air quality (AQ) monitors, according to an analysis.
- The plan proposes a **three-tier system, including real-time physical data collection, data archiving, and an action trigger system in all 102 cities**, besides extensive plantation plans, research on clean-technologies, landscaping of major arterial roads, and stringent industrial standards.
- It also proposes state-level plans of **e-mobility in the two-wheeler sector, rapid augmentation of charging infrastructure, stringent implementation of BS-VI norms, boosting public transportation system, and adoption of third-party audits for polluting industries.**
- **Various committees:** The national plan has proposed setting up an apex committee under environment minister, a steering committee under-secretary (environment) and a monitoring committee under a joint secretary. There would be project monitoring committees at the state-level with scientists and trained personnel.

**Shortcomings of the NCAP:** The programme needs to create room for stronger action and better fiscal strategy due to the following reasons,

- The government has stressed that NCAP as a scheme is **not a legally binding document with any specified penal action against erring cities**. It is only a “**cooperative and participatory initiative**”.
- NCAP **will not be notified** under the **Environment Protection Act or any other Act** to create a firm mandate with a strong legal back up for cities and regions to implement NCAP in a time bound manner for effective reduction.
- The Ministry of Environment, Forest and Climate Change (MoEF&CC) has **not drawn upon the precedence of the notification of Graded Response Action Plan or the notice issued to comply with the Comprehensive Action Plan under the Environment Protection Act** in Delhi and the National Capital Region (NCR).
- Delhi's very severe pollution levels are four times the permissible limits now, and a 30% reduction by 2024 would still leave it very dangerous for health.
- With the absence of a robust fiscal and funding strategy. Only a pittance of Rs 300 crore is being earmarked for NCAP. Clearly, NCAP cannot be sustainable nor can it gain strength or make a difference on a longer-term basis if it does not have a clear fiscal strategy.
- NCAP has not provided for innovative financing mechanism at central and state/city level. It has not taken on board the ‘polluter pay’ based taxation mechanism to mobilise resources for dedicated funding of pollution control action



# CLEARING THE AIR

## AIM OF NATIONAL CLEAN AIR PROGRAMME

To meet prescribed annual average ambient air quality standards at all locations in the country

### How it will work



### Way Forward:

- The MoEF&CC, as a nodal central and apex agency, will have to flex its authority to ensure all NCAP indicators are integrated with multi-sector and inter-ministerial programmes to align with the air quality target and objectives.
- NCAP **should not become only a top-down prescriptive approach**. In fact, within the federal structure, NCAP, while ensuring compliance, will also have to create enough room for tighter action that can be even stronger than the common minimum national programme as defined by NCAP.
- State governments and city authorities** should be encouraged and enabled to take those extra steps to meet local targets.
- City-wise air quality targets** will clearly show where much deeper cuts will be needed for hotspot and stronger regional action.
- NCAP should take precedence from emerging practices in the country—**pollution cess in Delhi on truck entry, big diesel cars, and diesel fuel sales and the coal cess**—to generate dedicated funds to finance clean air action plan.
- The funds should be managed through **unified window for the purpose of admissible pollution control activities** identified in the action plan



### **Conclusion:**

NCAP has certainly helped kick start the much-awaited good practice of setting air pollution reduction targets. The biggest advantage of such targets is that it helps decide the level of stringency of local and regional action needed for the plans to be effective enough to meet the reduction targets.

### **Q) What is the Global housing tech challenge? Examine how will it benefit Pradhan Mantri Awas Yojana ? (250 words)**

The hindubusinessline

#### **Why this question**

*In order to resolve the housing problem in the country, the government launched the PMAY scheme under which the achievements have not kept pace with the aims. As a result, this technological innovation project has been initiated to improve the attainment of objectives under PMAY which needs to be discussed.*

#### **Key demand of the question**

*The question expects us to first explain about the challenge. Highlight why such a challenge is necessary, by talking about the need of it under PMAY. Finally, we need to give our view on the importance of this challenge as well as the way forward.*

#### **Directive word**

**Examine** – When you are asked to examine, you have to probe deeper into the topic, get into details, and find out the causes or implications if any.

#### **Structure of the answer**

**Introduction** – Highlight the problem of housing shortage in the country and the need to accelerate construction of houses with suitable statistics.

#### **Body**

- Explain about the challenge – Centre to offer about ₹150 crore as a technology innovation grant to build 6,000 homes — cheaper, faster and better — using alternative technologies and materials under the Global Housing Technology Challenge (which was launched recently). Ministry of Housing and Urban Affairs to invite bids and identify proven demonstrable technologies from around the world which are to be adapted and mainstreamed for use in the Indian context. Apart from state and Central assistance of ₹1.5 lakh each, the Centre will offer an additional technology innovation grant of ₹2.5 lakh for each house.
- Highlight that The PMAY (U), was launched by prime minister in June'15. It is aimed at ensuring Housing for all by 2022 by providing financial assistance to the beneficiaries. Around 68.5 lakh houses have been approved so far for construction under the PMAY (U).
- Highlight that pace of construction under the urban section of Pradhan Mantri Awas Yojana or Housing for All is too slow. It has completed just over 10% of its target as the scheme reaches its halfway point.
- Explain how the challenge would help in achievement of aims under PMAY.

**Conclusion** – give your view and discuss the way forward.

#### **Introduction:**

The conventional system of housing construction is **time consuming** as well as **resource intensive**. The estimate of housing shortage in urban areas has been revised downwards to **about 10 million units (MoHUA, 2017)**. This is substantiated with the high precedence of slums, urban sprawl and springing up of unplanned real estate.

To make the **construction of houses cost-effective and innovative**, MoHUA has launched the Global Housing Technology Challenge (GHTC).

**Body:****Global Housing Tech Challenge:**

- The **aim of the initiative** — under the Pradhan Mantri Awas Yojana Urban (PMAY-U) — is to **fast-track the construction of affordable housing and meet the target of constructing 1.2 crore houses by 2022**.
- Centre to offer about ₹150 crore as a technology innovation grant to build 6,000 homes — cheaper, faster and better — using alternative technologies and materials under the GHTC.
- MOHUA will invite bids and identify proven demonstrable technologies from around the world which are to be adapted and mainstreamed for use in the Indian context.
- Apart from state and Central assistance of ₹1.5 lakh each, the Centre will offer an additional technology innovation grant of ₹2.5 lakh for each house.
- The challenge will also focus **on identifying and mainstreaming proven demonstrable technologies for lighthouse projects and spotting potential future technologies for incubation and acceleration support through ASHA (Affordable Sustainable Housing Accelerators) — India**.
- A grand expo-cum-conference on GHTC will be organised in March 2019, which will be a unique platform not only for the stakeholders but also for the States/Union Territories and technical institutions.

**PMAY and its limitations:**

- The Government's Pradhan Mantri Awas Yojana-Urban (PMAY-U) Mission to provide all weather "pucca" houses to eligible beneficiaries by the year 2022.
- Against the validated demand of about one crore housing units to be constructed by the year 2022, the Ministry of Housing and Urban Affairs has so far sanctioned around 70 lakh houses, out of which **around 37 lakh have been grounded and around 15 lakh completed and allotted to beneficiaries**.
- The pace of construction under the urban section of PMAY is too slow. It has **completed just over 10% of its target as the scheme reaches its halfway point**.

**Home solution**

The Global Housing Technology Challenge is aimed at introducing best technologies to construct houses quickly and at a lower cost



- 6 winners will design and build projects of 1,000 housing units each

- The State and the Centre each will provide assistance of ₹1.5 lakh

- The Centre will give an additional technology grant of ₹2.5 lakh for each house
- Incubation facilities will be provided to develop building technologies with support from four IITs

- The approved technologies will be displayed by Central Public Works Department along with the rates

**Potential of GHTC:**

- Cost Effectiveness:** The PPP mode involving private players will help reduce the costs involved. Incubation facilities provided by IITs will help in cost-efficient techniques. Use of technology in construction will help save working capital.
- Speedy Construction:** The technological advancement will enable the government to achieve the target by increasing the pace of construction from current target of 3 years to 3 to 4 months
- Innovative Construction techniques:** The use of alternative, innovative and fast-track technologies aims at:-a) conservation of natural resources; b) bringing speed in construction; c) utilization of industrial and construction demolition waste; d) reduction in air and noise pollution; e) optimum use of water; f) increased labour productivity; g) cost reduction; h) safe and disaster resilient houses; and i) all weather site execution It seeks to demonstrate and deliver ready to live-in houses in a shorter time, with lower cost and quality construction in a sustainable manner.
- Environment-friendly:** Typically conventional construction systems (such as the use of brick and mortar) are slow paced, energy intensive, dependent on natural resources and have large carbon footprint. GHTC seeks to promote future technologies which are sustainable and eco-friendly.



- **Achieve targets:** This transition will contribute towards achieving the **Sustainable Development Goals (SDGs) as laid out by the United Nations (UN), the New Urban Agenda and the Paris Climate Accord** to which India is a signatory and other such international commitments.
- **Sustainable Cities:** Urbanization is on a spree in India. By 2030, 40% of India will be urbanized. The GHTC challenge can help in sustainable cities and achieve our SDG-11 targets.

### **Conclusion:**

- GHTC- India intends to get best globally available innovative construction technologies through a challenge process. The promotion of future technologies, to foster an environment of research and development in the country is imperative to solve India's housing problems.

### **Extra Information:**

*Shanghai has adopted four approaches to affordable housing for different types of residents — low rent housing, a public rental housing system, houses on shared ownership, and houses for people relocated from old dilapidated buildings.*

*Indonesia pursues a National Housing Policy that involves cross subsidies that actively encourage private firms to build a set number of low cost houses for every luxury home they build.*

**Q) Making Universal Basic Income Scheme work requires huge funding as well as certain other measures to raise revenue and reduce expenditure. Analyze. (250 words)**

Indianexpress

#### **Why this question**

*The central government as well as the state of Sikkim has recently mooted the idea of UBIS, which will require huge amounts of funds. In this context it is important to discuss how the financial resources can be raised to fund the scheme.*

#### **Directive word**

*Analyze-here we have to examine methodically the structure or nature of the topic by separating it into component parts, and present them as a whole in a summary.*

#### **Key demand of the question.**

*The question wants us to dig deep into the issue and bring out how financial resources can be raised for UBIS and how other expenditures can be reduced to fund the scheme.*

#### **Structure of the answer**

**Introduction**— write a few introductory lines about the UBIS. e.g mention what universal means; what basic means and what the scheme entails.

#### **Body-**

*Since UBIS is to be given to the rich and the middle classes as well, it can be expensive.*

*There is need for funding it from reducing some of the subsidies that are at present enjoyed mainly by the better-off,*

*also taking a bit from the various tax concessions mostly to business (called “revenues foregone” in the Central Budget), and*

*taxing the currently exempt wealth, inheritance, and long-term capital gains, and collecting more taxes from the currently under-assessed and under-taxed property values.*

*If, to start with, it is given only to women, it'll halve the cost*

*packaging a significant UBIS with a simultaneous increase in the taxes on the rich will help macro-economic stability, apart from assuaging the poor who will face some of the price rise in commodities or services, when subsidies are withdrawn (for example, the price of urea will rise for all farmers, if the fertiliser subsidy is curtailed, even though most of the subsidy goes to large farmers and factories).*



## **Introduction:**

Universal basic income is a form of social security in which **all citizens or residents** of a country regularly receive an **unconditional sum of money**, either from a government or some other public institution, in addition to any income received from elsewhere. The payment is enough to cover the cost of living. The goal is to provide financial security.

**The state of Sikkim recently announced that UBI will be implemented in state by 2022.**

## **Body:**

It characterises the basic income in five divisions — **Periodic** (being paid at regular intervals, not lump sum), **cash payment** (not in kind or vouchers, leaving it on the recipient to spend it as they like), **individual** (not to households or families), **universal** (for all), and **unconditional** (irrespective of income or prospects of job).

The **pros** of UBI include:

- **Fights Poverty and vulnerability:** Poverty and vulnerability will be reduced in one fell swoop. It increases equality among citizens as envisaged in our DPSP.
- **Choice:** A UBI treats beneficiaries as agents and entrusts citizens with the responsibility of using welfare spending as they see best; this may not be the case with in-kind transfers. Nobel laureate **Amartya Sen** had also propounded that **choice** should be given to people, which will lead to development.
- **Better targeting of poor:** As all individuals are targeted, **exclusion error** (poor being left out) is **zero** though inclusion error (rich gaining access to the scheme) is 60 percent.
  - **Example:** The India Human Development Survey found that in 2011-12 about half of the officially poor did not have the BPL card, while about one-third of the non-poor had it.
- **Fighting technological unemployment:** With IR4.0 on the rise, there is an increase in the automation leading to loss of many white and blue collared jobs. UBI can act as a sort of security net for the millions of people who will be left jobless by the tech revolution.
- **Supporting unpaid care workers:** Those with ill or differently abled relatives are often forced to quit their jobs and look after them full-time. UBI would allow care-workers to support themselves, encouraging care work and taking pressure off public services that provide care to the sick and elderly.

However, to implement an unconditional, universal cash transfer requires a lot of funding. The possible measures to **raise the revenue for UBI** are:

- **Tax concessions:** taking a bit from the various tax concessions mostly to business (called “revenues foregone” in the Central Budget).
- **Tap the untapped resources:** taxing the currently exempt wealth, inheritance, and long-term capital gains, and collecting more taxes from the currently under-assessed and under-taxed property values. **Taxing the Polluting activities** is another option.
- **Progressive taxation:** Packaging a significant UBIS with a simultaneous increase in the taxes on the rich will help macro-economic stability, apart from assuaging the poor who will face some of the price rise in commodities or services, when subsidies are withdrawn. **Example:** The price of urea will rise for all farmers, if the fertiliser subsidy is curtailed, even though most of the subsidy goes to large farmers and factories.
- **Disinvestments:** A part of the disinvestments of the PSUs can be used to raise revenue for the UBI.
- **Corporate Social Responsibility:** The funds from the CSR initiative of the corporate can be channelled for UBI implementation.

Measures to **curb the expenditure**:

- **Policy improvements:** By reducing the populist measures like Farm loan waivers, free unlimited electricity etc. The money spent on such schemes can rather be channelled to a meaningful initiative. Austerity measures on administrative expenditures.
- **Incremental implementation:** To start off with it can be given only to women, it'll halve the cost of implementation.
- **Reduce Subsidies for the rich:** As the **Economic Survey 2016** had pointed out, there is need for reducing some of the subsidies that are at present enjoyed mainly by the better-off. **Example:** Aviation Turbine Fuel Subsidy, Gold Subsidy etc. Such subsidies can be deviated to UBI funding.



- **Digitization:** Use of Jandhan-Aadhar-Mobile (JAM) trinity for the Direct benefit transfer, Use of SECC for better targeting and addressing the leakages due to corruption should be looked into.

### **Conclusion:**

UBIS is a policy issue that requires our serious attention and deliberation. UBI holds a lot of potential as a welfare scheme, however in its present form needs to be re-evaluated. UBI should not be aimed at replacing the existing welfare schemes but stick to its core ideas of providing basic income to citizens without a means test and work requirement.

### **Q) Analyze the provisions of the anti lynching law of Manipur and how it helps in controlling hate crimes ? (250 words)**

The hindu

#### **Why this question**

*The article discusses the provisions of the anti lynching law brought by Manipur and how it sets an example for the rest of the country. In light of the recent incidents of lynching, the article emphasizes on the need of such a law and how it would help in bringing such criminals to book.*

#### **Key demand of the question**

*The question expects us to establish the need of such a law, discuss the key provisions of it and thereafter analyze how this law would help in bringing the perpetrators of such hate crimes to book and the issues involved therein.*

#### **Directive word**

**Analyze** – When asked to analyze, you have to examine methodically the structure or nature of the topic by separating it into component parts and present them as a whole in a summary.

#### **Structure of the answer**

**Introduction** – Highlight the recent incidents of lynching which necessitate such a law.

#### **Body**

Discuss about the dangers caused by lynching to India's pluralist social fabric and how such hate crimes need to be curbed.

Discuss the directions of supreme court with respect to anti lynching laws – court felt compelled to act in the shadow of four years of surging hate violence targeting religious and caste minorities. It also urged Parliament to consider passing a law to combat mob hate crime. The Union and most State governments have done little to comply with the directions of India's highest court. But Manipur became the first to pass a remarkable law against lynching.

Examine in detail the provisions of the law and the issues involved therein

- The Manipur law closely follows the Supreme Court's prescriptions, creating a nodal officer to control such crimes in every State, special courts and enhanced punishments.
- definition of lynching is comprehensive, covering many forms of hate crimes. These are "any act or series of acts of violence or aiding, abetting such act/acts thereof, whether spontaneous or planned, by a mob on the grounds of religion, race, caste, sex, place of birth, language, dietary practices, sexual orientation, political affiliation, ethnicity or any other related grounds
- However it does not cover individual hate crimes
- first in the country dealing with the protection and rights of vulnerable populations which creates a new crime of dereliction of duty of public officials. It lays down that "any police officer directly in charge of maintaining law and order in an area, omits to exercise lawful authority vested in them under the law, without reasonable cause, and thereby fails to prevent lynching shall be guilty of dereliction of duty" and will be liable "to punishment of



*imprisonment of one year, which may extend to three years, and with fine that may extend to fifty thousand rupees". Etc*

*Discuss the impact of such a law and what more needs to be done by the other states*

**Conclusion** – Give your view and discuss the way forward.

### **Introduction:**

The country is witnessing a series of incidents of lynchings and targeted mob violence against vulnerable groups. The causes behind and the threats it imposes call for bringing in an anti-lynching law. Manipur became the first to pass a remarkable law against lynchings, late last year.

### **Body:**

**Supreme court ruling:** Supreme Court — anguished by what it described as '**horrible acts of mobocracy**' — issued a slew of directions to the Union and State governments to protect India's 'pluralist social fabric' from mob violence. The court felt compelled to act in the shadow of four years of **surging hate violence targeting religious and caste minorities**. It also urged Parliament to consider passing a law to combat mob hate crime.

**Extra information: Supreme Court's 11-point directions with respect to anti lynching laws:**

#### **Preventive:**

- The state governments shall designate a senior police officer in each district for taking measures to prevent incidents of mob violence and lynchings.
- The state governments shall immediately identify districts, sub-divisions and villages where instances of lynchings and mob violence have been reported in the recent past.
- The nodal officers shall bring to the notice of the DGP any inter-district co-ordination issues for devising a strategy to tackle lynchings and mob violence related issues.
- It shall be the duty of every police officer to cause a mob to disperse, which, in his opinion, has a tendency to cause violence in the guise of vigilantism or otherwise.
- Central and the state governments should **broadcast on radio and television and other media platforms** including the official websites that lynchings and mob violence shall invite serious consequences.
- Curb and stop dissemination of irresponsible and explosive messages, videos and other material on various social media platforms. Register FIR under relevant provisions of law against persons who disseminate such messages.

#### **Remedial:**

- Ensure that there is no further harassment of the family members of the victims.
- State governments shall prepare a **lynching/mob violence victim compensation scheme**.
- Cases of lynchings and mob violence shall be specifically tried by designated court/fast track courts earmarked for that purpose in each district. **The trial shall preferably be concluded within six months.**
- To set a stern example in cases of mob violence and lynchings, the trial court must ordinarily award maximum sentence upon conviction of the accused person.

#### **Punitive:**

- If it is found that a police officer or an officer of the district administration has failed to fulfil his duty, it will be considered as an **act of deliberate negligence**.

#### **Provisions of Manipur's Anti-lynching law:**

- **Comprehensive Definition of Lynching:** Definition of lynchings is **comprehensive**, covering many forms of hate crimes. Includes any act or series of acts of violence or aiding, abetting such act/acts thereof, whether spontaneous or planned, by a mob on the grounds of religion, race, caste, sex, place of birth, language, dietary practices, sexual orientation, political affiliation, ethnicity or any other related grounds.
- **In tandem with SC directions:** The Manipur law closely follows the Supreme Court's prescriptions, **creating a nodal officer to control such crimes in every State, special courts and enhanced punishments**.



- **Accountability of Public officials:** First in the country dealing with the protection and rights of vulnerable populations which creates a new crime of **dereliction of duty of public officials**. This creates a sense of responsibility and public officials act on the basis of “rule of law”.
- **Protection of Victims and witnesses:** Increases confidence of the public and bystanders to provide evidence in courts.
- **Better Rehabilitation and Compensation:** Relief camps for the displaced, compensation for death of the victims.
- However it **does not cover individual hate crimes.**

#### **Impacts of the law:**

- Helps control the **mobocracy** and **safeguard the social fabric** of India.
- The law acts as a **deterrent against mob crimes** and assures the prevalence of “Rule of Law”.
- **Protects and safeguards the minorities and vulnerable.**
- Prevents a hostile environment against people of the community, who have been lynched.
- **Protection of victims and witnesses** against any kind of intimidation, coercion, inducement, violence

#### **Way forward:**

- The term ‘hate crimes’ should also be added as a provision in the comprehensive definition of the “lynching”.
- **Others states’ and centre** should follow suit and legislate a law for anti-lynching as per SC directives.
- **Rehabilitation** should be done at the ground level to make the victims spring back to normalcy.
- Measures to **curb spreading of fake news** on social media should also be looked at parallel.
- Ensure **public officials are faithful to their constitutional responsibilities and victims.**

#### **Conclusion:**

**Parliament must create a special law against lynching**, asserting that “fear of law and veneration for the command of law constitutes the foundation of a civilised society”. Lynching should be **nipped in the bud** and Manipur has shown the way forward. It has taken the leadership in creating the new India, where every citizen should claim – of **safety, fairness and fraternity**.

### **Q) What do the draft CRZ rules imply from the perspective of environmental justice and distributive justice. Discuss. (250 words)**

Epw

#### **Why this question**

*The draft CRZ rules have been widely criticised for their material approach towards coastal development and under the conspicuous and increasingly more vital role of climate change it is important to discuss the draft rules and see how they affect the environment and the society.*

#### **Directive word**

*Discuss- this is an all-encompassing directive which mandates us to write in detail about the key demand of the question. we also have to discuss about the related and important aspects of the question in order to bring out a complete picture of the issue in hand.*

#### **Key demand of the question.**

*The question wants us to write in detail as to how the draft CRZ rules will possibly affect the environment and the notion of distributive justice.*

#### **Structure of the answer**

**Introduction**– write a few introductory lines about the recent CRZ rules. The Coastal Regulation Zone (CRZ), 2018 notification approved by the MoEFCC has revoked some of its stringent provisions to permit the expansion of development activities into the environmentally sensitive areas (ESAs), hitherto deemed inaccessible by law.



### **Body-**

*Discuss the salient provisions of the rules. E.g*

- *reduction of the CRZ limits and the no-development zone (NDZ) area,*
- *and the classification of coastal zone areas, according to the density of population.*
- *For the setting up of "strategic projects," for defence and public utilities, even the most ecologically critical areas that fall under the CRZ I classification have not been excluded.*

*Discuss the impact of the draft rules vis-a-vis environmental and distributive justice. E.g*

- *By facilitating the large-scale intrusion of commercial and industrial activities into the fragile coastal territories, the new CRZ policy would upset the prevailing human–ecological balance.*
- *This would lead to further degradation of marine ecosystems, and disrupt the livelihoods of resource-dependent populations, especially artisanal fishers living off the coasts.*
- *Regions that lie along India's west coast and those adjoining the river deltas on the east coast are known to be amongst the most vulnerable areas.*
- *In effect, the policy would not only serve to facilitate the unhindered implementation of the central government's ambitious Sagarmala project but also promote the development of infrastructure, real estate and tourism, while permitting affordable housing along the coast.*
- *The utilitarian approach of the policy reveals a clear bias favouring business interests, while overriding the needs of coastal ecology, conservation and the fishers etc.*

**Conclusion**—based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

Ministry of Environment and Forests (MoEF) under the **Environment Protection Act, 1986**, issued the Coastal Regulation Zone notification for **regulation of activities in the coastal area**. It has **revoked some of its stringent provisions to permit the expansion of development activities** into the **environmentally sensitive areas (ESAs)**, hitherto deemed inaccessible by law.

### **Body:**

The coastal land up to 500m from the High Tide Line (HTL) and a stage of 100m along banks of creeks, estuaries, backwater and rivers subject to tidal fluctuations, is called the **Coastal Regulation Zone(CRZ)**. The classification of CRZ into 4 categories is:

- **CRZ-I – Ecologically Sensitive Areas:** lying between low and high tide line. Exploration of natural gas and extraction of salt are permitted
- **CRZ-II – Shore Line Areas:** The areas that have been developed up to or close to the shoreline. Construction of unauthorized structures is not allowed here.
- **CRZ-III – Undisturbed Areas:** Rural and Urban localities which fall outside zones 1 & 2. Only certain activities related to agriculture and few public facilities are allowed.
- **CRZ-IV – Territorial Areas:** An area covered between Low Tide Line and 12 Nautical Miles seaward. Fishing and allied activities are permitted here. Solid waste should be let off in this zone.

The Salient features of the **CRZ 2018**: Many significant relaxations of development controls along the coastline.

- **Relaxed regulations:**
  - There is a considerable **reduction of the CRZ limits and the no-development zone (NDZ) area**.
  - The classification of coastal zone areas is done according to the **density of population**.
  - For densely populated areas under **CRZ – III A**, no development zone has been reduced from 200 m to 50 m. This will help **meet affordable housing needs for rural areas and other development activities**.



- **Boost to Strategic projects:**
  - For the setting up of “**strategic projects**,” for defence and public utilities, even the most ecologically critical areas that fall under the **CRZ-I** classification have not been excluded.
  - **Example: Sagarmala project :** It consists of a series of commercial ventures envisaged at an outlay of ₹ 8.5 trillion
- **Environmental Protection:**
  - To address **pollution** in coastal areas, setting up of **treatment facilities** have been made permissible activities in **CRZ-I B** area subject to necessary safeguards.
  - CRZ limit of 20 m for islands has been maintained intact.
- **Distribution of Powers:**
  - States will also have the authority to grant clearances and **approve proposals for urban (CRZ-II) and rural (CRZ-III) areas.**
  - Only such projects which are located in **Ecologically Sensitive Areas (CRZ-I)** and **CRZ-IV** will require the necessary clearance from the Union Ministry.
- **Boost to Tourism:**
  - The notification also permits **temporary tourism facilities** such as shacks, toilet blocks, change rooms, drinking water facilities etc. in beaches. Such temporary tourism facilities are also **now permissible in NDZ of the CRZ-III areas.**
  - The new notification may “boost tourism in terms of more activities, more infrastructure and more opportunities and will certainly go a long way in creating employment opportunities in various aspects of tourism”.

#### How the CRZ 2018 differs from CRZ 2011:

**Sea change**

Coastal zone rules, 2011	Coastal zone rules, 2018
▪ No development in CRZ-1, the most ecologically sensitive zone, except for defence, strategic purposes	▪ Eco-tourism activities such as mangrove walks, tree huts and nature trails, among others, in identified stretches, subject to permissions
▪ The 500-metre CRZ is apportioned into 4 subdivisions	▪ There are now further subdivisions within these 4 regions. For instance, the CRZ-1 is split into CRZ-1a and CRZ-1b and CRZ-3 has 3a and 3b
▪ Coastal Regulation Zone shall apply to the land between high tide line to 100 metres on landward side of creeks, estuaries, rivers	▪ CRZ shall apply to the land area between high tide line to 50 mts on the landward side of creeks, estuaries, backwaters and rivers
▪ States have no discretion	▪ 50 metre-limit after approval of State



The impacts of the draft rules vis-à-vis environmental and distributive justice are:

- **Environmental justice:**
  - The **lack of factoring in the effects of climate change on sea levels and well-demarcated hazard line** in the new CRZ rules can lead to huge costs.
  - The large-scale intrusion of commercial and industrial activities into the fragile coastal territories, the new CRZ policy would **upset the prevailing human-ecological balance**.
  - In coastal cities, such as **Mumbai and Chennai**, increasing urbanisation, changes in land use patterns, encroachments along the coast, construction of coastal roads, and unabated pollution have caused **irreversible damage to low-lying areas, water-bodies, and the sea**.
  - Studies have shown that the impact of these processes has led to a **decline in fish catch and landings over time**. Other problems of **algal bloom, beaching of the whales, increased plastic pollution** is on rise.



- **Rapid urbanisation and industrialisation** has turned the coasts into convenient dumping grounds. This directly affects the **bio-diversity of the coastal zones**.
- **Distributive justice:**
  - With increased commercial and industrial activities in coastal areas, there will be further degradation of marine ecosystems. This will **disrupt the livelihoods of resource-dependent populations, especially artisanal fishers living off the coasts.**
  - **Coastal erosion and the hazards posed by the rising sea level** due to climate change have already endangered the lives of populations inhabiting low-lying areas across the globe.
  - The concerns of the fishers is seen to be in conflict with those of other interest groups that seek to corner profits from unfettered use and commercialisation of coastal resources and commons.
  - The impact on the fisheries sector is huge as it employs about **8 million people and generate Rs. 48,000-Rs. 75,000 crores** for the economy.
  - This adversely affected livelihoods, especially of small-scale artisanal fishers, resulting in their **increasing alienation**, while also leading to the **widening of inequalities within society**.
  - Promoting the business agendas of other interest groups at the cost of fisher livelihoods would further impoverish a community that already has been pushed to the margins of an unequal society.
  - Land grabbing by private and government actors has been the norm. These actors forget that this space is the common property of coastal villages, towns and cities, and public beaches

#### **Conclusion:**

- India's coasts are already facing grave threats due to climate change events such as intensive, frequent and unpredictable cyclones and erosion.
- The relaxation of the CRZ rules in order to boost economic development, albeit necessary, must be done keeping in mind the sustainability of the fragile ecosystems.

#### **Q) Data manipulation in the MGNREGA is leading to gross violations in its implementation. Analyze. (250 words)**

The hindu

##### **Why this question**

*MGNREGA has been one of the most successful poverty reduction and employment generation schemes of modern India. Its significance increases in the wake of growing urban-rural disparity and distress migration. The scheme has however been criticized on various accounts and it is vital to analyze how its implementation is being affected by data manipulation.*

##### **Directive word**

*Analyze-here we have to examine methodically the structure or nature of the topic by separating it into component parts, and present them as a whole in a summary.*

##### **Key demand of the question.**

*The question wants us to dig deep into the working of the MGNREGA and bring out the data manipulation experienced by it and how it affects the programme implementation.*

##### **Structure of the answer**

**Introduction-** write a few introductory lines about the MGNREGA. E.g mention about the nature, aims of the scheme and when it was started.

##### **Body-**

*Discuss the data manipulation under the programme. E.g*

- *The MGNREGA is a demand-driven programme, i.e., work must be provided within 15 days of demanding work failing which the Centre must pay an unemployment allowance (UA). A UA report is generated but rarely implemented.*



- Numerous ground reports across the country suggest that because of a funds crunch, field functionaries do not even enter the work demanded by labourers in the MGNREGA Management Information System (MIS). This is information suppression at the source.
- Lack of offline alternatives to capture work demand from labourers means that data on the MIS are being treated as the gospel truth.
- Be that as it may, even this under-registered demand is being dishonoured by the government. Although work demand data (in person days) and employment-generated data are available at a panchayat level, aggregate data at the national level are only presented for employment generated.
- Thus, under-registered national demand is captured but intentionally not reported. By doing this, the Central government is trying to hide its violation of the extent of under-provision of work.
- delay by the Central government (called stage 2 delays) is captured in the system, it is intentionally suppressed to avoid paying delay compensation — another violation of the Act.

*Discuss how data manipulation affects implementation of the scheme. E.g*

*Delays in payments, and unmet demand for work affects livelihood etc.*

**Conclusion**— based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

The Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) aims at **enhancing the livelihood security of people in rural areas** by guaranteeing hundred days of wage-employment in a financial year to a rural household whose adult members volunteer to do unskilled manual work.

It guarantees the '**right to work**' and **ensures livelihood security** in rural areas. It ensures women empowerment by providing equal wages and reservation for women. It also aims at reducing rural- urban migration and creation and maintenance of rural assets and environmental protection.

### **Body:**

A recent study has found that data manipulation in the MGNREGA is leading to **gross violations in its implementation**. In recent years, there have been at least **74 reported starvation deaths**, with 60 cases having occurred in the last two years across parts of India like Jharkhand. A **hastily produced and insensitive language report concludes** that none of these deaths was due to starvation or connected to MGNREGA. The governments in the State and Centre are demonstrating alarming indifference in this matter and are covering up realities by deliberately manipulating and obfuscating data.

The data manipulation under MNREGA has lead to severe underreporting of work:

- MGNREGA is a **demand-driven programme**, i.e., work must be provided within 15 days of demanding work failing which the Centre must pay an unemployment allowance (UA).
- A UA report is generated but rarely implemented due to funds crunch.
- Field functionaries don't even enter the work demanded by labourers in the MGNREGA Management Information System (MIS), leading to **information suppression at the source**.
- Lack of offline alternatives to capture work demand from labourers means that data on the MIS are being treated as the only truth.
- Although work demand data (in person days) and employment-generated data are available at a panchayat level, **aggregate data at the national level are only presented** for employment generated.
- Thus, **under-registered national demand is captured but intentionally not reported**.
- By doing this, the Central government is trying to hide its violation of the **extent of under-provision of work**.
- The delay in the payment of wages which is captured in the system is intentionally suppressed to **avoid paying delay compensation**.



Impacts of such data manipulation leads to many legal and ethical violations:

- Based on analysis of work demand and employment generated for over 5,700 panchayats across 20 States (for 2017-18 and the first three quarters of 2018-19), the **employment generated was about 33% lower than the registered work demand, and last year, about 30% lower.**
- About 16 States still show a negative balance which shows the **continued lack of funds.** The Centre's oft-repeated claims of the "highest ever allocation" are dubious and meaningless because if the allocation **does not honour work demand** and it is a violation of the Act.
- Contrary to the Central government's claims of there being **more than 90% payments on time**, the study found of more than 9 million transactions that **only 21% payments were made** on time in 2016-17. The trend continued in 2017-18.
- Further, the **Central government alone was causing an average delay of over 50 days in the disbursement of wages to labourers**, as against the mandated 15-days else a delay compensation.
- This not only reflects contempt of court by the Central government but is also an **insensitive assault on people and a deliberate hiding of the truth**; leading to loss of countless lives.

#### **Way Forward:**

- The Supreme Court in **the Swaraj Abhiyan vs. Union of India** case stated that said that the delay caused in stage-2 was not taken into account for the purpose of payment of compensation.
- Before the ruling, only stage-1 delays were proposed to be compensated. The court urges the Centre that they should also share the blame if they cause the delay in stage-2, failing which the prescribed compensation would be paid.
- The Centre has now suggested a new format to compensate payments.
- Incorporation of **ICT infrastructure** at grassroots level, so that the data is available in public leading to **better transparency and accountability**.
- Social audits**, mandated by law under MGNREGA, should be strengthened to reduce the data suppression and under-representation of job demand.

#### **Conclusion:**

The proper implementation of MGNREGA, among other measures, can go a long way in improving the life and the livelihoods of many distresses rural citizens. The triple, correlated crisis — **a lack of sufficient funds, rampant payment delays, and abysmal wage rates** should be fought out by better implementation of the scheme.

### **Q) Discuss the recently released guidelines to re-energize and reinvigorate the Jan Shikshan Sansthans. (250 words)**

Pib

#### **Why this question**

*Jan Shikshan Sansthans is an important institution related to skill development in India and the government has released guidelines to further strengthen and reinvigorate the Jan Shikshan Sansthans. In this context it is important to discuss those guidelines in detail.*

#### **Directive word**

*Discuss- this is an all-encompassing directive which mandates us to write in detail about the key demand of the question. we also have to discuss about the related and important aspects of the question in order to bring out a complete picture of the issue in hand.*

#### **Key demand of the question.**

*The question wants us to write in detail about the recently released guidelines to re-energize and reinvigorate the Jan Shikshan Sansthans.*

#### **Structure of the answer**

**Introduction-** write a few introductory lines about the JSS. e.g JSSs can play an important role in bridging information asymmetry between skill training and market opportunities thereby giving an



*impetus to the creation of a workforce equipped in technology-driven skills, including in areas like health & wellness, tourism, e-commerce, retail and trade.*

### **Body-**

*Discuss in detail the related guidelines. E.g*

- *Alignment of JSS course and curriculum to National Skill Qualification Framework (NSQF) to standardize training*
- *Decentralization of powers for JSSs- giving more accountability and independence to district administration*
- *To identify and promote traditional skills in the district through skilling / upskilling;*
- *Evidence based assessment system*
- *Easy Online certification*
- *Linking JSS to PFMS (Public Finance Management system) maintaining transparency and accountability of the ecosystem*
- *Creating livelihood linkages etc.*

**Conclusion-** based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

- Jan Shikshan Sansthan (formerly known as **Shramik Vidyapeeth**) have a challenging mandate of **providing vocational skills to non-literate, neo-literates as well as school drop-outs** by identifying skills that have a market in the region of their establishment.
- The JSSs are unique, they **link literacy with vocational skills** and provide large doses of Life Enrichment Education (LEE) to the people.
- They aim for convergence with other stakeholders in society. It is their endeavour to shape their beneficiaries into self reliant and self-assured employees and entrepreneurs.

### **Body:**

Recently, comprehensive reforms for Jan Shikshan Sansthan (JSS) were released, to further strengthen the skills ecosystem benefiting those in the underprivileged sections of society. The new norms are expected to **help identify and promote traditional skills in the district** through skilling / upskilling; **create livelihood linkages** and **boost training of trainers** to develop the capacity through **National Skills Training Institutes**.

Key highlights of the guidelines are:

- Alignment of JSS course and curriculum to National Skill Qualification Framework (NSQF) to standardize training.
- Decentralization of powers for JSSs- giving more accountability and independence to district administration.
- To identify and promote traditional skills in the district through skilling / upskilling;
- Evidence based assessment system.
- Easy Online certification.
- Linking JSS to PFMS (Public Finance Management system) maintaining transparency and accountability of the ecosystem
- Creating livelihood linkages.

The new guidelines re-energize and reinvigorate the JSS as

- They have been reformed keeping in mind the **diverse stake-holders engaged in running these institutions**.
- The JSS can play an important role in bridging information asymmetry between skill training and market opportunities thereby giving an impetus to the creation of a workforce equipped in technology-driven skills, including in areas like health & wellness, tourism, e-commerce, retail and trade.



- By aligning JSSs to the National Skill Framework, the government aims to provide **standardised training across sectors**.
- This is an important step towards the convergence of all skilling activities under the aegis of one ministry, bringing in transparency and accountability to the entire skilling ecosystem.
- Out of the 247 active JSSs, we already have 43 JSSs established **across 42 Aspirational Districts** identified by NITI Aayog.
- A few more in the **LWE (left-wing extremism affected) regions** will be soon introduced to promote skill development of the youth in the region and help them connect back into mainstream economy.

### **Conclusion:**

- JSS has the potential to **boost skill training and entrepreneurship in the remotest corners of the country**. It can further strengthen the skills ecosystem benefiting those in the **underprivileged sections of society**.

**Q) The endorsement of bankruptcy law and its provisions by supreme court marks an end of “defaulter’s paradise”. Examine. (250 words)**

Indianexpress

Financialexpress

#### **Why this question**

The article focuses on what it means now that the supreme court has upheld the insolvency and bankruptcy code in its entirely. The code has made a marked improvement in improving the insolvency proceedings in our country and the article examines how the verdict will make it even better.

#### **Key demand of the question**

The question expects us to explain how IBC helps in dealing with defaulters, the reason why it was challenged in the court, details of the SC verdict and the implications of the same.

#### **Directive word**

Examine – When you are asked to examine, you have to probe deeper into the topic, get into details, and find out the causes or implications if any.

#### **Structure of the answer**

**Introduction** – Explain about the IBC.

#### **Body**

Discuss the issues with the code that were bring challenge

- Section 29A of IBC
- Section 12A of IBC etc

Discuss the verdict of the supreme court and how it helps in putting an end to defaulter’s paradise

- tightening of section 29A which ensures that wilful defaulters or those who have been classified as NPAs for more than a year will not be eligible to submit a resolution plan. This means bankers will now be able to recover their dues faster.
- apex court’s ruling establishes the hierarchy of creditors with bankers now right on top and operational creditors (OCs) below them; OCs were seeking a status equal to that of financial creditors and a seat on the Committee of Creditors. The judges noted that OCs had enough safeguards to protect their interests.
- This ruling has far-reaching implications for the promoters of big defaulting companies on the block such as Essar Steel and Bhushan Power & Steel

**Conclusion** – Give your view and discuss way forward.



## **Introduction:**

The Government of India implemented the Insolvency and Bankruptcy Code (IBC) to **consolidate all laws related to insolvency and bankruptcy and to tackle Non-Performing Assets (NPA)**, a problem that has been pulling the Indian economy down for years.

Before the introduction of IBC, it took companies about four to five years to dissolve its operations; **the number has dropped drastically to a year**. This has not only increased the **ease of doing business** but also imbued a **stronger sense of trust in lenders and investors**.

## **Body:**

Certain sections of the IBC were posing a challenge to the process:

- **Section 29 of IBC:**
  - It disallows defaulting promoters and related persons from bidding for assets.
  - The intent is very clear that the defaulting promoters should not be in the driver's seat once again.
  - It ensures that wilful defaulters or those who have been classified as NPAs for more than a year will not be eligible to submit a resolution plan.
- **Section 12A of IBC:**
  - It allows the corporate debtor another chance to make good on the default and retain control over the firm even after the case is admitted to NCLT.
  - Under this provision, the adjudicating authority may allow the case to be withdrawn from insolvency proceedings if 90 per cent of the committee of creditors (CoCs) agrees to it.
  - **Financial creditors**, who form the CoC, may agree to such a proposal from the corporate debtor if the settlement amount offered is greater than the value they expect to receive through the IBC process.
  - **Operational creditors** provide services to companies and have the right to initiate insolvency proceedings if their payments are defaulted upon. But **code bars them for participating in the resolution process through the committee of creditors**.

The above sections had become contentious and the constitutional validity of IBC was questioned as a violation of Article 14 of the Constitution. The Supreme Court **rejected the challenges mounted by some promoters who had defaulted**. It **upheld the Insolvency and Bankruptcy Code (IBC) in its entirety**, putting an end to the doubts and issues raised.

The verdict helps in putting an end to defaulter's paradise as

- IBC manages to get an **exit mechanism** which would help the **reallocation of capital and ease the huge debt burden of banks in India**.
- IBC has become **an effective tool for creditors**, with a threat to refer a case under the insolvency law helping force many debtors to come to the negotiating table.
- In 1,500 cases admitted until end-December 2018, only 79 ended in an approval of the resolution plans and liquidation in a little over 300 cases. The verdict will now help the numbers to rise further.
- The Court has directed the government to set up circuit benches within six months to quicken the process of reducing pile of bad debts.
- Tightening of section 29A which ensures that wilful defaulters or those who have been classified as NPAs for more than a year will not be eligible to submit a resolution plan. This means bankers will now be able to recover their dues faster.
- the verdict establishes the hierarchy of creditors with bankers now right on top and operational creditors (OCs) below them.
- Lowering the voting threshold for creditors to 66%, from 75%, is another pragmatic move which will prevent a handful of lenders from disrupting the process and pushing the company towards liquidation.

## **Conclusion:**

IBC as a structural reform has demonstrable impact, which is reflected in behavioural change among debtors, creditors and other stakeholders, it is the IBC or the insolvency law which has trumped even the GST. **The Supreme Court's verdict upholding the IBC is in entirety is a shot in the arm for the law, reducing the NPA crisis and big boost to ease of doing business.**



**Topic – Welfare schemes for vulnerable sections of the population by the Centre and States and the performance of these schemes; mechanisms, laws, institutions and Bodies constituted for the protection and betterment of these vulnerable sections.**

**Q) There is scant focus on improving the situation with respect to bonded labour in India despite it being unconstitutional. Analyze. (250 words)**

The hindu

### **Why this question**

*Close to 80 years since the constitution came into being, the prevalence of bonded labour is a stark reminder that we still need to get rid of many such socially inappropriate practices. This question would enable you to discuss the magnitude of the problem and think of ways of handling such problem.*

### **Directive word**

**Analyze** – When asked to analyze, you have to examine methodically the structure or nature of the topic by separating it into component parts and present them as a whole in a summary.

### **Key demand of the question**

The question expects us to explain the status of bonded labour in India, discuss the legal framework to curb bonded labour, explain the reasons why bonded labour in India still continues and discuss the way forward.

### **Structure of the answer**

**Introduction** – Explain what is meant by bonded labour

### **Body**

Discuss the status quo with respect to bonded labour in India – The Global Slavery Index 2016 estimated there to be 1.8 crore Indians in modern slavery, including bondedness, while the International Labour Organisation said there were 1.17 crore bonded labourers in 2014.

Explain the legal and constitutional protections against bonded labour – practice was abolished under the Bonded Labour System (Abolition) Act, 1976 etc

Discuss the reason why bonded labour still persists – government relies on rescue and rehabilitation only, a multi pronged approach focussing on conducting a survey and enforcement of the law is required

**Conclusion** – Highlight that continuation of bonded labour reflects poorly on India's track record on social justice and discuss way forward.

### **Introduction:**

Bonded Labour, also known as **debt slavery or Debt Bondage**, is the pledge of a person's services as security for the repayment for a debt or other obligation, where the terms of the repayment are not clearly or reasonably stated, and the person who is holding the debt and thus has some control over the labourer, does not intend to ever admit that the debt has been repaid.

The **International Labour Organisation** estimates that around 50% of victims of forced labour in the private economy are affected by debt bondage – **around 8 million people worldwide**. In South Asia it still flourishes in agriculture, brick kilns, mills, mines and factories.

### **Body:**

- Bonded labour arises through a confluence of complex inter-linked factors. The root of the problem lies in the social customs and economic compulsions which is mentioned below

### **Social Causes:**

- Extreme poverty, hunger and malnutrition in rural regions.
- Immediate “triggers” such as health emergencies, religious ceremonies, dowries, food shortages or the sudden loss of a job or an income earner
- Worker Illiteracy and lack of access to information.



- Discrimination and social exclusion based on religion, ethnicity or caste.
- Dominance of Social Elites.
- Bonder labour is inter-generational; the debts pass on from one generation to next.

#### **Economic Causes:**

- Impoverished workers seek loans or advance from an employer or labour They land in a vicious cycle of debt which the loanee can't repay.
- Non-availability and accessibility issues of formal credit system to the lowest strata of society.
- Employer monopolies on local financial and labour markets.
- Large presence of private money-lenders who lend at exorbitant rates.

#### **Situation of bonded labour in India:**

- The **Global Slavery Index 2016** estimated there to be 1.8 crore Indians in modern slavery, including bondedness.
- The International Labour Organisation said there were 1.17 crore bonded labourers in 2014.
- India has the most slaves in the world, according to Global Slavery Index.
- National Crime Records Bureau (NCRB) data reveals that more than 8,000 cases of human trafficking were reported in 2016. More than half the victims i.e. 54 percent were trafficked for the purpose of forced labour and sexual exploitation.
- There has been no government-led nationwide survey since 1978, despite each district having been given Rs. 4.5 lakh for such surveys.
- Traffickers continue to source labour in socio-economically backward districts, an example being Bolangir in Odisha. Tribals and Dalits remain vulnerable.

#### **Various protections against bonded labour:**

**Constitutional:** Article 23 of Indian constitution prohibits forced labour (begar) and other similar forms of forced labour. Any contravention of this provision will be an offence punishable in accordance with law.

**Legal:** Parliament has enacted **Bonded Labour System (Abolition) Act in 1976** to curb bonded labour. To further strengthen the employee's rights, the **Minimum Wages Act, 1948; Equal Remuneration Act, 1976** were enacted. However, the latter are applicable to organized sector of economy. **Section 370 of the Indian Penal Code** also gives teeth to fight bonded labour.

Recently, **the Trafficking of Persons (prevention, protection and Rehabilitation) bill, 2018** was introduced in the Parliament to provide a holistic protection to victims of Bonded Labour.

#### **Way Forward:**

- **Three Pronged Strategy of ministry of Labour for the abolition of the bonded labour system:**
- The Bonded labour Act, 1976 empowers executive magistrates to exercise powers of judicial magistrate of first or second class for trial of offences.
- **Vigilance committees at the district and sub-divisional levels** have been prescribed to identify and rehabilitate bonded labourers.
- A centrally-sponsored plan — **Scheme for Rehabilitation of Bonded Labour** — is under implementation since 1978 under which the Centre and states contribute Rs 10,000 each for cases of rehabilitation.
- Regulatory attention must focus on trafficking rings and sectors.
- Inter-state coordination mechanisms for migrant workers, including workplace improvements and linking them to social security schemes. **Example:** PM Jandhan Yojana for financial inclusion.
- A **broad nation-based survey** is needed to find out the extent of Bonded labour. To create a database of bonded labourers, the help of **NGO's, Gram Panchayats** can be taken at the grassroots level.



- Creating micro-financial access for vulnerable communities/vulnerable districts could help. **Example: micro-loans as given in SHGs, Grameen Bank model of Bangladesh** can be emulated.
- Vulnerable families also need non-financial support: services like adult literacy training, subsidized health care and child care; support for sending their children to schools; and awareness-raising on social issues and

### **Conclusion:**

Bonded labour is a scourge on India, which exists even after 70 years of Independence. There is an urgent need to take measures which are bold and holistic response to a socioeconomic problem of labour exploitation and this can help India realise **SDG 8.7**.

**Q) Ujjwala scheme is a novel initiative which needs to iron out its implementation issues. Discuss. (250 words)**

Livemint

#### **Why this question**

*The article does a critical analysis of the achievements and limitations of Ujjwala scheme and will enable you to develop your perspective on the achievements made under the scheme.*

#### **Directive word**

*Discuss – This is an all-encompassing directive – you have to debate on paper by going through the details of the issues concerned by examining each one of them. You have to give reasons for both for and against arguments.*

#### **Key demand of the question**

*The question expects us to explain the Ujjwala initiative, highlight the achievements of the scheme, bring out the critical implementation gaps that serve as a hindrance. Finally, we need to give our view on the success of Ujjwala scheme and discuss way forward.*

#### **Structure of the answer**

**Introduction** – Explain about Ujjwala scheme.

#### **Body**

*Discuss the achievements made under the scheme*

- *The program has gained traction and its ambit expanded to include 80 million poor families from the earlier target of 50 million families with an additional allocation of ₹4,800 crore.*
- *The clean fuel protects users from inhaling smoke and also helps the poor avoid going to unsafe areas to collect firewood.*
- *LPG coverage has touched 90%, with a significant increase in eastern states, with 48% of the beneficiaries being SC/STs*

*Explain the concerns in implementation of the scheme*

- *There have been a lacklustre approach of people towards refilling of cylinders*
- *logistics of issuing the connections also have kinks that require ironing out.*
- *Aadhar seeding also faces issues caused by data discrepancies, especially where the spelling of names is concerned as a result of which applicants can find themselves unable to register for the scheme.*

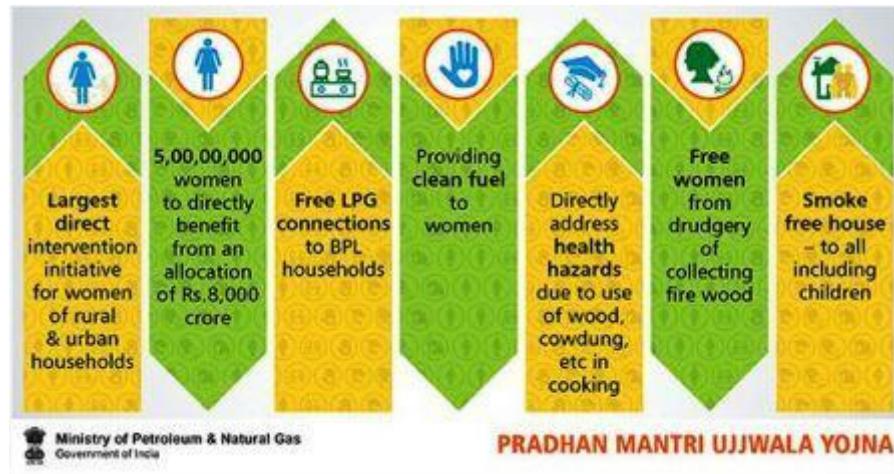
*Discuss how the government is dealing with such implementation challenges*

**Conclusion** – Give your opinion on the success of the scheme and discuss way forward.



### Introduction:

Pradhan Mantri Ujjwala Yojana (PMUY) is a scheme of the Ministry of Petroleum & Natural Gas for providing LPG connections to women from **Below Poverty Line (BPL) households**. It aims to safeguard the health of women & children by providing them with a clean cooking fuel – LPG, so that they don't have to compromise their health in smoky kitchens or wander in unsafe areas collecting firewood.



### Body:

- India is home to more than 24 Crore households out of which about 10 Crore households are still deprived of LPG as cooking fuel and have to rely on firewood, coal, dung – cakes etc. as primary source of cooking.
- The PMUY has helped the spread of LPG cylinders predominantly in the urban and semi-urban areas with the coverage mostly in middle class and affluent households.

The achievements of PMUY are

#### Expansion in Coverage:

- The Cabinet Committee on Economic Affairs (CCEA) approved expanding the scope of Pradhan Mantri Ujjwala Yojana to cover poor families not having LPG connections and not covered under the existing beneficiary categories. This raises the scope to **8 Crore beneficiaries**.
- While previously the connections were given based on the 2011 Socio-Economic Caste Census (SECC), the list was later expanded to include providing free cooking gas connection to all SC/ST households, forest dwellers, most backward classes, inhabitants of islands, nomadic tribes, tea estates and beneficiaries of Pradhan Mantri Awas Yojana and Antyodaya Yojana. Now, it has been extended to all poor.
- LPG coverage has touched **90%, with a significant increase in eastern states**, with **48% of the beneficiaries being SC/STs**.
- The government reports show that around 80% of the beneficiaries have been refilling cylinders, with average per capita consumption being 3.28 cylinders.

#### Reduced Drudgery and Health Benefits:

- According to WHO estimates, about 5 lakh deaths in India alone due to unclean cooking fuels. Most of these premature deaths were due to non-communicable diseases such as heart disease, stroke, chronic obstructive pulmonary disease and lung cancer. Indoor air pollution is also responsible for a significant number of acute respiratory illnesses in young children. According to experts, having an open fire in the kitchen is like burning 400 cigarettes an hour.
- PMUY reduces these ill-effects by providing clean fuel and cutting out on drudgery. Increased use of cooking gas will shrink the incidence of tuberculosis in India, based on the statistics from the latest National Family Health Survey (NFHS-4) on TB prevalence.

#### Boost to Employment:

- PMUY has resulted in an additional employment of around 1 Lakh and provide business opportunity of at least Rs. 10,000 Crore in last 3 Years to the Indian Industry.
- The scheme has also provided a boost to the 'Make in India' campaign as all the manufacturers of cylinders, gas stoves, regulators, and gas hose are domestic.



### **Women Empowerment:**

- PMUY has helped in reducing the drudgery.
- Women who are usually the victims of such drudgery are now saved from danger of collecting firewood by hiking long distances.
- The time saved can be used in socio- economically productive activities like **Self-Help Group activities.**

### **Global Recognition:**

- The **World Health Organisation** hailed PMUY as decisive intervention by the government to facilitate the switch to clean household energy use, thereby addressing the problems associated with Indoor Household Pollution.

However, given the **scale** of the scheme there are some **implementation shortcomings** of the scheme

### **Cost issues:**

- Consumers were paying market price for refills till the loan repayment for stove and first refill was made. This led to some consumers not going in for such refills.
- **Economic Burden:** The **increased monthly expenditure** has shied many consumers away from LPG and lured them back to firewood and cow-dung cakes.
- The **CEEW study** across Uttar Pradesh, Madhya Pradesh, Jharkhand, Bihar, West Bengal and Odisha found people were unwilling to pay upfront Rs.900-1,000 for a 14 kg refill.
- A **CRISIL Study** shows that of those surveyed, 86% said they had not shifted from biomass to LPG because the price of installing a connection was too high. Almost the same number – 83% – said the price of refills was too high.

### **Administrative issues:**

- The government claims that around 80% of the beneficiaries have been refilling cylinders, with average per capita consumption being 3.28 cylinders. But there are implementation issues with the scheme in Madhya Pradesh, for instance.
- Aadhar seeding also faces issues caused by data discrepancies, especially where the spelling of names is concerned as a result of which applicants can find themselves unable to register for the scheme.

### **Logistic issues:**

- Lack of LPG cylinder bottling plants near rural areas and connectivity issues especially in the tribal areas.
- Last-mile connectivity and delivery still poses a great challenge.

### **Safety and Behavioural issues:**

- Safety has been another concern about distribution of LPG connection, especially to BPL families. Lack of awareness and safety amenities in beneficiary households have increased the likelihood of accidents.
- Cow-dung cakes lying around the house all the time. Hence, LPG cylinders are used on special occasions or during some kind of emergency or when it's entirely too hot to burn wood.
- The CRISIL report also noted that 37% of households in rural areas procure cooking fuel or free.
- **Agency:** Most rural women do not have a say in determining when a refill is ordered, even though the connection is in their name.

### **Way Forward:**

- **Increase Affordability:** A case in point is state-run fuel retailers introducing a 5kg refill option to make purchases affordable.
- **Increase Accessibility:** Gas Agencies should be set up within 10km radius, especially in the rural and remote areas to increase accessibility.
- **Increase Availability:** Alternatives like Gas-grid and piped connections in cities and areas near the bottling plants can free up the cylinders for other areas.
- **Promote 'Give it up':** The initiative of the government to persuade the well-off to give up the LPG subsidies has added to the corpus of PMUY. Similar initiatives can be promoted.
- **Encourage Private Players** to set up LPG franchises at rural areas.
- **Sensitization and Education** of safe use of LPG through **LPG Panchayats, NGO's etc.**



### **Conclusion:**

PMUY is a novel scheme having twin benefits of women empowerment as well as environmental conservation. Ironing out the implementation issues can reap the envisioned benefits and lead to a sustainable future in energy consumption.

### **Q) Direct income support has been cast as a panacea for ending mass poverty. Critically examine in this context the idea presented by Arvind Subramaniam and others regarding direct income support. (250 words)**

Livemint

#### **Why this question**

*With elections round the corner, the issue of Direct income support has again come into the political limelight. This article examines the pros and cons of such a measure and will help you in building a perspective on the issue.*

#### **Key demand of the question**

*The question expects you to explain the contours of such a measure and thereafter, highlight the pros and cons of it. In the end, we need to provide a fair and balanced opinion about the utility of guaranteed basic income and discuss the way forward.*

#### **Directive word**

*Critically examine – When you are asked to examine, you have to probe deeper into the topic, get into details, and find out the causes or implications if any. When ‘critically’ is suffixed or prefixed to a directive, all you need to do is look at the good and bad of something and give a fair judgement.*

#### **Structure of the answer**

**Introduction** – Explain that Direct income support has become a major talking point and explain what it means.

#### **Body**

Explain the form that direct income support might take in the country. Explain the idea put forth by Arvind Subramaniam and others

- direct cash transfer to 60-80% of the rural poor that will work as an effective cushion against rural distress. Using an illustrative calculation, the article argues that annual transfer of ₹18,000 or ₹1,500 a month to three-fourths of the rural population can be covered at a fiscal cost of about 1.3% of gross domestic product (GDP), or ₹2.64 trillion in 2019-20 prices.

Discuss the pros and cons of the idea of direct basic income. Highlight that the idea has been toyed around by members of Planning commission earlier.

**Conclusion** – Based on your discussion, give your opinion and discuss way forward.

#### **Introduction:**

Direct income support is a form of social security in which **all citizens or residents** of a country regularly receive an **unconditional sum of money**, either from a government or some other public institution, in addition to any income received from elsewhere. The payment is enough to cover the cost of living. The goal is to provide financial security.

**The state of Sikkim recently announced that UBI will be implemented in state by 2022. States like AP, Odisha have come up with Direct income support to farmers to end agrarian distress.**

#### **Body:**

##### **Previous attempts at DIS:**

- A group of economists at the Planning Commission in **1962**, led by **Pitambar Pant**, wrote about how every citizen could be guaranteed a minimum standard of living by 1977, or 15 years later.



- They said that families in the **top eight income deciles** would benefit from accelerating growth, while those in the bottom two deciles would need some form of direct income support to maintain a minimum standard of living.
- So, the idea of an income transfer was basically meant for the poorest fifth of the population, which was not in a position to take advantage of the opportunities that would become available from economic expansion.

#### **Recent proposal:**

- The recent proposal is by four economists—**Josh Felman, Boban Paul, M.R. Sharan and Arvind Subramanian**. They have recommended an **income support scheme in which the bottom eight deciles in rural India** (or the bottom four deciles in the country as a whole) will need income support.

The **pros of DIS** include:

- **Progressive:** more progressive than a farm loan waiver or the Rythu Bandhu scheme in Telangana, which benefit landowners rather than tenants or farm workers.
- **Fights Poverty and vulnerability:** Poverty and vulnerability will be reduced in one fell swoop. It increases equality among citizens as envisaged in our DPSP.
- **Fiscally prudent:** the fiscal cost will be manageable, since the income transfers will be funded by money released from the scrapping of schemes such as the Fasal Bima Yojana and the fertilizer subsidy.
- **Choice:** A UBI treats beneficiaries as agents and entrusts citizens with the responsibility of using welfare spending as they see best; this may not be the case with in-kind transfers. Nobel laureate **Amartya Sen** had also propounded that **choice** should be given to people, which will lead to development.
- **Better targeting of poor:** As all individuals are targeted, **exclusion error** (poor being left out) is **zero** though inclusion error (rich gaining access to the scheme) is 60 percent.
- **Fighting technological unemployment:** With IR4.0 on the rise, there is an increase in the automation leading to loss of many white and blue collared jobs. UBI can act as a sort of security net for the millions of people who will be left jobless by the tech revolution.
- **Insurance against shocks:** This income floor will provide a safety net against health, income and other shocks.
- **Administrative efficiency:** A UBI in place of a plethora of separate government schemes will reduce the administrative burden on the state.

The **cons of DIS**:

- **Lack of Political will:** moving budgetary allocations from the fertilizer subsidy to direct income support is affecting political equilibrium. This in effect would entail a shift of spending from large farmers to the rural poor. The political parties fear backlash from the voters.
- **Rising Economy of India:** The growing support for a basic income in developed countries comes against the backdrop of stagnant median incomes over several decades. The current Indian context is quite different. Incomes have been rising across the spectrum even after taking into account higher levels of inequality.
- **Definition of Poor:** The last official data comes from the NSSO Consumer Expenditure Survey for 2011-12. The latest survey for 2017-18 is done, but it will take some time for the numbers to be made public. There may thus be a need to reassess what constitutes the minimum consumption basket used to define poverty in India. Much of the subsequent basic income calculations will have to be rejigged.
- **Poor fiscal capacity:** India doesn't have the fiscal capacity to implement Universal Basic Income. Economic Survey calculations showed that a **75% universality rate with an annual Universal Basic Income of Rs 7,620 per year at 2016-17 prices will cost about 5% of the GDP**. Economist Pranab Bardhan showed that an **inflation-indexed Universal Basic Income of Rs 10,000 at 2014-15 prices—about three-quarters of that year's poverty line—will cost about 10% of the GDP**.
- **Distort labour Market:** Universal Basic Income can create distortions in the labour market. A steady, permanent and guaranteed income without any work is likely to affect labour mobility and participation. It can cause a rise in the wages too.
- **Exposure to market risks (cash vs. food):** Unlike food subsidies that are not subject to fluctuating market prices, a cash transfer's purchasing power may severely be curtailed by market fluctuations.



## Conclusion:

- The case to **reshuffle government spending from non-merit subsidies to cash transfers to the poor is a compelling one**. But, as the Planning Commission economists pointed out in 1962, there can be **no frontal attack on mass poverty without accelerating economic growth**. Let economic growth work for the top eight deciles, while the focus of government welfare spending should be on the bottom two deciles that are denied opportunities for various social or geographical reasons.
- The more important task over the long term is to create fiscal space to boost spending on rural public goods, as well as basic services such as health and education.

**Topic: Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources.**

**Q) Pradhan Mantri Jan Aarogya Yojana has a number of challenges to contend with as it seeks to improve the status of healthcare in India. Discuss. (250 words)**

Financial express

### Why this question

*The article delves deep into the challenges that are likely to come before PMJAY as it tries to address the issue of out of pocket expenditure in healthcare. This question would help you understand the challenges that lay before this scheme and how to overcome them.*

### Key demand of the question

*The question expects us to explain about PMJAY and thereafter, bring out the likely challenges before the scheme. We need to explain these challenges in detail and bring out the ways through which we can address them. Finally, we need to provide a fair and balanced opinion regarding the possibility of PMJAY becoming a success and discuss the way forward.*

### Directive word

**Discuss –** This is an all-encompassing directive – you have to debate on paper by going through the details of the issues concerned by examining each one of them. You have to give reasons for both for and against arguments.

### Structure of the answer

**Introduction –** Explain about PMJAY.

### Body

Bring out the various challenges involved for the future of the scheme

- How the programme propose to level the playing field between the public and private hospitals, as public hospitals would continue receiving budgetary support
- Issues over how lower-middle class and middle-class households are brought under the fold in this programme etc

Discuss about the ways through which these challenges can be addressed going forward.

**Conclusion –** Mention that it is important to make longer-term commitments and resolve programme uncertainties, especially with regard to the inclusion of the APL and discuss the way forward.

### Introduction:

- Pradhan Mantri Jan ArogyaYojana (PM-JAY), introduced under the ambit of Ayushman Bharat, aims to reduce the financial burden on poor and vulnerable groups arising out of catastrophic hospital episodes and ensure their access to quality health services was conceived.
- It will have offer a benefit cover of Rs. 500,000 per family per year data (approx. 50 crore beneficiaries). PM-JAY will cover medical and hospitalization expenses for almost all secondary care and most of tertiary care procedures.



The program certainly has a good intent of giving the best of the medical services at lowest prices to the economically weaker, deprived sections of the society. The program is fraught with many challenges that can hinder its outcome.

1. **Finance:** At about 1.3% of the national income, India's public healthcare spending between 2008 and 2015, has virtually remained stagnant. It is a herculean task to implement a scheme that could potentially cost Rs 5 lakh per person and benefit 53.7 crore out of India's 121 crore citizenry, or roughly about 44% of the country's population. Because inflation in healthcare expenses has been known to increase faster than general inflation, the problem is likely to get worse in the future.
2. **Doctor-Density Ratio:** The WHO reports the doctor-density ratio in India at 8 per 10,000 people. To achieve such access, merely increasing the number of primary and secondary healthcare centres is not enough. Access should be equitable. Infrastructure creation and quantity of healthcare centres should go hand-in-hand.
3. **Populist measures of the government:** The idea of bringing the Above Poverty Line (APL) population in the unorganised sector under ambit of scheme has been a bone of contention. A sizeable part would remain uninsured—**mostly lower-middle class and middle-class households** whose income-earning members work in the unorganised sector. The high cost of insurance as compared to PMJAY would deter this section from being insured.
4. **Lack of level playing field between the public and private hospitals:** This has been a major concern as public hospitals would continue receiving budgetary support. This would dissuade the private players from actively participating in the scheme.
5. **Additional incentives to the private players:** The setting up hospitals in the underserved areas by private players can happen when there are incentives from the State. Lack of this would maintain status quo of last mile medical care which is in shackles.
6. **Improper support infrastructure of IT:** The programme is being rolled out hurriedly, even before the necessary systems and processes have been developed fully and tested for their robustness. This has led to continued Out of Pocket Expenditure for the poor pushing many into poverty.

#### **Other Concerns:**

- The crucial determinant of PMJAY's success lies at the state government level as public health is a state subject.
- The experience from previous centrally-sponsored schemes is that line ministries have often created too many requirements and required excessive standardisation, thereby stressing on top-down approach.

#### **Way Forward:**

- The APL population need not be included immediately but, say, in a couple of years.
- Focus on health insurance penetration for the APL for time-being.
- The budgetary support being granted to public hospitals can be given as incentives to private players in underserved areas.
- The National Health Authority set up as an independent authority should provide for less interference from the government, thereby encouraging private players to participate.
- A binding policy commitment is imperative so as to reduce policy uncertainty and enable investments in hospital infrastructure.

#### **Conclusion:**

- PM-JAY seeks to accelerate India's progress towards achievement of Universal Health Coverage (UHC) and Sustainable Development Goal – 3 (SDG3).



**Q) The era of specialisation has its own achievements but it has also created narrow reductionist viewpoints on environment and nature. Comment. (250 words)**

The hindu

### **Why this question**

Specialization of fields of education and profession is an ever-growing phenomena. The article discusses what it entails for the society in terms of technological and economic progress and what are its effects in terms of our interaction towards nature.

### **Directive word**

Comment- here we have to express our knowledge and understanding of the issue and form an overall opinion thereupon.

### **Key demand of the question.**

The question wants us to express our knowledge and understanding about the pros and cons of specialization that we have witnessed since the onset of modern economies and express our opinion as to how it affects our understanding as well as response towards nature.

### **Structure of the answer**

**Introduction**— write a few introductory lines about the growing importance of specialization like in the fields of medicine, management, research etc.

### **Body-**

Discuss why specialization has occurred in the modern society.e.g With greater and deeper development of various fields of science, technology and even the social sciences, specialisation is inevitable and even necessary in the contemporary world. This has yielded many important, even life-saving results etc.

Discuss the perils of specialization. E.g it leads members of the knowledge industry to see little beyond their bulwarks; The world views of highly specialised domains are often so distinct that they have created not only disparate paradigms but distinct worlds; It, therefore, becomes difficult or impossible for an economist to appreciate the importance and value of biodiversity or why its loss is a major casualty (unless he or she tries to monetise it), or for an engineer to understand why decentralised solar power that allows greater democratisation among local communities is an opportunity to be grabbed instead of installing large solar parks by mega-corporations; corporate interests, personal promotion, careerism and pandering to their own vested interests create elite networks of corruption etc.

Conclusion- based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

- Polymaths are people who have excelled in diverse pursuits, and several of those polymaths left us with some very practical advice on how to succeed.
- With a focus on expertise, polymaths are becoming rare in the 21st century. Specialisation in various fields like medicine, management, sports etc. has led to ivory towers in each field which has led to least concern for externalities of specialisation.

People like Leonardo da Vinci (artist and helicopter designer), Benjamin Franklin (founding father, inventor, and all-around lady-killer), Paul Robeson (scholar, athlete, actor, and civil rights activist), and even Steve Jobs (engineer, businessman extraordinaire, and marketing mastermind) are few examples of Polymaths.

### **Body:**

- We live in an age where deep-specialization is highly encouraged. The more deeply you specialize, the wealthier your prospects are is the common belief.

### **Specialisation and its achievements:**

- They have in-depth knowledge of the subject matter.



- They can allocate all of their attention and focus on one field.
- They are regarded as experts in the field, and can act as consultants.
- The achievements in the field of medicine like vaccines against Epidemics, minimum invasive surgeries, cadaver transplantations has helped save many lives.
- Engineers have helped developed technologies which helped world see many industrial revolutions and currently at the cusp of IR 4.0

### **Perils of Specialisation on Environment and Nature:**

- It leads members of the knowledge industry to see little beyond their bulwarks.
- They've been taught to focus so narrowly that they can't look at a problem from different angles.
- With increasing specialisation, there are experts who do not understand the connections between knowledge systems and ways of knowing. This leads to lack of ability to see big picture solutions.
- The lust for power could see how specialised intellectuals as accomplices of political elites are prone to confuse their private interest with public interest.
- In a developing country like India, there is a need for welfare state, and if specialists are policymakers, it can further impoverish the poor.
- for a specialised engineer to understand why decentralised solar power that allows greater democratisation among local communities is an opportunity to be grabbed instead of installing large solar parks by mega-corporations becomes difficult.
- The case of 3- Parent baby or Designer baby: It also makes it near impossible for a molecular biologist to understand that more targeted and improved ways to cut and paste DNA is not the point being made by those concerned about genetically modified organisms. It is about ownership, biodiversity, science and soils — cross-cutting domains that super-specialists will not be able to see.
- Renewable energy experts call for more biomass plantations, others worry about the displacement of farmers, the reduction of food production and the loss of biodiversity.

### **Way Forward:**

#### **Need for Polymaths:**

- There is a need to look into cross-disciplinary and interdisciplinary knowledge rather than silo views.
- His/Her many spheres of knowledge can create a syncretic world view that contributes to a broad perspective.
- An easy ability to see connectedness among multiple domains of knowledge of the natural world and human interaction.
- Spreading knowledge little around can be a great path to innovation

**Case Study:** Biomimicry looks to nature for solutions to modern problems — after all, Mother Earth has had 3.8 billion years to work out all the design kinks. Biomimetics requires practitioners to be more than engineers, more than biologists, more than ecologists, more than designers, and more than inventors. In true polymathic fashion, they must inhabit the mindframe of all of the above. And incredible innovation has come out of the field: a burr stuck in a dog's fur became the design inspiration for velcro; the brilliantly-hued blue wings of a Morpho butterfly inspired a better television display; fabrics and paint that dramatically cut down drag were inspired by shark skin.

Francis Crick, who discovered the structure of DNA, was originally a physicist; he claimed this background gave him the confidence to solve problems that biologists couldn't.

### **Conclusion:**

- Although the world needs specialists, there is a need to make them specialised generalists.



**Q) Despite the RTE Act being more than a decade old, educational outcomes in India continue to remain poor. Examine. (250 words)**

Livemint

### **Why this question**

The article discusses the result of the ASER report and delves deep into a problem long faced by education sector in India which is poor learning outcomes. Understanding the causes of this problems along with possible mitigation strategies is important.

### **Key demand of the question**

The question expects us to bring out the findings of the aser report which again highlights the poor learning outcomes among Indian children. Thereafter, we need to discuss the reasons why it is so including the issues with RTE Act. Finally, we need to discuss solutions to the issue.

### **Directive word**

**Examine** – When you are asked to examine, you have to probe deeper into the topic, get into details, and find out the causes or implications if any .

### **Structure of the answer**

**Introduction** – Highlight that the the latest Annual Status Of Education Report 2018 (Rural) or ASER 2018 holds a mirror to a country that is aspiring to be a knowledge power.

### **Body**

Highlight in detail the findings of the ASER report which would reflect the magnitude of learning outcomes in the country – ASER report shows Indian children have a huge learning deficit. The highly respected annual report, which collected data from 596 districts in India, shows that one in two students (50.3%) in Indian schools lack basic reading ability not just of their own grade but also of those of three levels below. This is a 2.2 percentage point increase compared with the situation in 2014 and a dip of 3.1 percentage points compared with 2010. The situation with regard to arithmetic is equally abysmal—just 44.1% of class VIII students can do simple division. This strike rate is almost same as in 2014 and 4 percentage points less when compared with 2012

Explain the measures taken by the government to improve the situation such as the RTE Act, schemes such as “Padhe Bharat Badhe Bharat”, apart from states’ efforts.

Discuss the impact of such measures and issues involved therein.

**Conclusion** – Give your view and discuss the way forward.

### **Introduction:**

The Annual Status of Education Report (ASER) 2018 has been published by education non-profit organization **Pratham**. The latest report collected data from 596 districts by surveying 546,527 students from 354,944 homes. The survey shows the **prevalence of learning deficit and the poverty of basic reading and arithmetic skills among students in Indian schools**. the latest ASER 2018 holds a mirror to a country that is aspiring to be a knowledge power.

### **Body:**

The highlights of the report are:

- **Poor reading skills:** Indian students, especially those in **elementary school** (Classes I-VIII), are **not learning enough**. Only half (50.3%) of all students in Class V can read texts meant for Class II students.
- There seems to have been **some improvement in learning levels, especially among students of Class III and Class V**, in 2018 compared with those of the previous five years. However, the improvement is not visible at a higher level, for example among students of Class VIII.
- **Poor Arithmetic skills:** While 40% of Class VIII students in government schools can do simple division, the figure is 54.2% in private schools.



- Unequal outcomes:** In Himachal Pradesh, the growth in reading ability is nearly 8 percentage points and in Chhattisgarh and Odisha it is around 7 percentage points between 2016 and 2018.
- Private Schools still favoured:** While 30.9% of students in the 6-14 age group were in private schools in 2018, the figure was 30.6% in 2016 and 30.8% in 2014. This is less than a percentage point growth since 2014.

The above findings of the ASER report would reflect the magnitude of learning outcomes in the country.

## The ABCs of the report

- ▶ Only **50.3%** of all Class V students can read texts meant for Class II
- ▶ Reading ability among such students has **jumped 10 percentage points** in Kerala, 8 percentage points in Himachal Pradesh and 7 percentage points in Chhattisgarh and Odisha since 2016
- ▶ The learning deficit is prevalent across **government and private schools**
- ▶ The percentage of private school enrolment in 6-14 age group has been around **30%** in the last five years
- ▶ The dependence on private schools is much higher than the national average in states such as **Manipur** (70.4%) and **Haryana** (55.3%)
- ▶ Over 180 million students are in elementary schools; adding secondary levels, the figure is **240 million**



### Concerns over the poor quality of education and its effects on the workforce of the country:

- This poor learning outcome in India is despite the Right to Education (RTE) Act having been in force since April 2010 making eight years of education compulsory for children.
- The Centre has floated many schemes such as "**Padhe Bharat Badhe Bharat**", apart from states' efforts.
- Access to elementary (classes I-VIII) schooling is **almost universal** and the number of **children out of schools is below 4%**, but a **quality deficit**, that too for more than a decade, raises questions about the priorities of governments at the central and state levels.
- Last year, the **World Bank** said **Indians born today are likely to be just 44% productive as workers, way below their Asian peers**.
- India's **demographic dividend** depends on **the learning level of students**. The quality of education has a direct bearing on any economy.
- With some 240 million students or nearly 20% of the Indian population in school, their quality of learning or lack of it assumes significance for the competitiveness of the country.
- It has an impact on the quality of life, efficiency at the workplace, and labour productivity issues.

### Way forward:

- The Government must insist on **fixing teachers' accountability in public schools and learning outcome-based recognition for all schools**, be it public or private schools.
- Leveraging the ICT to make education more interesting and easier to understand** for the children. This will improve the quality as well as reduce the drop-out rates.
- Increase the **public spending on education to 6%** of GDP as recommended by many committees like the recent **TSR Subramaniam committee**.
- Improve the **quality of teacher education** by making teacher training mandatory. **Example: National Council for Teacher Education Act amendment bill, Diksha** portal to train teachers.
- Teachers are rarely reprimanded for non-performance, while there are recommendations for removal of **non-detention policy**. The blame is squarely on the children, such an attitude must be wiped out.



- Teachers' efficiency will improve with administrative incentives, better pay and a systematic change in the professional development of this cohort.
- Education policy in India is focused on inputs rather than learning outcomes; It has a strong elitist bias in favour of higher education as opposed to primary or secondary education. This needs a change by coming out with a new policy.

### **Conclusion:**

- Despite the shortcomings in its implementation, the Right to Education Act remains a remarkable achievement. While concerns regarding quality of education of the children remain, the Act offers a first step towards an educational system in India that provides **access, equity and inclusion for all children**. A quantum jump in the education sector is the need of the hour. The time is now to focus on the quality of education.

**Q) Skill India needs a sharp realignment if it is to meaningfully transform people's life chances. Discuss. (250 words)**

The hindu

#### **Why this question**

*It has been 4 years since skill India mission has been launched and the problem that it tried to resolve with respect to employment remains. There is a need to assess the provisions of the skill India mission and discuss the way forward.*

#### **Key demand of the question**

*The question expects us to analyze the scope, objective and provisions of the skill India mission, assess its achievement so far and examine whether the mission requires a course correction better achieve its aims. Finally, we need to provide a fair and balanced conclusion and discuss the way forward.*

#### **Directive word**

*Discuss – This is an all-encompassing directive – you have to debate on paper by going through the details of the issues concerned by examining each one of them. You have to give reasons for both for and against arguments.*

#### **Structure of the answer**

**Introduction** – Highlight that it has been 4 years since the mission was introduced and discuss its objectives.

#### **Body**

*Explain the measures taken so far under skill India mission*

- introduced the National Skills Qualification Framework (NSQF). This organises all qualifications according to a series of levels of knowledge, skills and aptitude, just like classes in general academic education.
- Establishes Sector Skill Councils (SSCs) anchoring skill courses

*Discuss the result of these measures and the reforms required*

- *need for more holistic training and the need to re-examine the narrow, short-term NSQF-based NSDC courses to include skills in broader occupation groups, so that trainees are skilled enough to compete at the international level*
- *unlike for general academic education, which requires the completion of certain levels of certification before further progression is permitted, there is no clear definition of the course curriculum within the NSQF that enables upward mobility.*
- *There is no connection of the tertiary level vocational courses to prior real knowledge of theory or practical experience in a vocational field, making alignment with the NSQF meaningless.*
- *Efforts to introduce new Bachelor of Vocation and Bachelor of Skills courses were made, but the alignment of these UGC-approved Bachelor of Vocation courses was half-hearted.*



*There is no real alignment between the Human Resource Development Ministry (responsible for the school level and Bachelor of Vocation courses) and the Ministry of Skill Development (responsible for non-school/non-university-related vocational courses)*

*Discuss the course correction required by bringing out the recommendations of Sharda Prasad committee*

**Conclusion** – Give your view and discuss the way forward.

### **Introduction:**

Skill India mission was launched in 2015 with a target of training and skill development to 400 million by 2022, covering each and every village. The main goal is to **create opportunities, space and scope for the development of the talents** of the Indian youth. To identify new sectors for skill development. Various schemes are also proposed to achieve this objective.

### **Body:**

Since the inception of Skill India mission, there are many measures taken under it

- Pradhan Mantri Kaushal Vikas Yojana (PMKVY)
- Deendayal Antyodaya Yojana – National Urban Livelihoods Mission (DAY-NULM)
- Director General of Training – Modular Employable Skills (DGT-MES)
- Deen Dayal Upadhyaya Grameen Kaushalya Yojana
- National Skill Qualification Framework (NSQF)
- National Skill Development Corporation (NSDC)
- National Skill Development Agency
- Aajeevika – National Rural Livelihoods Mission (NRLM)
- Atal Innovation Mission
- Startup India

The **impacts of the above schemes** in the last 4 years are:

- NSQF **recognises prior learning**, through which an estimated **20 million school dropouts** can get a second chance.
- There is a **substantial increase** in the number of people who were skilled in FY17 and FY18. Notably, the rise is phenomenal, it has risen more than four times, from over 3.5 lakh people in FY17 to nearly 16 lakh people in FY18.
- About **30% of the skilled persons** have found jobs under the mission in FY2018.
- With nearly **55 percent successful placements**, the **Short-Term Training Program (STT) under PMKVY (2016-20) has successfully trained over 13 lakh candidates**.
- Approximately **76 percent** of the candidates have been placed in **wage employment** and **24 percent placed in self-employment/ entrepreneurship**.
- **Recognition of Prior Learning (RPL)** is designed for those who already have a job or are self-employed and require up-skilling and certification for better prospects. Till date, more than 4.5 lakh candidates have been certified under this component of **PMKVY (2016-20)**.

Issues in implementation of Skill India Mission:

- The **targets allocated are very high** and without regard to any sectoral requirement. Everybody was chasing numbers without providing employment to the youth or meeting sectoral industry needs.
- The focus of PMKVY has been **largely on the short-term skill courses**, resulting in low placements. There has been an over emphasis on this scheme and hence it is seen as the answer to all skill-related issues.
- The **Comptroller and Auditor General (CAG)** has pointed out flaws in the design and operations of the NSDC and National Skill Development Fund which has resulted in falling short of skill development goals. Majority of them also could not achieve the placement targets for the trained persons.
- The **Sharada Prasad Committee**, held the NSDC responsible for poor implementation of the **Standard Training Assessment and Reward (STAR) programme**. It highlighted that **only 8.5 per cent of the persons trained were able to get employment**. That is what has been claimed by NSDC.
- The Report also cites "**serious conflict of interests**" in the functioning of the National Skill Development Corporation. NSDC has not been able to discharge its responsibilities for



setting up **sector skill councils (SSCs)** owing to lots of instances of serious conflict of interest and unethical practices.

- The skilling courses are not in line with the **Industrial Revolution 4.0** which is round the corner.
- There have been apprehensions on **how many of the 11.7 million trained in the past two years** are really in jobs.

The following reforms required are:

- **Need for Holistic training:** need for more holistic training and the need to re-examine the narrow, short-term NSQF-based NSDC courses to include skills in broader occupation groups, so that trainees are skilled enough to compete at the international level.
- **Need for clear demarcations:** Unlike for general academic education, which requires the completion of certain levels of certification before further progression is permitted, there is no clear definition of the course curriculum within the NSQF that enables upward mobility.
- **Need for linkage:** There is no connection of the tertiary level vocational courses to prior real knowledge of theory or practical experience in a vocational field, making alignment with the NSQF meaningless.
- **Need of Political will:** Efforts to introduce new Bachelor of Vocation and Bachelor of Skills courses were made, but the alignment of these UGC-approved Bachelor of Vocation courses was half-hearted.
- **Need for Ministerial Co-ordination:** There is no real alignment between the Human Resource Development Ministry (responsible for the school level and Bachelor of Vocation courses) and the Ministry of Skill Development (responsible for non-school/non-university-related vocational courses)
- **Need for incentivization:** Incentivise employers to offer apprentice schemes that ensure skill training programmes are in sync with industry's requirements.
- **Need for survey:** Indian government needs to conduct surveys, once every five years, through the National Sample Survey Office to collect data on skill providers and skill gaps by sector. Such data can guide evidence-based policy-making.
- **Sharada Prasad committee recommendations:**
  - Create a sound and well defined **National Vocational Education and Training System** of the country which should ensure the following:-
    - At the secondary school level, the children should be sensitized about the dignity of labour, world of work and career options but vocational education and training should start only after 10 years of schooling which is the case in most of the developed world.
    - Every child should be given an option to go for higher vocational education and training.
  - Create **National Labour Market Information System, National Occupational Standards, National Competency Standards, National Training Standards, National Accreditation Standards, National Assessment Standards and National Certification Standards and align them to the International Standards.**
  - Ministry of Skill Development and Entrepreneurship should become the owner of all National Vocational Education and Training Standards and get them developed through intense industry involvement.
  - Set up state of the art **Vocational Education and Training Colleges** to impart vocational education and training with a clear objective of meeting the skills needs of the industry and providing employment to youth.
  - **In-plant apprenticeship training** should be made an integral part of the Vocational Education and Training for all trainees.
  - The industry must come together to contribute towards a National Skill Development Fund.
  - All diploma colleges and ITIs should be renamed as VETCs and their capacities should be enhanced to about 500 trainees per annum.
  - There should be one **Skill Development Centre (SDC) in a cluster of about 10-12 villages**, which would provide skills to the youth so that they can access employment opportunities in the local economy.
  - **The state of Gujarat has already set up a good number of such SDCs called Kaushal Vardhan Kendras which are doing excellent work.**



- The two existing Acts i.e. Apprentices Act, 1961 and The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 should be repealed and a **new Vocational Education and Training Act (VETA)** should be enacted.

**Conclusion:**

- India is one of the youngest nations. Its median age is 27.3.
- As India aims to have one of the strongest economic growth stories in the 21st century, it becomes vital for it ensure its growing workforce **is capable to handle the incoming disruptions and find suitable jobs.**
- Skill development holds the key to India's future as a globally competitive economy and the demographic dividend it hopes to reap.

**Case Study:** India could learn a lesson from Germany, which imparts skills in just 340 occupation groups. Vocational education must be imparted in broadly defined occupational skills, so that if job descriptions change over a youth's career, she is able to adapt to changing technologies and changing job roles.

**Q) DAY-NRLM has played a significant role in reducing poverty in India, in the recent years. Discuss. (250 words)**

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**Directive word**

*Discuss- this is an all-encompassing directive which mandates us to write in detail about the key demand of the question. we also have to discuss about the related and important aspects of the question in order to bring out a complete picture of the issue in hand.*

**Key demand of the question.**

*The question wants us to write in detail about the DAY-NRLM and the role played by the programme in reducing poverty in India. We have to highlight the aim of the programme and the recent achievements which have helped in reducing poverty in India.*

**Structure of the answer**

**Introduction-** write a few introductory lines about the DAY-NRLM. E.g DAY-NRLM is aimed at alleviation of rural poverty through building sustainable community institutions of the poor. It seeks to mobilize about 9 crore households into SHGs and link them to sustainable livelihood opportunities by building their skills and enabling them to access formal sources of finance, entitlements and services from both public and private sectors.

**Body-**

*Discuss in points the achievements of the programme in recent years. E.g*

- Mission Footprint under which additional blocks have been covered under the "Intensive" strategy.
- Community Institution Building under which Self Help Group (SHGs) across the country have been mobilized.
- Financial Inclusion by giving loans to SHGs.
- Financial Services in Remote Areas: steps have also been taken to promote alternate models for delivery of financial services. About 3050 SHG members have been deployed as Banking Correspondents Agents (BCAs) to provide last mile financial services including deposit, credit, remittance, disbursement of old age pensions and scholarships, payment of MGNREGA wages and enrolment under insurance and pension schemes.
- Mahila Kisan Shashaktikaran Pariyojana and Value Chain Initiatives: In order to promote agro-ecological practices that increase women farmers' income and reduce their input costs and risks etc.

**Conclusion-** based on your discussion, form a fair and a balanced conclusion on the given issue.



## **Introduction:**

- **Deen Dayal Antyodaya Yojana – National Livelihoods Mission (NRLM)** was launched by the Ministry of Rural Development (MoRD) in June 2011.
- The mission aims to reduce poverty by enabling the poor households to access gainful self-employment and skilled wage employment opportunities, resulting in appreciable improvement in their livelihoods on a sustainable basis, through building strong grassroots institutions of the poor.
- NRLM seeks to reach out to 8-9 crore rural poor households and organize one woman member from each household into affinity-based women SHGs and federations at village level and at higher levels.
- The poor would be facilitated to achieve increased access to their rights, entitlements and public services, diversified risk and better social indicators of empowerment.
- It is envisaged that the intensive and continuous capacity building of rural poor women will ensure their social, economic and political empowerment and development.

## **Body:**

The pace of reduction of poverty in India has speeded up in recent years as per the **Global Multi-dimensional Poverty Index 2018** as also the note published by the Brookings Institution. The mission has taken up significant programmes in the previous years.

## **Universality:**

- **Mission Footprint:** 2411 additional blocks have been covered under the “Intensive” strategy. Cumulatively, the Mission is being implemented in 5,123 blocks spread across 612 districts of 29 States and 5 Union Territories (UTs).
- **Community Institution Building:** Between April 2014 and November 2018, more than 3 crore rural poor women have been mobilized into **9 lakh Self Help Group (SHGs)** across the country. Cumulatively, more than 5.63 crore women have been mobilized into more than 49.7 lakh SHGs.

## **Financial Services:**

- **Financial Inclusion:** Cumulatively, Rs.1.96 lakh crore worth of bank credit has been leveraged by the SHGs during the last five years. The quality of the portfolio has also shown a marked improvement with NPA declining to 2.64% in the current year. This is a result of sustained efforts made by the states to promote timely repayment of loans by the SHGs.
- **Financial Services in Remote Areas:** During this period, steps have also been taken to promote alternate models for delivery of financial services. About 3050 SHG members have been deployed as Banking Correspondents Agents (BCAs) to provide last mile financial services.

## **Inclusive Services:**

- **Mahila Kisan Shashaktikaran Pariyojana and Value Chain Initiatives:** In order to promote agro-ecological practices that increase women farmers' income and reduce their input costs and risks, the Mission has been implementing MKSP.
- **Community Livelihood Professionals:** Apropos to the directions given by NITI Aayog in 2016, profiles of more than 1.99 lakh community members have been digitised. The CRPs have been trained and deployed to provide support to the community institutions in a variety of themes, such as book keeping, training and capacity building, financial services

## **Non-Farm Livelihoods:**

- **Start-up Village Entrepreneurship Programme:** DAY-NRLM has been promoting SVEP to promote and strengthen rural start-ups in the non-farm and off-farm sector. The strategy is to promote knowledge about business feasibility, management and to provide access to loan finance for start-up as well as scaling-up the existing enterprise.



- **Aajeevika Grameen Express Yojana (AGEY):** was launched in August 2017 to provide safe, affordable and community monitored rural transport services to connect remote rural villages.

#### **Assessment:**

- **Independent Assessment of DAY-NRLM:** During January to March 2017, **the Institute of Rural Management Anand (IRMA)** carried out an independent assessment of design, strategy and impacts of DAY-NRLM.

#### **Conclusion:**

- DAY-NRLM is a vital scheme which is imperative in the view of continuous monsoon failures and agrarian distress seen in recent years in Rural India.
- The scheme helps in sustainable development of the rural people with **skilling, job creation and alternative livelihoods** across genders.
- **The key to success of DAY-NRLM lies at the core of its successful implementation at the grass-roots level.**

**Q) Frontline government workers such as Anganwadi workers, teachers, nurses etc face issues in their working conditions which need to be alleviated for better social sector indicators. Examine. (250 words)**

Indianexpress

#### **Why this question**

*The article examines the issues faced by frontline government workers and the impact that such issues have on achievement of social developmental goals. The article provides filler material for aforementioned topic as well as provides an understanding as to government service delivery is found lacking at times.*

#### **Key demand of the question**

*The question expects us to examine the issues faced by frontline service delivery workers and the impact it has on achievement of social development goals. Thereafter, we need to bring out how to change status quo and provide way forward.*

#### **Directive word**

*Examine – When you are asked to examine, you have to probe deeper into the topic, get into details, and find out the causes or implications if any .*

#### **Structure of the answer**

**Introduction** – Explain the role that such frontline government workers play in government service delivery.

#### **Body**

*Discuss the issues faced by such workers*

- *Anganwadi workers – lack of infrastructure, poor training, interminable bureaucratic reporting responsibilities, no supportive supervision, absence of clear accountability structures (to the community they serve as well as to the higher-ups), poor grievance redress mechanisms and for a majority, less than commensurate remuneration. These concerns are usually covered up in the narrative of rampant absenteeism and poor attention to core responsibilities.*
- *Teachers – low salary, poor infrastructure, temporary vs permanent status etc*

*Discuss the impact it has delivery of government services – India's ability to achieve its SDGs or to have a healthy skilled workforce that contributes towards economic progress or social and human development depends to a large extent on the performance of teachers, nurses, anganwadi workers, panchayat secretaries and PWD staff. That is perhaps why they have been at the receiving end of the criticism for shortfalls in the country's social indicators. Unfortunately, while the blame is easily*



*apportioned, there is not enough attention paid to the conditions under which they work or the value that is attributed to their work.*

*Discuss how the situation can be improved*

**Conclusion – Give a fair and balanced opinion and discuss way forward.**

### **Introduction:**

Frontline workers providing **basic services through various government programmes form the backbone of the country's social welfare system**. The various frontline workers **ensure health, nutrition, well-being, education and all round development** of every child and her parent to **ensure better human development**.

There is not enough attention paid to the **conditions under which they work or the value that is attributed to their work**.

### **Body:**

The frontline government workers are the true implementers of the various welfare schemes and public service delivery. They work at the grass-roots level, thus aware of needs of the citizens' better, thereby acting as a primary feed-back collector.

The issues faced by such workers are:

- **Low salary:**
  - Anganwadi workers provide a long list of services, ranging from **teaching pre-schoolers to visiting homes of young children for nutrition and health counselling**. Despite that, these workers get about Rs 5,000 a month, which is less than the minimum wages.
  - Despite the importance of the work, their positions are considered "**honorary**" and their emoluments kept out of all norms of minimum wages and pay grades.
  - Government school teachers with salaries presumed at Rs 40-50,000 a month and upwards, their lack of commitment to teaching is seen as unpardonable.
- **Delay in funds allocation:**
  - **Salaries delayed:** A study of six states by the **Centre for Equity Studies in 2016** revealed that 35 per cent of the workers had not received their previous month's salary.
  - **Inadequate funds to run the program at ground-level:** 50 per cent of the workers felt that the funds they received for running the day-to-day activities of the centre were inadequate.
  - **Spending at Own Cost: 40 per cent reported spending their own money** to keep the centre's activities going.
- **Overburdened:**
  - Low financial allocations to the education sector (about 3% of GDP) have meant that state governments cannot afford to hire teachers at the Pay Commission scales.
  - Over the years, they have hired fewer teachers, leading to huge vacancies and overburdening the hired teachers.
  - There are no fixed timings of work and this upsets their work-life balance.
  - The anganwadi, school teachers are saddled with a **host of administrative work** like election duties, census work etc.
- **Poor Infrastructure:**
  - Infrastructure is a major concern. The lack of buildings or dilapidated buildings poses grave threats to workers as well as the children patients etc.
  - To add to this, basic facilities like electricity, drinking water, sanitation, internet connectivity is mostly absent.
  - **Lack of adequate training facilities** lead to poor-quality work, increased risk to the service-receivers.
- **Job Insecurity:**
  - Most of them are **hired as contractual**
  - The **RTE banned contract teachers**; non-regular teachers were no longer referred to as contract or para teachers, but **in fact continue to function as such**.
  - Their contracts are "**permanent**", but their terms are not that of a regular government employee.



- **The lack of safe work environment** makes them **vulnerable to sexual harassments.**

Impacts of such issues faced by the frontline workers result in

- Rampant absenteeism.
- Poor attention to core responsibilities.
- Lack of commitment to work.
- Corruption and bribery to satiate their needs.
- Strikes, protest and unrest.
- Poor Human Development Indicators like high IMR, MMR, wasting, stunting and underweight.
- High levels of preventable diseases incidences like polio, TB etc.
- Poor quality of education outcome as shown in ASER survey.

#### **Way Forward:**

- **Government spending on education and health** must be increased to **6% and 4% respectively** as recommended by many expert committees.
- **Timely allocation of funds** must be done to reduce spending from frontline worker' pockets.
- **Salaries must be uniform and fixed across the country** based on pay commission recommendations. The **salaries must be disbursed on fixed date of month.**
- Use of **NSQF for Trainings and certifications** must be mandated as per existing laws. **Intermittent trainings must be provided** for the frontline workers to keep themselves updated with new trends.
- **Measures like RTI, Social Audit, Citizens Charters** can help keep a check on such delays as **accountability of government increases.**
- **Increase digital penetration** to reduce administrative overhead and **planning of activities** to coincide with cultural calendar of the region.
- Infrastructure can improved by **collaborating with the NGO's , using CSR funds of companies and philanthropists.**
- **Grievance Redressal Mechanism** to address the woes of the frontline workers.

#### **Conclusion:**

- India's ability to **achieve its SDGs** or to have **a healthy skilled workforce** that contributes towards economic progress or social and human development depends to a large extent on the performance of teachers, nurses, anganwadi workers, panchayat secretaries and PWD staff. Thus, a closer look at their governance architectures is necessary.

### **Q) The ASER report highlights that there is a need for innovation in education sector in India. Comment. (250 words)**

#### Reference

#### **Why this question**

*The ASER report highlights what we already know about the status of learning outcomes in the country. What we don't know is how to correct the situation and improve learning outcomes amongst our children. The article explores many suggestions which would help in improving learning outcomes and need to be discussed.*

#### **Key demand of the question**

*The question expects us to highlight the findings of ASER report, discuss its implication and suggest what kind of innovation would improve the status of education in our country.*

#### **Directive word**

#### **Structure of the answer**

**Introduction** – Explain about the findings of the aser report.

#### **Body**

*Discuss the implications of the findings of the aser report.*

*Highlight the reasons for poor learning outcomes in the country.*



*Discuss suggestions for improving the learning outcomes*

- Give suggestions such as employing administrators to reduce the burden of administrative work on teachers
- Upgrade infrastructure of schools etc

**Conclusion** – Emphasize on the need for improving learning outcomes and discuss way forward.

### Introduction:

The **Annual Status of Education Report (ASER) 2018** has been published by education non-profit organization **Pratham**. The latest report collected data from **596 districts** by surveying **546,527 students from 354,944 homes**. The survey shows the **prevalence of learning deficit and the poverty of basic reading and arithmetic skills among students in Indian schools**.

### Body:

The highlights of ASER 2018 are:

#### The ABCs of the report

- ▶ Only **50.3%** of all Class V students can read texts meant for Class II
- ▶ Reading ability among such students has **jumped 10 percentage points** in Kerala, 8 percentage points in Himachal Pradesh and 7 percentage points in Chhattisgarh and Odisha since 2016
- ▶ The learning deficit is prevalent across **government and private schools**
- ▶ The percentage of private school enrolment in 6-14 age group has been around **30%** in the last five years
- ▶ The dependence on private schools is much higher than the national average in states such as **Manipur (70.4%)** and **Haryana (55.3%)**
- ▶ Over 180 million students are in elementary schools; adding secondary levels, the figure is **240 million**



The implications of the ASER 2018 are

- India's demographic dividend depends on the learning level of students.
- The quality of education has a direct bearing on any economy.
- With some 240 million students or nearly 20% of the Indian population in school, their quality of learning or lack of it assumes significance for the competitiveness of the country.
- It has an impact on the quality of life, efficiency at the workplace, and labour productivity issues.
- The report suggests that India is creating yet another another generation that can hardly read and write – the only difference being that these children spent some years of their lives in schools.

The reasons for poor learning outcomes in the country are

- **Infrastructure deficit:**
  - Dilapidated structures, single-room schools, lack of drinking water facilities, separate toilets and other educational infrastructure is a grave problem.
- **Corruption and leakages:**
  - The transfer of funds from the central to state to local governments to school leads to involvement of many intermediaries.
  - The fund transfer is drastically reduced by the time it reaches the true beneficiaries.
  - High rates of corruption and leakages plague the system, undermine its legitimacy and harm the many thousands of honest headmasters and teachers.



- **Quality of Teachers:**
  - Lack of well trained, skilled and knowledgeable teachers which provide the foundation for a high quality education system.
  - Teacher shortages and poorly qualified teachers are both a cause and effect of poorly paid and managed teaching cadres.
- **Non-Academic burden:**
  - The teachers are overburdened with senseless reports and administrative workload. This eats into the time which is necessary for teaching.
  - A study by **the National Institute of Education Planning and Administration (NIEPA)** revealed that **teachers spend only around 19 percent of their time teaching** while the rest is spent mostly on non-teaching administrative work.
- **Poor salary:**
  - Teachers are paid miserly salaries which affect their interest and dedication to work. They will look for other avenues like tuitions or coaching centers and coax the students to attend it.
  - This has dual effect, **firstly the quality of teaching in schools drop and secondly, the poor students are forced to spend money despite constitutional provision of free education.**
- **Teacher Absenteeism:**
  - Absence of teachers during school hours is rampant. The lack of accountability and poor governance structures add to the woes.
- **Lack of Accountability:**
  - **School Management Committees** are largely dysfunctional. Many exist solely on paper.
  - Parents are often not aware of their rights and if they are it is difficult for them to make their voice heard.
- **High drop-out rates:**
  - The drop-out rates in schools, especially girls, is very high.
  - Many factors like poverty, patriarchal mindset, lack of toilets in schools, distance to schools and cultural elements lead to children dropping out from education.
- **School closure:**
  - Many schools are closed to low student strength, lack of teachers and infrastructure. The competition posed by private schools is also a major challenge to government schools.

The situation of learning outcomes can be improved as follows

- **Teachers must only teach:**
- Employ young people, equip them with a tablet computer and let them be cluster administrators. One cluster of schools consists of around ten schools.
- The **cluster administrators** will overtake the administrative tasks and ensure that teachers and headmasters can focus on academic work.
- Better policies like transparent transfer mechanisms, which urgently need upscaling and strengthening. After adequate teacher positioning, school autonomy and teacher collaborations have demonstrated in many pilots to be the catalyst that transforms the education system.
- **Teacher's own collectives or networks built collaborations and institutional capacities** of teachers.
- **Digitization:**
- **Create a single-window system for infrastructure and mainstream fund-flows:** In Bihar, only around 10 percent of the schools fulfils infrastructure norms. A study revealed that files for renovating schools often go on a two-year journey through various departments.
- The same can be applied for teacher salaries and school funds. These can be transferred directly from the State to the teachers and schools. There is no need to involve the District or Block in this process.
- Leveraging the **audio-visual edutainment** to make education more interesting and easier to understand for the children. This will **improve the quality as well as reduce the drop-out rates.**



- Implementing **bio-metric attendance for teachers and students for every class** can help reduce absenteeism.
- **Empower School Management Committees by using mobile phones:**
  - To develop a system that **facilitates School Management Committee** members by fostering democratic accountability.
  - Social audits should also be carried out for effective functioning.
- The Government must insist on **fixing teachers' accountability** in public schools and learning outcome-based recognition for all schools, be it public or private schools.
- **Better pre-service teacher training coupled with transparent and merit-based recruitments** is a lasting solution for teacher quality.
- Improve the **quality of teacher education** by **making teacher training mandatory**. Example: **National Council for Teacher Education Act amendment bill, Diksha portal** to train teachers.
- **Increase the public spending on education to 6% of GDP** as recommended by many committees like the recent **TSR Subramaniam committee**.
- Teachers are rarely reprimanded for non-performance, while there are recommendations for removal of non-detention policy. The blame is squarely on the children, such an attitude must be wiped out.
- Teachers' efficiency will improve with **administrative incentives, better pay and a systematic change in the professional development** of this cohort.
- Education policy in India is focused on inputs rather than learning outcomes; It has a strong elitist bias in favour of higher education as opposed to primary or secondary education. This needs a change by coming out with a new policy.

### **Conclusion:**

The latest ASER 2018 holds a mirror to a country that is aspiring to be a knowledge power. There is an urgent need to tackle some of the teething problems affecting the education in India. **Innovative digital interventions to improving the teacher and education quality along with proper governance structure** can help achieve the true objectives of the Right to Education as a fundamental right of every child.

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

**Q) The shocking neglect of child care institutions must presents a very sorry state of affairs. Examine. (250 words)**

The hindu

#### **Why this question**

*The article discusses the sorry state of affairs of child care institutions in the country and highlights the findings of the report of a central government report. It serves as an eye opener and the status of such institutions has come under the scanner because of the spate of crimes that have been reported from there.*

#### **Key demand of the question**

*The question expects us to discuss the state of child care institutions and highlight the findings of the committee constituted by the government. Thereafter we need to bring out the issues plaguing such institutions and discuss the way forward.*

#### **Directive word**

*Examine – When you are asked to examine, you have to probe deeper into the topic, get into details, and find out the causes or implications if any.*

#### **Structure of the answer**

**Introduction** – highlight the recent incidents that have come out of such institutions.

#### **Body**

*Explain the status quo of such institutions. Here we need to discuss the findings of the central government committee*



- only 32% of Child Care Institutions or Homes were registered under the JJ Act as of 2016, while an equal number were unregistered, and the rest were either empanelled under other schemes or awaiting registration
- child care standards were poor in many institutions, sans proper bedding, food and nutrition and sanitation.
- Some States have too few homes, giving authorities little incentive to take up cases of children in distress

*Discuss the reasons behind this state of affairs*

- Highlight what needs to be done
- priority should be to bring about uniformity of standards and procedures, evolving common norms for infrastructure, human resources, financial practices and external audits.
- Enforcement of standards and strict action against such wrongdoers

**Conclusion** – highlight that the most vulnerable children live in such shelters and there is a need to ensure that their survival is not at stake.

## Introduction:

The recent incidents of rampant physical and sexual abuse of minors and women in childcare institutions (CCIs) and shelter homes in Bihar and Uttar Pradesh reveal how the state as well as the civil society have failed in their role as protectors and watchdogs.

### Body:

The incidents have happened despite the presence of stringent laws **like Juvenile Justice (Care and Protection of Children) Act, 2015** (JJ Act) and protective bodies **like National Commission for Protection of Child Rights (NCPCR)**.

The report released by Ministry of Women and Child Development titled '**Mapping and Review Exercise of Child Care Institutions' under Jena committee**' highlights drawbacks in the management of CCIs. Some of its findings are:

- Only 32% of 9,589 CCIs and Homes (mostly run by NGOs) were registered under the JJ Act. About 33% were unregistered, and the rest were either empanelled under other schemes or awaiting registration.
- Child care standards were poor in many institutions, lacking proper bedding, food, and nutrition, lack of proper toilets and sanitation and secure compounds.
- A few States do not have even one home of every category, such as child care, observation and adoption. **Tamil Nadu, Maharashtra and Kerala together account for 43.5% of all shelters.**
- Lack of Grievance redressal mechanisms, provided under JJ Act, leave the children in despair.

### Reasons behind the poor state of affairs in CCIs and Shelter homes:

#### Overcrowding:

- Most facilities overcrowded showing that the requisite infrastructure is lacking.
- In many facilities, there is no segregation of children brought to shelters for protection
- The construction and running of the homes is under the state list done either by state governments themselves or through NGOs they appoint, though much of the funding comes from the Centre.
- The Centre has monitoring authority over the working of these homes. The implementation has been lacking.

#### Administrative Failures:

- Lack of monitoring and absence of inspection committees have led to the current predicament.
- All CCIs are required to be registered under the JJ Act and every district needs to have a child protection officer, a child welfare committee, and a juvenile justice board.



- However, in practice, their functioning has not been effective enough to prevent the widespread misuse of power and money by those running these institutions.
- **Home Management Committee:** This body has to conduct a meeting every month to ensure that all shelters in the district are being run according to the guidelines of the Juvenile Justice Act. These norms were clearly not followed .
- Although the NCPCR has now been ordered to complete social audits of all CCIs and the state governments have ordered probes, this has come too late for the numerous lives traumatised by their very protectors.

#### **Failures of the Ministry:**

- The Ministry of Women and Child Development, which provides funding to CCIs under the Integrated Child Protection Scheme, is duty-bound to carry out social audits in order to deter malpractices. However, either these institutions are allowed to function without any routine inspections
- In the case of the **Muzaffarpur CCI**, inspections by multiple state agencies over the years find nothing amiss despite widespread abuse being present.
- The **District Inspection Committee** is supposed to conduct a check on the shelters every three months. It is headed by the district magistrate and also has a member of the civil society on its board. Each of these bodies and members failed to detect what was happening at the shelter.

#### **Lack of social audit:**

- The protocol for social audits and inspection committees too was developed only after the SC's 2017 order. Several states are yet to conduct these.

#### **Societal Failures:**

- Disconnect between civil society and the welfare system for children, and the poor engagement elected representatives have with such a vital function.
- By giving up their responsibility towards the underprivileged children.
- A patriarchal mindset of the society which leads to not taking such children into confidence while formulating laws and devising mechanisms for their protection

#### **Way Forward:**

- Setting up CCIs in states which have none.
- Systematic scrutiny by State governments is essential to bring reforms to the childcare system.
- Accountability and Credibility must be ensured through special inspection officers. All CCIs should be compulsorily **registered under the JJ Act, audited for funds received and enforce mandatory child protection policies during adoption.**
- Bringing in the uniformity of standards and procedures across CCIs should be a priority. Common norms for infrastructure, human resources, financial practices and external audits should be in place.
- Increased interaction and connect between civil society and the welfare system for children.
- The imperative now is to turn the findings of the Ministry's committee into a blueprint for action.
- Credentialled NGOs should take a greater interest in this effort, holding the authorities to account.

**Q) Examine whether assessing the performance of constituencies in social development indicators would lead to greater accountability among our elected representatives ? (250 words)**

Livemint

#### **Why this question**

*This article explains that the performance of India when it comes to improving India's affliction with malnutrition can be improved if we measure constituency level data both at the centre and state level. There is a need to assess whether the present system of data collection for social development indicators is relevant.*

#### **Key demand of the question**



*The question expects you to first explain why the present system of data collection for measuring social development is adequate. Thereafter we need to highlight the advantages of collecting data constituency wise. Finally, we need to give our view and discuss way forward.*

### **Directive word**

*Examine – When you are asked to examine, you have to probe deeper into the topic, get into details, and find out the causes or implications if any .*

### **Structure of the answer**

**Introduction** – Explain that India lags behind social development indicators even amongst the countries of South Asia.

### **Body**

Explain why data collection is important – the focus today is on data driven decision making in administration which makes data collection crucial

Explain the issue with collecting data at administrative unit level – tenure of district collectors is short , accountability can't be fixed etc. Discuss why this might be more feasible from an administrative viewpoint

Highlight why collection of data at constituency level will help – accountability of elected representatives etc

**Conclusion** – give your view and discuss way forward.

### **Introduction:**

- India ranks **130th among 189 countries in Human Development Index** released by UNDP. About 26.8 per cent of India's HDI value is lost on account of inequalities.
- India has been ranked at **the 103<sup>rd</sup> position among 119 countries** on the **Global Hunger Index**. According to the report, prepared by **Welthungerhilfe and Concern Worldwide**, India is among the 45 countries that have "**serious levels of hunger**".
- India is ranked below many neighbouring countries, including China, Nepal, Myanmar, Sri Lanka and Bangladesh.

### **Body:**

- Despite more than **two decades of rapid economic growth**, India continues to fail its most vulnerable citizens—children under the age of 5.
- The country's failure is particularly disheartening as ensuring the basic nutritional needs of children is not just morally right but also economically smart, as it pays off in the long run.

### **Data collection is imperative:**

- **India's lack of reliable data at the constituency-level** has ensured the degree of accountability and the onus to show progress has been weak on both MPs and MLAs.
- **Monitoring and surveillance of health and well-being indicators** have been focused primarily on the **state and district levels**.
- Since the focus today is on **data driven decision making** in administration, it makes data collection crucial.
- **Top down centralised approach of data collection** hinders the true realization of objectives at ground level in a vast country like India.
- Helps curb corruption at the various levels with **data transparency and data dissemination**.

The issues with collecting data at administrative unit level:

- Nearly every development indicator in India is measured through the lens of administrative zones.
- District collector at the helm of administrative zone is made accountable for poor social indicators.
- However, tenure of DC's in a given district is relatively short.
- The **MLA's and MP's have very low level of accountability** due to the above arrangement.
- MPs have no real knowledge of actual needs of their constituents or of the development landscape of the constituency.



The collection of data at the constituency level will help in effective accountability because:

- Elected representatives can exercise **significant oversight** over nutrition-specific schemes like Poshan.
- **Accountability of elected representatives is increased** as the ground level realities come to the fore.
- **Objective assessment of the situation** would help **voters make informed decision**.
- Accountability of MPLAD funds given to MPs would be ensured in fund allocation for the development activities at the constituency level.
- The constituency level data will induce a competitive federalism among the people and the elected representatives.
- The fact that some of India's best performing parliamentary constituencies (on child health indicators) are in the North-East and in West Bengal shows that **significant improvements are possible even in relatively poorer regions**.

#### **Way forward:**

- Eventually, **booth-level information using ICT** on how their representatives have performed on a slew of indicators should be available.
- Transparency tools like **RTI act, Social audits** should be used compulsorily.
- Processes like **Geo-tagging of assets** created can give better information of actual work done.
- **Monitoring and stock taking using PRAGATI** like techniques by the elected representatives.

#### **Conclusion:**

- Analysing population data at the level of parliamentary constituencies has the potential to bring political accountability to the data-driven policy discourse that is currently based on district-level estimates.

*TOPIC: Important aspects of governance, transparency and accountability, e-governance- application, models, successes, limitations, and potential; citizens charters, transparency & accountability and institutional and other measures. Role of civil services in a democracy.*

#### **Q) There is a need to iron out the flaws in RTI act rather than manipulating its loopholes. Comment. (250 words)**

Indianexpress

The hindu

##### **Why this question**

*RTI has been a revolutionary legislation and has significantly increased the transparency and accountability in government functioning. However recently there have been certain attempts to undermine the act which needs to be discussed.*

##### **Directive word**

*Comment- here we have to express our knowledge and understanding of the issue and form an overall opinion thereupon.*

##### **Key demand of the question.**

*The question wants us to express our knowledge and understanding about the RTI act and express our opinion as to whether there is a need to iron out the problems in RTI act or not.*

##### **Structure of the answer**

**Introduction**— write a few introductory lines about the RTI act- its aims and significance.

##### **Body-**

*Discuss the present problems with the act and the need to rectify the same E.g right to information formed the foundation of good governance, as transparency is one of its core elements; strengthening of the RTI would be a step towards transforming the covert public administrative system into a “public-centric” administrative system; There is need for measures to toughen the Act and make procedures to access information people-friendly.*



*These measures range from the repealing of the Official Secret Act, introducing an oath of transparency to use of multi-media campaigns in local languages for awareness and opening up the working of parliamentary standing committees for public access.*

*Central Information Commission took an average of 319 days to hear and give an order on an appeal from the date it was filed before the commission, with the maximum number of days taken by the CIC reaching to 862 days. The callous attitude of Information Commissioners (ICs) reflects in the fact that an average of 56 per cent of orders recorded violations of Section 20 of the RTI, based on which penalties should have been imposed. But a penalty was imposed in only 4 percent of the cases etc.*

**Conclusion**—based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

The Right to Information (RTI) Act, 2005 is an excellent example of a **grass-roots movement** culminating in the **promulgation of groundbreaking laws and policies** to achieve its ends. Originally envisioned to ensure that entitlements reached intended beneficiaries, the act has been used by citizens across the country to fight for a range of rights and entitlements, fight corruption, carry out research, and usher in a modicum of transparency in the functioning of public authorities.

The Right to Information Act was hailed as a major act towards a strengthened democracy and the following features prove that it has been able to deliver for what it was made –

- **Fight corruption:** Its ability to fight corruption has significantly increased its hold in India.
- **Ensure Transparency:** The enactment of this act ensured transparency in the bureaucratic systems.
- **Fight for Rights:** It has increased its position as a major incharge for the fight of rights of the people.

Right to Information Act of India is world's most extensively used transparency legislation. But despite 13 years of functionality, this act hasn't been able to achieve the goals.

### **Body:**

The RTI though hailed as a revolution has its set of problems:

- **Structural Constraints:** The lack of staff has resulted in lakhs of RTI's pending. Currently, only seven ICs are working of which, along with the Chief Information Commissioner, fours ICs are to retire by the end of this year — reducing the strength of CIC to just three, against the mandated strength of 11.
- Act gave relaxation to political parties, judiciary, even according to OFFICIAL SECRET ACT officers refuse to provide the information demanded.
- **Recent Proposal for amendment:** It gives the power to decide the tenure and salary of the ICs to the central government; thereby, directly influencing the independence of the CIC.
- **Delay in disposing off cases:** The number of RTI Appeals with the Information Commissions is growing at a rapid pace year after year. With current volumes of appeals, there seem to be delays in disposing off cases. In Maharashtra SIC, there is a "wait period" of more than 12 months, thus discouraging citizens from filing appeals.
- **No centralized database:** There is no centralized data base of RTI (at the State/Centre level) applicants. Given the current situation, neither the State Government nor the State Information Commission is in a position to confirm the number of Public Authorities within a Department and therefore the details on the number of applications filed.
- **Complex Process of appeal:** The procedure that in followed in courts is highly unsuited for appeals under RTI. But recent proposed amendments like written submission to public authority and attach evidences, would make this process more troublesome.
- **Pressure on RTI Activists:** Almost 375 incidences of attacks on citizens have been recorded who sought information about corruption or wrongdoings in various public authorities.
- **Section 4 of RTI:** Public authorities have been lax in providing information suo moto as mandated by section 4 of RTI. This is certainly increasing RTI queries.
- **Geographical reach:** Majority of the Information Commissions are situated in the State capitals, which results in appellants undergoing an additional cost in order to attend the hearings.



- **Role confusion:** There is no clear division of responsibilities between the State Information Commission and the Nodal Department in terms of monitoring the implementation of RTI Act.

#### **Way Forward:**

- Repealing of the Official Secret Act.
- Introducing an oath of transparency.
- To use of multi-media campaigns in local languages for awareness.
- Opening up the working of parliamentary standing committees for public access.
- A centralized database of all RTI applicants with their information requests and responses from information providers would enable the Information Commission to publish more accurate numbers in the annual reports.
- The State Government has to play a facilitative role to the Information Commission through issuance of supporting rules/orders to the Public Authorities.
- The benefits of setting up regional offices far outweigh the initial capital costs involved in setting them up. So there is a need to set up regional offices.
- The role of the Centre/State Government is to facilitate the Public Authorities in implementation of the Act. This can happen through providing support to Public Authorities for training, development of software applications, e-Training modules, generating awareness amongst citizens etc.

#### **Conclusion:**

The second Administrative Reforms Commission has rightly called the RTI as “**Masterkey to Good Governance**”. The need of the hour is to weed out the flaws and plug the loopholes to guard this people’s legislation. The words of **Sir Francis Bacon** — “**Knowledge is power**” — aptly bring out the essence of the Right to Information Act (RTI).

*Instances of poor implementation: Central Information Commission took an average of 319 days to hear and give an order on an appeal from the date it was filed before the commission, with the maximum number of days taken by the CIC reaching to 862 days. The callous attitude of Information Commissioners (ICs) reflects in the fact that an average of 56 per cent of orders recorded violations of Section 20 of the RTI, based on which penalties should have been imposed. But a penalty was imposed in only 4 percent of the cases*

#### **Q) Frequent transfers of government employees is a constant source of worry, which affects their performance negatively. Comment. (250 words)**

Livemint

##### **Why this question**

*The recent CBI episode highlights the plight of government servants at the hands of their political masters. In this context it is essential to discuss how the transfers and postings affect the life of a government servant.*

##### **Directive word**

*Comment- here we have to express our knowledge and understanding of the issue and form an overall opinion thereupon.*

##### **Key demand of the question.**

*The question wants us to express our knowledge and understanding of the issue of transfers and postings in government services and express our opinion as to how it affects the public servants work and social life.*

##### **Structure of the answer**

**Introduction-** write a few introductory lines highlighting lack of transparency and logic in transfers and postings. E.g mention the examples of some famous civil servants who were transferred many a times in their career.

##### **Body-**

*Discuss how frequent transfers and postings affect the professional and personal life of a civil servant. E.g*



- Lack of education and health facilities at remote places.
- governments tend to wield the matter of transfers cynically, as a tool for punishment, injecting an element of unpredictability into an official's career.
- Lack of predictability in career.
- It makes a civil servant compliant to seniors' and politicians wishes.
- It undermines their performance and honesty etc.

*Discuss the need to bring transparency and fairness in the process.*

**conclusion-** based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

- Job transfers are a huge matter for governments and their employees, a source of constant worry for employees and apparent satisfaction for governments.
- **The lack of transparency and logic** in the transfers and postings give the political masters an extra edge over the bureaucrats.
- Multiple incidents of officers like Ashok Khemka, Sanjeev Chaturvedi, Durga Shakthi Nagpal, Roopa Moudgil and mostly recently Alok Kumar show the rampant usage of transfer as tool to control the bureaucrats.

### **Body:**

- The frequent transfer of officers has effects on the governance, professional as well personal lives of the officers.

#### **Professional level:**

- **Articles 310 and 311 of the Constitution** make it impossible for civil servants to be dismissed or demoted by elected representatives.
- Politicians exert control over policy outcomes by reshuffling the bureaucracy across posts of varying importance.
- The "**politicisation**" of the bureaucracy has become a major public policy issue in India.
- It is both **demoralising and demotivating** when civil servants are not able to see the fruits of their efforts.
- Frequent transfers present a major problem for **governance** because civil servants are not allowed to stay in a **position long enough to acquire adequate knowledge of and experience in their job**.
- It **prevents civil servants from instituting or sustaining reforms**.
- A young officer **cannot retain her idealism** for long if, over a period, she suffers adverse consequences because of honesty and integrity.
- Due to politicians' desire to control the bureaucracy, not all important posts are filled with the most skilled officers. This also results in **underinvestment in skill by junior bureaucrats with career concerns**, since investing in loyalty to specific politicians provides an alternative path to career success.

#### **Personal level:**

- **Contented personal life matters a lot to deliver the best at the professional level.**
- **Affects the morale of the officer** as her hard-work, honesty and integrity is not appreciated but used as a weapon against herself.
- Frequent transfers take a toll on the officers as their concentration would be on **setting up of home after every transfer**.
- The **family of the officer** is the worst affected due to constant transfers.
- Issues of **education of their wards, health facilities to their parents** can take a hit

#### **Way forward:**

- In **State of Maharashtra v. Omprakash Ghanshyamdas Mudiraj**, the Bombay High Court showed its concern and observed that "cases of transfer of employees prior to normal period of three years on the complaints of political parties should be looked into ... with close scrutiny." Fixing tenure of bureaucrats will **promote professionalism, efficiency and good governance**.
- Various steps have been taken by the government as well as the judiciary to curb this menace. The Central government introduced **the Indian Administrative Service (Fixation**



- of Cadre Strength) Regulations, 1955 (amended in 2010)**, that provides for a minimum tenure for postings for civil servants in all States.
- So far only 13 States and Union Territories have issued formal notices under the regulations indicating their acceptance.
  - Maharashtra is the only State to come out with a specific law — **“Maharashtra Government Servants Regulation of Transfer and Prevention of Delay in Discharge of Official Duties Act, 2005.”** It provides for a **minimum tenure of three years for all IAS officers and some State government employees**. Any violation of the Act may be referred to the Maharashtra Administrative Tribunal with appeal lying at the Bombay High Court.
  - The **Administrative Reforms Commission and Fifth Pay Commission** have also endorsed the idea of a **high-powered civil services board both at the Centre and the States** to look into and regulate cases of premature transfers of civil servants.
  - The **draft Public Services Bill, 2007** stipulates that the Central government should fix a minimum tenure for cadre posts, which may be filled on the basis of merit, suitability and experience, with proper norms and guidelines to enforce transfers and postings. It proposes explicit limits on the political executive’s ability to transfer bureaucrats before they complete two years of service.
  - A new provision should be introduced to ensure that **no random transfers are made after 10 years of service** and that the civil servant should **be placed in a subject stream for which s/he has specialised during training**.

#### **Conclusion:**

- There is need to balance the government’s inherent right to transfer a civil servant against the need for **effectiveness and independence in policy implementation and better institutional and procedural reforms**. The best way to achieve this is by **granting those in crucial positions stability of tenure**.

**Q) Critically analyze whether the leadership role provided by IPS to CAPF should be abolished or curtailed at the very least ? (250 words)**

Indianexpress

#### **Why this question**

*The issue raised in the question has been brought to spotlight as a result of the recommendations of the rajya sabha committee which held that leadership positions currently reserved for the IPS in the CAPFs may be abolished outright, or at least severely curtailed. The issue needs to be debated in depth in context of the role of civil services in India.*

#### **Key demand of the question**

*The question expects us to first explain the issue. Thereafter, we need to give arguments both in favour of and against the issue raised in question and give a fair and balanced opinion based on arguments made.*

#### **Directive word**

*Critically analyze – When asked to analyze, you have to examine methodically the structure or nature of the topic by separating it into component parts and present them as a whole in a summary. When ‘critically’ is suffixed or prefixed to a directive, all you need to do is look at the good and bad of something and give a fair judgement.*

#### **Structure of the answer**

**Introduction** – Explain the leadership role provided by IPS to CAPF and why this issue is a matter of debate.

#### **Body**

*Give arguments in favour of IPS retaining leadership role in CAPF*

*The idea that they are interlopers is patently absurd because they have been recruited to be posted to leadership positions in the central government. In fact, the states are always reluctant to spare IPS officers for central deputation.*



*The second issue that merits attention is that police is in the state list of the Constitution. In peacetime, the CAPFs are primarily a reserve resource for supporting the state police forces. It is, therefore, necessary that their leadership is in complete synergy in understanding the challenges of policing at the state and central level.*

*Courtesy their experience in policing roles they provide a humane touch to CAPF*

*inter-departmental coordination between various CAPFs and State Police becomes smooth and seamless with the presence of IPS officers in every CAPF*

*exposure, training and grooming of an IPS officer matches with the job requirements for the senior posts of CAPFs etc*

*Give arguments against retaining the leadership role of IPS in CAPF*

*parliamentary panel has recommended that the post of Director-General and other senior positions in Central Armed Police Forces (CAPF) should not be reserved for Indian Police Service officers. The panel has suggested that the nature of duty of CAPF are more similar to that of the Armed Forces and it would make more sense to bring more officers from the Armed Forces on deputation*

*Keeping in view the interest and morale of CAPF cadre etc*

**Conclusion –***Based on arguments made above, give a fair and balanced opinion and discuss way forward.*

## **Introduction:**

The Central Armed Police Forces are primarily a reserve resource for supporting state police. The leadership provided by the IPS to five of the BSF, ITBP, SSB, CISF and CRPF, is now being questioned with legal challenges by CAPF cadre officers seeking parity with the IPS. **A Rajya Sabha committee** has also recommended that **leadership positions currently reserved for the IPS in the CAPFs may be abolished outright, or at least severely curtailed**. A parliamentary panel report led by P Chidambaram also criticized the IPS led CAPF management system.

## **Body:**

- Paramilitary forces are semi-military forces whose structures are similar to a professional military force, but who are not included as a nation's formal armed forces.
- Paramilitary forces are often setup with some specific and dedicated roles and specialisations and duties, ranging from protecting our borders to counter-insurgency and counter-terrorism.

The rationale behind IPS retaining the leadership role in CAPF is:

- **All India Service (AIS):** IPS is an AIS recruited keeping in view the demands to serve state government as well as central government. The utilization of IPS officers in the centre has a constitutional mandate as per Article 312.
- **State subject:** Police is in the state list of the Constitution. In peacetime, the **CAPFs are primarily a reserve resource for supporting the state police forces**. It is, therefore, necessary that their leadership is in complete synergy in understanding the challenges of policing at the state and central level.
- **Smooth coordination:** The inter-departmental coordination between various CAPFs and State Police becomes smooth and seamless with the presence of IPS officers in every CAPF ...therefore IPS officers are best suited to lead and provide supervisory directions to any CAPFs in an effective, efficient and impartial manner at these ranks.
- **Grassroots level Experience:** IPS officers get exposure to both issues at the grassroots and the challenges of policy making at the Centre. Both these experiences are rich and useful in the making of the civil/police leadership.
- **Ground experience:** The various state police forces have a few hundred battalions of armed police and India Reserve Battalions that have IPS commandants. Most IPS officers do a stint or two in these posts, hence they have working experience with CAPF.
- **Suitability:** Exposure, training and grooming of an IPS officer matches with the job requirements for the senior posts of CAPFs.



- Past Experiences:**

- Even those paramilitary forces that operate in counter insurgency and anti-Naxal operations, need support of state police forces where the IPS have better understanding of grass roots requirements.
- The success of IPS-led organisations, like Punjab Police and J&K Police in fighting militancy, the Grey Hounds of Andhra Pradesh in the fight against left-wing extremism are examples of exceptional leadership and vision that the IPS can provide in special operations.

The reasons for CAPFs not to be headed by IPS officers are:

- IPS officers have no experience of cutting-edge leadership in these organisations at the company and battalion level.
- The cadres of these CAPFs are now capable of leading them on their own.
- CAPFs have a primarily military character and, therefore, a civil service like the IPS has no useful role to play in them.
- The post of Director-General and other senior positions in Central Armed Police Forces (CAPF) should not be reserved for Indian Police Service officers.
- Cadre officers should be considered for the posts of Director General (DG) not just to boost the forces' morale but also to **widen the selection pool**.
- Since CAPFs have a large specialised cadre of officers the report rejected the justification for deputation of IPS officers to the top positions in paramilitary forces.
- The deputation of IPS must be resorted to only when an experienced pool of officers is not available to man a position in CAPF.
- They perform specialised tasks and their experience, gained through years in the field service, must not be allowed to go waste.
- The deputation of AIS should be limited to ex-cadre posts, i.e. posts that are not part of a particular cadre and lack an adequate pool of trained officers.

### Conclusion:

The suggestion to solve policing problems of society through greater militarisation and regimentation of the police are thoroughly misconstrued and may even be dangerous. India has always maintained that a force required to maintain internal security should have a human face and capability to work with multiple agencies. IPS officers at the helm of CAPFs help in achieving this.

There should not be knee-jerk reactions to alter the structure altogether leading to chaos and internal security threats. A smooth transition of power, if needed at all, based on absolute necessity, deliberations, discussions and roadmap is the way forward.

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

**Q) As India copes with the digital age, it will have to navigate between diverse competing interests. Analyze. (250 words)**

**The hindu**

#### **Why this question**

*The article discusses many of the competing interests and controversies that are bound to arise and strengthen in the wake of growing adoption of technology in day to day life and everyday governance.*

#### **Directive word**

*Analyze-here we have to examine methodically the structure or nature of the topic by separating it into component parts, and present them as a whole in a summary.*

#### **Key demand of the question.**

*The question wants us to dig deep into the growing adoption and penetration of technology in Indian society and bring out the controversies, clashes and competing interests that could arise out of it.*



### **Structure of the answer**

**Introduction-** write a few introductory lines about the growing mobile penetration , internet adoption, online presence of citizens, Digital India etc to highlight the increasing role of technology in India.

### **Body-**

Discuss in paragraphs what competing interests are being and will be generated on account of the advent of digital age in India. E.g

- Privacy vs Efficiency
- Govt control of data vs private and foreign control
- Promoting global trade vs protecting local industry

Discuss how each pair of conflict of interest is a significant and vital issue.

**Conclusion-** based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

Smartphone, Internet usages are on a high in India. It is expected that 374 million people will own a smartphone in India and by 2022, it's expected to hit 442 million. IAMAI report predicts that by 2021, there will be about 635.8 million internet users in India. The Government's Digital India project is further giving a push to the digital governance, thereby increasing the role of technology in India.

### **Body:**

The Digital age has undoubtedly revolutionised several sectors like education, communication, business. However, there are many competing interests being generated on account of the advent of digital age in India.

- **Freedom of Expression vs. Obscenity:** The slapping of sedition cases against people for expression of views on social media. **Example:** controversy over AIB roast video, pornography.
- **Privacy vs. Efficiency:** The right to privacy of a person is upheld with measures like encryption of data. However, there have been instances where vital data for law and order is affected due to the privacy. **Example:** Tracking down the details of fake message generators or breaking open of a phone of a terrorist.
- **Government control of data vs. private and foreign control:** The issue of data governance is still being debated upon hotly. The Nationalisation and localization of data mooted by the State and local players as against the globalization of data is at loggerheads. The issues of data theft, monetizing data without owner's permission has led to issues. **Example:** Facebook analytic scam
- **Promoting global trade vs. protecting local industry:** With Digitization, e-Commerce has boomed. The entry of global players with deep pockets has led to the issue of protectionism by countries to safeguard the small players. **Example:** Business models of Amazon and Walmart affecting the retailers and MSMEs.
- **Personal data vs. Surveillance:** The fact that governance is turning out to be digitized and the government's control over a large amount of personal data is another point of conflict. **Example:** Linking Aadhar to several public, private services;
- **Net Neutrality:** The issue of owning the internet space by conglomerates and deciding on what the user of a service should access goes against the **right to life** of an individual.

### **Way forward:**

- **Right to Privacy** is a fundamental right as ruled by the Supreme Court. Thus, there is a need to give primacy to consent of individual.
- Implementation of **Justice BN SriKrishna committee recommendations on Data Privacy.**
- Equipping local police with Cyber laws and Anti-Cyber crime measures.
- **Onus on the MNC's for user data protection** as done in Germany.



- **Strengthening the IT Act and implementation of National Cybersecurity Policy** as per global laws.
- **Independent regulator** to be set up for fair trade practices in e-Commerce sector.
- **NGO's, CSO and People's involvement** in drafting a holistic data protection law.

### **Conclusion:**

With **Digital Penetration** on the rise, it is imperative to look at various dimensions where interests can be affected. There is a need to balance the various interests of stakeholders without affecting their rights.

*Topic -India and its neighborhood- relations, Bilateral, regional and global groupings and agreements involving India and/or affecting India's interests*

### **Q) India's strategic interests are better served through a continuity in USA's foreign policy. Evaluate. (250 words)**

Reference

Indianexpress

#### **Why this question**

The article discusses the impact of changes and continuity in US foreign policy on the strategic interests of India. The articles discusses the impact on a range of issues from peace in Afghanistan to crackdown on pakistan, all of which fall within core strategic interests of India. Hence this question would enable us to develop a perspective on India USA bilateral relations.

#### **Key demand of the question**

The question expects us to explain what we understand by continuity in USA's foreign policy. Thereafter, we need to bring out why continuity in USA's foreign policy is important for India and its impact on India's core strategic interests. Finally, we need to provide our view and discuss way forward.

#### **Directive word**

**Evaluate** – When you are asked to evaluate, you have to pass a sound judgement about the truth of the given statement in the question or the topic based on evidences. You have to appraise the worth of the statement in question. There is scope for forming a personal opinion here.

#### **Structure of the answer**

**Introduction** – Explain about the change in guard at the helm of USA's foreign establishment and mention that it can have several bearings for India and her foreign policy.

#### **Body**

Explain what you understand by a continuity in USA's foreign policy.

Discuss the impact on India's core strategic interests as a result of USA's foreign policy

- Talk about the implications of USA's withdrawal from Afghanistan and how it would affect India's strategic interests

Discuss about how change or continuity in USA's foreign policy wrt Pakistan can have a bearing on India's core strategic interests

- Examine the impact of USA's policy in Asia Pacific on India's strategic interests in the region

Discuss what should be India's strategy to deal with such variables

**Conclusion** – Give a fair and balanced opinion on how important continuity in USA's foreign policy is for India and discuss way forward.

#### **Introduction:**

- American president Donald Trump has got elected with the slogan of 'America First' 'Making America great again' etc and may sideline interests of other nations for that of America's.



He has shown different policy aptitude than his predecessor and could change the direction of America's foreign relations with India.

- The constant changes in the top bureaucracy, pulling out of International deals like Paris Agreement, Trans-Pacific Partnership shows the radical changes in USA's foreign policies. James Mattis, who was great advocate of better India-US relations was recently removed from the job also adding to changes in policies.

#### **Body:**

##### **USA's foreign policy towards India:**

- India and USA relations is on a rising trajectory. The substantiation for the same can be seen through the following
- The two countries had moved the security partnership forward like the signing of **Communications Compatibility and Security Agreement (COMCASA), LEMOA, General Security Of Military Information Agreement (GSOMIA in 2002)** starting from the civil nuclear deal.
- New Delhi has also been pleased with the Trump administration's decision to cut off assistance to Pakistan for its unwillingness to end its support for terror in Afghanistan.
- The naming of India as a strategic partner and rechristening of Asia-Pacific as Indo-Pacific shows the importance given to India-USA relations.
- The **Quad dialogue of India and USA** along with Japan and Australia to provide net security in Indo-Pacific region and to keep China's aggressiveness at check.
- Impact on India's core strategic interest as a result of USA's changing Foreign Policy:

##### **Implications of USA's withdrawal from Afghanistan:**

- US President Donald Trump decided to pull out about 7,000 American troops from Afghanistan. The decision to slash the number of troops by half has provoked varied reactions in the region and in the United States.
- With USA's withdrawal, India's policy of "Afghan-led, Afghan-owned and Afghan-controlled," process with participation of the Afghan government can take a back step as other foreign powers back Pakistan's involvement in Afghan Peace process.
- An expanded Pakistani footprint in Afghanistan would threaten India's hard-won gains.
- The US pulling out troops from Afghanistan will have implications in the Kashmir Valley as terrorist outfits there may feel emboldened.

##### **Implications due to change or continuity in USA's foreign policy with respect to Pakistan:**

- With constant radical changes in the bureaucracy, the lack of policy experience and lack of knowledge of regional security issues is likely to prove consequential, especially in South Asia.
- The current blockade of aid based on Pakistan's poor track record to fight against home-grown terrorism could be reversed leading to more attacks on Indian soil.

#### **Other implications:**

##### **Security:**

- The recent unilateral legislations of USA like "Countering America's Adversaries through Sanctions Act (CAATSA)" can affect India's defence deals with other countries. g.: purchase of S-400 Triumph missile air defence systems from Russia.
- Constant changes in USA's policy towards West Asian countries has led to instability, thereby affecting the Indian diaspora g.: Operation Rahat in Yemen.

##### **Trade and Economy:**

- The pulling out of USA from Joint Comprehensive Plan of Action affects the energy security of India as we import significant amount of oil from Iran.
- The reduced interest of USA in the Asia Pacific region can lead to China's domination in the region significantly affecting our "Act East" Policy and freedom of navigation in the region.
- The Protectionism policy of USA has affected the Indian MNC's and prospects of many skilled engineers, this in turn can affect on our remittances.

##### **India's strategy to deal with variables of USA's foreign policy:**

- India must take support of other regional organisations like **SCO, Heart of Asia** conference and bilateral relations with Afghanistan to deal with Afghan issues.
- India must focus on bilateral relations with other nations like Russia, China which would ensure her strategic interests are better served.
- Use of Global forums like UNO to isolate Pakistan on international stage.



- Indian foreign policy must seek to leverage India's strategic autonomy in order to safeguard sovereign rights and promote national interests within a multi-polar world.

**Conclusion:**

- Considering the possible implications on India's core strategic interests, India needs to ensure that her interests don't hinge on USA's policies completely. The continuity of USA's foreign policy definitely benefits India but the alternatives must be kept ready.

**Q) The recent political results in Bangladesh will provide a fillip to India Bangladesh bilateral relations. Comment. (250 words)**

Economictimes

**Why this question**

*The recent elections in Bangladesh will have a bearing on the relationship between India and Bangladesh as has been seen earlier. It is important to understand how the recent elections impact India Bangladesh relations.*

**Key demand of the question**

*The question expects us to bring out how the election result in Bangladesh would impact the bilateral relations between the two countries and discuss the way forward.*

**Directive word**

*Comment – When you are asked to comment, you have to pick main points and give your 'opinion' on them based on evidences or arguments stemming from your wide reading. Your opinion may be for or against, but you must back your argument with evidences.*

**Structure of the answer**

**Introduction** – Talk about the results in Bangladesh national elections. Mention that in case of Bangladesh we have seen that the relationship with India has historically been dependent on who is in power there.

**Body**

*Discuss the impact of election result in bilateral relations between the two countries. You should discuss the impact by classifying them into strategic, economic and geopolitical impacts.*

*steadfast partner in the fight against counter-terrorism, connectivity initiatives, and sub-regional cooperation, Hasina is poised to play a major role in Delhi's initiatives in Bay of Bengal and Northeast amid China's massive inroads in South Asia. Stability in Bangladesh like Bhutan is imperative for India amid political uncertainties in certain other parts of neighbourhood that includes Sri Lanka and Afghanistan, according to experts' familiar with Delhi's South Asia strategy.*

*staunch ally in Dhaka further assists Delhi against Pak Army & ISI's designs to foment cross-border extremism in the region*

*Bangladesh that is all poised to emerge as a middle-income country opens up a huge market for Indian investors etc*

*Discuss about the fact that erstwhile Khaleda Zia regime in Bangladesh had strong reservations against granting connectivity and transit to the neighbours on the pretext that it would infringe on the sovereignty of Bangladesh. It was the Sheikh Hasina-led government that realized that granting connectivity and transit was a win-win situation for Bangladesh.*

**Conclusion** – Give your view on the future prospect of India Bangladesh relations in light of these factors.

**Introduction:**

- India's courteous relationship with Bangladesh has been vision from the time of Bangabandhu Sheikh Mujibur Rahman, the first Prime Minister of Bangladesh. The recent general elections was won by the Awami League (founded by the latter), which has been



Pro-India in the geopolitical arena of South Asia vis-à-vis the Bangladesh National Party. India's links with Bangladesh are civilizational, cultural, social and economic.

### **Body:**

The impact of the electoral win of Awami league on India can be studied under the following heads.

- **Strategic**

1. A steadfast partner in the fight against counter-terrorism.
2. Awami League is poised to play a major role in Delhi's initiatives in Bay of Bengal (**g BIMSTEC, SASEC**) and Northeast India amid China's massive inroads in South Asia.
3. Stability in Bangladesh like Bhutan is imperative for India amid political uncertainties in certain other parts of neighbourhood that includes Sri Lanka and Afghanistan, according to experts' familiar with Delhi's South Asia strategy.
4. A staunch ally in Dhaka further assists Delhi against Pak Army & ISI's designs to foment cross-border extremism in the region, according to persons familiar with South Asian politics.

- **Economic**

1. Bangladesh is all poised to emerge as a middle-income country opens up a huge market for Indian investors.
2. Bangladesh has already emerged as major source for remittances for Indians after the Gulf region.
3. Bangladesh is the highest recipient of India's concessional Line of Credit that almost amounts to eight billion USD.
4. Connectivity between Bangladesh and neighbouring countries including India have received great boost during the last ten years from Hasina's pro-active stance on enhancing connectivity in South and Southeast Asia.
5. Major initiatives like the Kaladan Multimodal project, BBIN road project, Bus & train services between Kolkata and North Eastern states are at various stages of construction and operation.
6. Currently, four border haats are operational along the India-Bangladesh border. Two border haats are located in Meghalaya at Kalaichar and Balat and two are located in Tripura at Srinagar and Kamalasagar.
7. Regional connectivity between Bangladesh and its neighbours is expected in implementation of the planned concept of '**Blue Economy**' now that Bangladesh is in receipt of new marine territories as a result of the maritime verdict wins through arbitration against India and Myanmar.

- **Geopolitical**

1. Bangladesh's location is a strategic wedge between mainland India and Northeastern seven states of the Indian Union. Each of these states is land-locked and has shorter route to the sea through Bangladesh.
2. Bangladesh is a natural pillar of "**Look East Policy**". A friendly Bangladesh that ensures no anti-India terror or insurgent activities can be carried out from its soil unlike in the past will substantially assist India in handling security problems in some of its restive north-east States.
3. The navigable rivers in India's Northeast that could connect West Bengal or Orissa ports pass through Bangladesh. The only entry to and exit from the Northeastern region of India is through the Siliguri Corridor that is close to the Chinese border and within striking distance of Bangladesh. The Siliguri Corridor is the most sensitive 'choke point' for the Indian Union.
4. The **100th Constitutional Amendment Act of India** which involved exchange of the enclaves between India and Bangladesh can act as model for other issues like the Teesta river water sharing.

### **Areas which need to be worked upon:**

1. A major area of contention has been the construction and operation of the Farakka Barrage by India to increase water supply in the river Hoogly. Bangladesh insists that it does not receive a fair share of the Ganges waters during the drier seasons, and gets flooded during the monsoons when India releases excess waters.
2. There have also been disputes regarding the transfer of TeenBigha Corridor to Bangladesh.
3. Terrorist activities carried out by outfits based in both countries, like BangaSena and Harkat-ul-Jihad-al-Islami. Recently India and Bangladesh had agreed jointly to fight terrorism.



4. Illegal Bangladeshi immigration into India. The border is porous and migrants are able to cross illegally, though sometimes only in return for financial or other incentives to border security personnel. Bangladeshi officials have denied the existence of Bangladeshis living in India and those illegal migrants found are described as having been trafficked.
5. Continuous border killing of Bangladeshi people by Indian border guards, aiding illegal immigrants, helping in armed dacoity, fake money transfer and illegal drug trades by both Indian and Bangladeshi people are the major problems between Bangladesh and India.

**Conclusion:**

- Bangladesh as a neighbour, a close partner for regional development, security and cooperation, is a central pillar in **India's "Neighbourhood First" policy**.
- An economically strong, secular and democratic Bangladesh is integral to New Delhi's interests and also of the subcontinent as a whole.

**Q) The new electricity guidelines released by Ministry of power are a first step towards creating a true regional market in South Asia. Analyze. (250 words)**

The hindu

**Why this question**

*Regional integration in South Asia has never taken off. Bhutan in the past had rued issues with pricing of electricity. The new guidelines would do well to alleviate such issues and also lead to greater connectivity at least for BBIN nations.*

**Key demand of the question**

*The question expects us to explain the recent electricity guidelines of the ministry and explain how it would boost the regional market in South Asia and discuss the benefits that it would pass on to India in terms of economic benefits and better relations with neighborhood.*

**Directive word**

*Analyze – When asked to analyze, you have to examine methodically the structure or nature of the topic by separating it into component parts and present them as a whole in a summary.*

**Structure of the answer**

**Introduction** – Discuss about the lack of integration in South Asia.

**Body**

*Explain the recent guidelines by the ministry*

*Discuss the benefits that will be accrued as a result of these guidelines*

- *Bhutan and Nepal were coaxing India to relax the non tariff barriers and these guidelines would lead to better relations*
- *Highlight that a vision to ensure connectivity in electricity sector of South Asia was dreamt with SAARC Framework Agreement for Energy Cooperation , however the issues with SAARC came in the way*

*Discuss how it would be economically beneficial for India and also from the point of view of electricity security*

**Conclusion** – Give your view on why these guidelines would help in building greater connectivity in the region and discuss way forward.

**Introduction:**

The South Asian region is the least politically and economically integrated region in the world. The poor show of SAARC vis-à-vis ASEAN, European Union is a point in case for the same. The Union Ministry of Power issued a seemingly anodyne memo that set the rules for the flow of electricity across South Asian borders.



### **Body:**

The guidelines given by the ministry are as below.

- **Agreements for Trade:** Any cross border transactions between India and neighbouring country shall be guided through bilateral agreements.
- **Institutional Framework:** The Cross border trade shall be regulated and facilitated by rules and regulations. Central Electric Regulatory Commission (CERC) is the designated body and the regulations so framed will be binding on all parties.
- **Co-operation with Neighbouring countries:** The designated authority shall co-ordinate with the neighbouring country's nodal agency to facilitate trade, planning, monitoring and co-ordinating, Maintaining Grid Safety, security and operation etc. The cross border trade of electricity shall be governed by the policies of respective countries.
- **Tariff:** The tariff shall be decided based on Government to Government Negotiations.
- **Dispute Resolution:** between the countries through Singapore International Arbitration centre or as mutually agreed. Disputes within Indian Territory as per provisions of Electricity Act, 2003.

### **Previous Efforts:**

- The vision to ensure connectivity in electricity sector of South Asia was dreamt with The **SAARC Framework Agreement for Energy Cooperation and the India-Nepal Power Trade Agreement** was signed in 2014. However issues like agreements imposed only few restrictions on trade, private sector participation and to facilitate market rationality in electricity commerce cropped up.
- The efforts continued and in 2016, the Union Ministry of Power released certain guidelines. They imposed a slew of major restrictions on stakeholders involved in cross-border electricity trade. These seemed to be a reaction to perceptions of increased Chinese investment and influence in the energy sectors of South Asian neighbours.
- The benefits that will be accrued as a result of these guidelines are multifold.

### **Energy Security:**

- A liberal trading regime in electricity is in India's national interest.
- A **seamless SAARC power grid** can secure the energy needs of India and its neighbours.
- The **diversifying of energy sources** is a need to secure Energy interests of India
- With bountiful energy, the prices of the electricity will reduce and stabilize. This will help fight the poverty across South Asian countries.

### **Diplomatic ties:**

- India now recognises that economic interdependency created by such arrangements have the political benefit of positioning **India as a stable development partner**.
- The Regulations of the guidelines would allay the fears of the perceived 'Big Brother' notion of the neighbours of India.
- With better trade ties, other issues can be ironed out easily like BBIN road network, Fishermen issue with SL etc.
- This is a crucial move towards the evolution of complex, multi-country market arrangements.

### **Renewable Energy Goals:**

- As India transitions to a power grid dominated by renewables, regional trade could prove useful in maintaining grid stability.
- India's INDC goals of 40% of energy to be sourced from Renewables by 2030 could be met.
- **Example:** hydropower from the Himalayan nations Nepal and Bhutan, is instrumental for a greener grid. Wind Energy from Srilanka.

### **SAARC Growth:**

- It's a tentative first step towards the **creation of a true regional market** in which generators across the subcontinent compete to deliver low-cost, green energy to consumers.
- This would **soften the hard borders of South Asia**; it is essentially a political vision.
- The guidelines allow tripartite trading arrangements, where power generated in a country is routed over the territory of a neighbour to be consumed in a third.
- This is a crucial move towards the evolution of complex, multi-country market arrangements.

### **Reduced Chinese influence:**

- The concern that India was enabling the incursion of foreign influence into neighbouring power sectors is addressed.



- The Chinese Hegemony in the neighbours of India can be reduced to a decent extent.

**Boost to 'Make in India':**

- India can cater to the needs of the equipments like solar panels, wind mill blades and export it to the neighbours. This could give an imminent boost to "Make in India".

**Conclusion:**

- In an atmosphere of regional intrigue and mistrust, it is a rare and recent example of **political pragmatism**.
- It is important not only because it **leads South Asian electricity trade in progressive directions** but is also a concession to India's neighbours in an area of political and economic importance.

**Q) J&K needs sustained coordinated efforts of public outreach from all stakeholders in order to establish long term peace in the state. Comment. (250 words)**

Indianexpress

**Structure of the answer**

**Introduction**— write a few introductory lines about the present situation in Kashmir. E.g Highest number of militants killed in a decade, governor's rule followed by President's rule etc.

**Body-**

Discuss the need for sustained and coordinated efforts of public outreach involving all the key stakeholders. E.g

- While the army's Operation Sadbhavna (a military civic action initiative of 20 years) has helped in extending marginal outreach, the lack of mass engagement has prevented the development of any perception change and the creation of alternative narratives to counter the propaganda from Pakistan and the separatists.
- Need to engage the security personnel especially army and CRPF for public outreach and conduct of public meetings and include the politicians and the public officials along with.
- Need to explore recruitment rallies, when youth are in a different state of mind.
- Need to involve local clergy which has substantial hold on the local populace and seek its cooperation in messaging the youth and others on the uniqueness of the Indian system.
- Exploitation of social media, as much as the countering of online propaganda.
- Setting aside of the mutual fears of the people of Jammu and of Kashmir and bringing the people of Ladakh into this ambit as well.

**Conclusion**— based on your discussion, form a fair and a balanced conclusion on the given issue.

**Introduction:**

The insurgency in Jammu and Kashmir began in 1989 and has ebbed and flowed in the intervening years. In 2018, the death toll for militants and security forces in Kashmir touched the highest point in a decade, according to official figures, with more than 400 killed. The state of J&K is now under President's rule owing to the failure of the coalition government, thereby wiping out of the people's mandate. The absence of any meaningful political process to address Kashmiri grievances points to a more violent situation in the coming years.

**Body:**

Outrage over the Shopian rape incident, invocation of collective conscience during Afzal Guru's execution, the capture of the newsrooms in Delhi, the sanctimonious politics of rescue during the September 2014 floods, coalition government in 2015, pellet-gun-related mass blinding during the Burhan Wani agitation were some of the major provocations in last decade that pushed Kashmiris towards a suicidal upsurge against the Indian state. Thus, there is a shrinking democratic space and increased violence in the J&K.

There is a need for sustained and coordinated efforts of public outreach involving **all the key stakeholders**.

**State:**

- Non-violent and democratic methods to achieve political aspirations.
- The way out of the deadlock in Kashmir is **to strengthen democracy**.
- **Empowerment of Local Governments** which involves people at the grassroots level.
- Setting aside of the mutual fears of the people of Jammu and of Kashmir and bringing the people of Ladakh into this ambit as well.
- **Socio economic development through various governmental schemes**.
- **Conducting recruitment rallies to employ the youth**, who are in a different state of mind.

**Security Forces:**

- While the army's **Operation Sadbhavna (a military civic action initiative of 20 years)** has helped in extending marginal outreach, the lack of mass engagement has prevented the development of any perception change and the creation of alternative narratives to counter the propaganda from Pakistan and the separatists.
- **Direct outreach:** conduct of public meetings or "awami sunwais" in the field in areas where the reach of the administration had become marginal. **Example:** Awami Sunwai's of the past.
- Maximum opportunity to the common citizens to **speak, criticise and complain**, so they can realise that there are enough people willing to listen rather than talk down to the common Kashmiri.
- Need to engage the security personnel especially army and CRPF for public outreach and conduct of public meetings and include the politicians and the public officials along with.

**Religious heads:**

- Involvement of **local clergies** who has substantial hold on the local populace and seek its cooperation in messaging the youth and others on the uniqueness of the Indian system.
- Exploitation of social media, as much as the countering of online propaganda of radicalisation.

**Non-State Actors:**

- The other major determinant is J&K is the part of Non-State Actors like Separatists, Neighbouring Pakistan and the state sponsored terrorists.
- They have a considerable hold on the people and their opinions.
- Engaging the non-state actors through **interlocutors, Tier-2 diplomacy** should help alleviate the fears and misunderstandings that have cropped up.

**Media:**

- Media described as the fourth pillar of democracy plays a very vital role.
- They are responsible for reporting of the incidents in a true and uninitiated manner. However, the political patronage and ownership by big media houses has made more one sided views.
- With internet on the surge and ease of access of information at tips, they help in shaping the views and opinions of people.
- Media should be ethical and democratic in its approach. It should spread the message of peace and harmony across people.

**Conclusion:**

The **spirit of accommodation and tolerance** should be inculcated and must be practiced from lowest to top echelons of State to alleviate the mistrust of people in latter. Isolated efforts by different organisations prevent the emergence of a cogent strategy. As our ex-PM Vajpayee had once said: '**Insaniyat, Jamhuriyat, Kashmriyat**', which means **humanity, peace, and keeping the sanctity of the people** is the foundation for peace in **J&K**.

**Q) Faith based diplomacy has several limitations and may prove costly for India's national interests in the long run. Comment. (250 words)**

The hindu

**Why this question**

*India has been at the forefront of religious diplomacy as can be gauged from conducting Yoga sessions and enlightening the world about Ayurveda to high profile visits to/from foreign countries to important religious sites. In this context it is essential to look into the issue and find whether religion based diplomacy should be pursued or not.*



### **Directive word**

*Comment- here we have to express our knowledge and understanding of the issue and form an overall opinion thereupon.*

### **Key demand of the question.**

*The question wants us to express our knowledge and understanding about the recent efforts by India to capitalize on faith based diplomacy and bring forth an opinion as to whether it may/ may not prove costly for India's national interests in the long run.*

### **Structure of the answer**

**Introduction-** write a few introductory lines about some of the recent diplomatic moves of the government which involved or emphasized religion. E.g Sri Lanka officials visit to Bodh Gaya; Citizenship Bill, Visits of high level Indian officials including the PM to several foreign shrines etc.

### **Body-**

*Discuss the flaws in such approach and why it can be dangerous for India. E.g*

- *It can trigger a backlash from communities and countries hostile to any particular religion.*
- *Such an approach which focuses on a single or a few religions undermines India's rich cultural and religious heritage.*
- *It also undermines India's secular foundations.*
- *It can cause deep rifts between countries disfavouring any particular religion being promoted and India etc.*

**Conclusion-** based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

Faith based diplomacy or “Religious diplomacy” means using **faith to bring people and nations together. It is a form of multi-track diplomacy that seeks to integrate the dynamics of religious faith with the conduct of international peacemaking and statecraft.**

Indian government has used this as a part of its foreign policy since 2014 in its outreach to the neighbouring countries in the Subcontinent and beyond. The recent Kartarpur corridor, a 5-km visa free corridor, in Punjab connecting Gurdwara Kartarpur Sahib in Pakistan is one of an example.

### **Body:**

The other Instances include the efforts to rebuild the long-neglected Buddhist bridge to the world by inviting Srilankan delegates (top military brass) to Bodh Gaya in 2018. Efforts with Nepal to forge a Hindu religion based civilization ties etc.

Several foreign relation experts have opined that there are many inherent flaws in such approach and it can be dangerous for India.

- **Secularism:**
  - India has declared herself as a secular country.
  - Faith based diplomacy undermines India's secular foundations.
- **Diversity:**
  - India also believes in “Unity in Diversity”.
  - We have seen major religions take birth in India like Buddhism, Jainism, Sikhism and people from all faiths live in India.
  - Such an approach which focuses on a single or a few religions undermines India's rich cultural and religious heritage.
- **Diplomatic Setbacks:**
  - It can cause deep rifts between countries disfavouring any particular religion being promoted and India.
- **National Security:**
  - It can trigger a backlash from communities and countries hostile to any particular religion.



- Further, it can lead to polarization of societies and lead to communalism and increased radicalisation.
- Religious and linguistic minorities can feel insecure, thus affecting their morale. This could lead to civil wars as seen in Sri Lanka.
- **Soft power:**
  - Indian Diaspora across countries has accepted multiple faiths over generations.
  - This can reverse the India's soft power gains achieved through International Yoga Day, Ayurvedic researches.

### **Conclusion:**

Mixing personal faith with bilateral diplomacy makes for good optics when all goes well, but when bilateral ties suffer, it gets personal all too quickly. In the longer run, the non-secular foreign policy initiatives of trade, commerce, defence and soft-power will sustain the relationship between countries. Faith based diplomacy can complement it rather than being mainstream.

### **Q) Non Alignment is one of the most important legacy of Indian foreign policy which need not be sacrificed at the altar of pragmatism. Discuss. (250 words)**

Indianexpress

#### **Why this question**

The article delves deep into Indian foreign policy of non alignment, explains what the policy meant for India and the form of non alignment that would help India in navigating the tides of global politics.

#### **Key demand of the question**

The question expects us to explain the Indian policy of non Alignment and what impact it has had on India's relation with other nations. Thereafter, we need to analyze the pros and cons of India's dalliance with non alignment and explain the nature of non alignment that might be more prudent in the current times.

#### **Directive word**

**Discuss –** This is an all-encompassing directive – you have to debate on paper by going through the details of the issues concerned by examining each one of them. You have to give reasons for both for and against arguments.

#### **Structure of the answer**

**Introduction –** Explain the Nehruvian idea of non alignment.

#### **Body**

Explain how India's experience with the policy of non alignment has been – as the leader of non aligned movement, and its relationship with major powers

Discuss the pros and cons of the policy of non Alignment in terms of its impact on achievement of the foreign policy objectives of India. Discuss the difference between strategic autonomy and non alignment

Examine the form and nature of non alignment that would work for India – issue based alignment and not ideological

**Conclusion –** Give a fair and balanced view and discuss way forward.

### **Introduction:**

The Non-Aligned Movement was formed during the Cold War as an organization of States that did not seek to formally align themselves with either the United States or the Soviet Union, but sought to remain independent or neutral. It identifies **the right of independent judgment, the struggle against imperialism and neo-colonialism, and the use of moderation in relations with all big powers** as the three basic elements that have influenced its approach.



### **Body:**

#### **India's experience with the policy of non alignment:**

- NAM played an important role during the Cold War years in furthering many of the causes that India advocated: **Decolonisation, end to apartheid, global nuclear disarmament, ushering in of new international economic and information orders.**
- NAM enabled India and many newly born countries in 1950's and 1960's their sovereignty and alleviated the fears of neo-colonialism.
- **South-South Co-operation:** NAM together with the Group of 77 (G77—largely made up of NAM members) succeeded to keep Third World issues on the agenda in most UN forums, effectively supported independence movements in third world country.
- **Soft-Power Leadership:** NAM made India a leader for many countries who didn't want to ally with the then global powers USA or USSR. India became a soft-power leader which still holds good till date.
- **Balanced friendship:** India's non-alignment gave her the opportunity to get the best of both the global superpowers of the time in terms of aid, military support etc. This was in line with her objectives of national development.

#### **India's lost opportunities due to NAM:**

- There was no mutual agreement to support in case of aggression on a member country.
- India faced such a situation when China attacked her in 1962 and Pakistan in 1965.
- India was against the West in isolating the communist China, but the blind friendship had led to Chinese aggression in 1962. The USA didn't extend military support in 1962 to India. This has serious repercussions in the economy almost leading to a famine.
- India's muddled relation with China was encashed by Pakistan. Pakistan supported China and it became her all-weather friend, the repercussions of which are seen even today in the form of CPEC and constantly troubled Kashmir region.
- The lack of foreign funds, protectionism driven by NAM also led to delayed growth of India. China which was in a worst condition than India during independence surged ahead and is today the largest economy in the world.

#### **NAM's authority is slowly eroding:**

- The end of cold war lead to unipolar world and now tending towards multi-polarity. The NAM is now reached irrelevance.
- NAM could not push for reforms in the global bodies like UN, IMF, WTO . Thus, it has dissuaded many developing countries from pursuing it.
- Disputes within the Global South countries. Example: India-Pak, Iran-Iraq. This has paved way for the blocs to enter.
- Inability to find solution to the West-Asian crisis. Withdrawal of one of the founder members- Egypt, after the Arab Spring.
- Most of the members are economically weak; hence they have no say in world politics or economy.

The form and nature of non alignment that would work for India in the current scenario:

- As the current foreign secretary put, NAM is a basis of our foreign policy. However, India should be aligned on **issue basis and not ideological basis.**
- It gives us the capacity to be flexible, gives us the capacity to maintain our **decisional autonomy.**
- This gives India the **required Strategic autonomy** that is the kind which a nation can exercise depends on its specific circumstances such as size, location, comprehensive national power, and the nature of the threats among many other things.
- India should also be pragmatic and look at alliances which suit her interests the best. Alliances are not a “permanent wedlock” or some kind of “bondage”. They are a political/military arrangement to cope with a common threat. When the shared understanding of the threat breaks down, so does the alliance.

### **Conclusion:**

India is a large and globalised economy with “big stakes in all parts of the world”. Its foreign policy must focus on a pragmatic assessment of India's interests and the best means to secure them —



including partnerships and coalitions — against current and potential threats. A newer, reformed NAM 2.0 can be looked at to continue NAM as our foreign policy.

## **Q) Examine why has SAARC failed to perform its role as an integrator and address areas of common interests ? (250 words)**

### ***Key demand of the question***

*The question expects us to explain status quo with respect to SAARC, analyze the reasons for its abject failure , the impact of poor performance of SAARC in achieving regional aspirations. Discuss alternatives to SAARC which India can leverage for boosting regional integration and development.*

### ***Directive word***

**Examine –** When you are asked to examine, you have to probe deeper into the topic, get into details, and find out the causes or implications if any .

### ***Structure of the answer***

**Introduction –** Explain about SAARC and the status quo of SAARC.

### ***Body***

*Discuss the reasons why issues cropped up in SAARC.*

- Asymmetry in the members
- India Pakistan tension
- Individual identities of nation are still strong and they are not willing to subsume that in collective identities
- Failure of SAFTA etc

*Discuss the common interests that could have been attained through a regional organization like SAARC.*

*Highlight that India is looking at other options to regional integration apart from SAARC such a BIMSTEC etc to achieve such regional aspirations.*

**Conclusion –** Give your view and discuss way forward.

### **Introduction:**

SAARC was set up in **1985** and today it has **8 members**: Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Srilanka. Afghanistan joined SAARC only in 2007. SAARC member nations cooperate on a range of issues from **agriculture, economy, poverty alleviation, S&T and culture to encourage people to people contact**.

### **Body:**

SAARC aims at integration of south Asian nations for undertaking **collective efforts to achieve common objective of regional stability and prosperity. Despite geographical contiguity and historical and cultural links**, the SAARC region remains the most disconnected regions in the world.

SAARC has failed in achieving its objectives because:

- **India-Pakistan rivalry:** This has become a bottleneck in achieving effective coordination. India has conveyed that terrorism and talks cannot go on simultaneously.
- **Bilateral issues:** Long pending issues between members like fishermen issue between India and Srilanka, Teesta water sharing between India and Bangladesh, lack of direct access to Afghanistan to other members except Pakistan have restricted in arriving at common ground for regional integration.
- **Perceived Big-Brother attitude of India:** Asymmetry in the region due to sheer size of Indian economy and stature in international arena requires India to play an over active role. However, this is perceived as big brother attitude by other members creating mistrust.



- **Internal Crises:** Almost every member is facing numerous internal crises like Tamils issue in Srilanka, Constitutional crisis in Nepal, religious fundamentalism in Pakistan and Bangladesh, Terrorism and instability in Afghanistan. Consequently, there is no much enthusiasm to achieve collaboration in the sub continent.
- **China's inroad into SAARC countries:** Increasing presence of china in the region and reservations of India with China is creating roadblocks. India cannot match the levels of financing by China. China with its grand plan of BRI has lured the small nations.
- **Poverty- Ridden:** Even though the region accounts for **21% of world population, its share in global GDP is just around 3%**. Being one of the poverty ridden areas of the world, there is limited avenues to achieve synergy.

The recent issues which highlight the growing redundancy of SAARC in terms of achieving its stated objectives as well as India's national interests are:

- SAARC summit scheduled in Islamabad in 2016 was cancelled due to continued support of terrorism by Pakistan. The other nations like Bhutan, Bangladesh and Afghanistan also reiterated the same view.
- A meeting between the foreign ministers of India and Pakistan was scheduled on sidelines of UNGA last year. Within 24 hours after announcing talks, India chose to pull out.
- Pakistan's decision not to sign agreements on regional connectivity at the Kathmandu summit in 2014. Last minute pulling out of Bhutan from BBIN agreement.
- Sri Lanka has begun to describe itself as an Indian Ocean country. It is merely rediscovering its geographic centrality in the Indian Ocean and celebrating it.
- Maldives, too, has so much to gain by leveraging its Indian Ocean location rather than pin its hopes on the dystopian SAARC.
- Increasing sway of China by signing FTA's, leasing out land for infrastructure projects has affected Indian interests and SAARC as an organization.

**Way forward** for India to better realise its strategic and economic interests in South Asia are:

- BIMSTEC is seen as complimentary for various initiatives of India like forming a bridge between **ASEAN and India, new found concept of Indo-pacific, neighbourhood first policy**.
- As the largest bay in the world, Bay of Bengal is a pivot for BIMSTEC countries. Their combined GDP — at 2.85 trillion US Dollars — and one of the largest combined population in the world, gives BIMSTEC an inherent advantage.
- India's Trilateral highway project all the way to Cambodia will further strengthen the connectivity with South East Asian nations.
- The **BBIN Motor Vehicle Agreement** will help in **connectivity, economic development and regional integration**. This will also help in the **development of North-East India**, which has hitherto been neglected.
- Focus on **SASEC** which is SAARC minus Pakistan;
- The **RCEP initiative** will form a bigger regional and economic entity, thus **strengthening our Act East policy**.
- The **informal QUAD grouping** with USA, Japan and Australia and increased focus on Indo-Pacific region must be leveraged to **counter to Chinese hegemony** in South Asian region.

#### **Conclusion:**

Geographies are not static; they evolve, sometimes slowly and quickly at others. How we imagine and construct regions changes according to circumstances. India must look at her **national interests and strategic autonomy**. In the process, she can take along the likeminded neighbours together.

#### **Q) India has often been accused of playing the role of a big brother in its neighbourhood. Evaluate whether this is true. (250 words)**

*Key demand of the question*

*The question expects us to first bring out the criticism often resorted to by India's neighbours such as Nepal, Sri Lanka etc of India acting as a big brother. Discuss the reasons why such a view is held by these countries and thereafter delve deep into India's actions with respect to its neighbours to evaluate whether these claims are actually true.*



### *Directive word*

*Evaluate – When you are asked to evaluate, you have to pass a sound judgement about the truth of the given statement in the question or the topic based on evidences. You have to appraise the worth of the statement in question. There is scope for forming a personal opinion here.*

### *Structure of the answer*

*Introduction – Highlight that India's neighbours have often called out India for its big brotherly attitude.*

### *Body*

*Discuss the reasons why such a charge is levelled against India – you can point out the recent standoff in Nepal wrt Madhesi agitation, charges that India interferes in the domestic policies of the country, the disproportionate size and power of India in comparison to her neighbours*

*Highlight what India's policies with respect to her neighbours has been – you can talk about the gujral doctrine and how that doctrine governs India's foreign policy in her neighbourhood.*

*Bring out the instances which counter the claim that India acts as a big brother*

*Talk about the Indus water treaty with Pakistan*

*Sharing of water with Bangladesh*

*Treaty of peace and friendship with Nepal and Bhutan etc*

*Discuss what India needs to do to see correct these perceptions*

*Conclusion – Give your view and discuss the way forward.*

### **Introduction:**

India is a huge in terms of geographical size, economic and military might vis-à-vis its neighbours. India's relations with its smaller neighbours have been showing signs of stress due to changing geo-political situations. Consequently, India is criticized as 'big brother', 'bully', a common thread seen across neighbours.

### **Body:**

The reasons for levelling such charges against India are:

- The recent issue of trade blockade in Nepal which led to allegation that they were India sponsored event.
- Nepal also accuses India for meddling in its domestic politics like support to Madhesi.
- The human assistance and disaster relief efforts during Nepal earthquake were branded as '**media photo-ops**'.
- The charges that India interferes in the domestic policies of the country. **Example:** The Tamil liberation issue in North Jaffna region was seen as interference by Srilankan govt.
- India's support to UNHCR resolution against the war-crimes was seen as a move against Srilanka.
- The **inaction of Pakistan and Myanmar** against terrorist breeding grounds in PoK and Manipur borders led to surgical strikes. This was considered as an attack on sovereignty.

India's policies toward her neighbours have been guided by the **principles of Panchasheel** (Non-interference in others internal affairs and respect for each other's territorial unity integrity and sovereignty).

More recently, India also came up with the **Gujral doctrine**, which has been leading the relations with our neighbours. **The "Gujral Doctrine"** sought to end India's endless contestations with neighbours and offered to walk the extra mile in resolving longstanding problem. This doctrine basically projected India as a **benign big brother** so that peace can be maintained. As a benign big brother, India would **give concessions to all except Pakistan without any reciprocal return expectation**. It was of **non-reciprocal accommodation of India's neighbours**.



India's foreign policy has aimed at helping the neighbours and a peaceful co-existence as evident through the following instances.

- The **Indus water treaty** with Pakistan where water of three rivers are shared with Pakistan.
- **Sharing of Ganga Water with Bangladesh:** It is in pursuance of this policy that late in 1996 India concluded an agreement with Bangladesh on sharing of Ganga Waters.
- The **Treaty of peace and friendship with Nepal and Bhutan** and providing them economic opportunities in India, port access for their trade etc.
- The recent exchange of islands with Bangladesh under the 100<sup>th</sup> Constitutional Amendment Act.
- Economic aid in the form of soft loans, grants to Nepal, Bhutan, Afghanistan. Construction of infrastructure projects like Salma Dam, Parliament house in Afghanistan, Highways in Bhutan.
- **India Technical and economic cooperation** program has benefited thousands of students and professionals in Srilanka, Nepal, Bangladesh.
- Humanitarian assistance and disaster relief operations in exigencies like Nepal earthquake, Tsunami affected Srilanka, Floods in Pakistan and Bangladesh, Drinking water crisis in Maldives.

#### **Way Forward:**

- India being a dominant economy, making unilateral concessions can help to build trust. Thus, implementing Gujral doctrine in its true letter and spirit.
- **Low hanging fruits like Power sharing, infrastructure projects to improve connectivity and better people to people contact** in the subcontinent will bring neighbours closer.
- **Bilateral issues** like Maritime boundary issues with Sri Lanka need to be resolved to address **fishermen issue, Teesta water sharing** between India and Bangladesh should be resolved with consistent talks at high levels.
- **Border disputes** with Nepal, Bangladesh, Pakistan and strengthening of the security to curb terrorism and drug menace leads to healthy economies.
- **Resurrection of SAARC, BIMSTEC etc. which can lead to better regional integration and increased trust.**
- '**Confidence Building Measures**' should be taken up to reduce animosity and increase friendly relations with neighbours.

#### **Conclusion:**

- India has been active proponent of strong South Asia. However, there are aspersions by neighbours which has led to soured relations. Increased engagement with mutual support can help South Asia be more integrated and a developed region. The **neighbourhood first policy** should be continued to implement in its full force.

**Q) Examine the major issues in India Bhutan relations and suggest measured for continuing the cohesive and durable relationship with Bhutan ? (250 words)**

*Key demand of the question*

*The question expects us to discuss in brief the status and history of India Bhutan relations. Thereafter, we need to discuss the teething issues in India Bhutan relations and discuss how such issues can be resolved.*

*Directive word*

*Examine – When you are asked to examine, you have to probe deeper into the topic, get into details, and find out the causes or implications if any .*

*Structure of the answer*

*Introduction – Give a brief history of India Bhutan relations.*

*Body*

*Discuss the major issues*

- *Issues with the hydropower project*
- *Allegations of interference against India*



- India's power-surplus status and the advent of other renewable energies like wind and solar power will make it more difficult for Bhutan to ensure that its hydropower sector becomes profitable.
- Unless India finds ways to help, it will be accused of the same sort of "debt-trapping" that China is accused of today.
- India also needs to focus on policing cross-border trade. The goods and services tax still hurts Bhutanese exporters, and demonetisation has left lasting scars on the banking system.

*Discuss the way forward*

- India's effective neighbourhood approach will prove conducive towards building a cohesive and durable relationship with Bhutan in the coming days.
- The hydropower projects, where delays in construction and commissioning by the Indian companies took place, have led to the Country's increase in the national debt. The tariffs need to be re-negotiated. Moreover, in India advent of wind / solar makes it more difficult for Bhutan to ensure that its hydropower sector becomes profitable.
- Considering this legacy of Independent democracy, India should refrain from interfering in sovereign matters of Bhutan.

*Conclusion – Give your view and discuss way forward.*

## **Introduction:**

Bhutan, nestled in the Himalayas, has shared a cordial relations with India based on our **long-standing diplomatic, economic and cultural relations**. India has been an **all-weather friend** of Bhutan since the latter's independence. The **India -Bhutan treaty of friendship and cooperation** was signed in **1949** and was updated in **2007**, subjecting the Himalayan nation's security needs to supervision. The Treaty provides for **perpetual peace and friendship, free trade and commerce, and equal justice to each other's citizens**.

## **Body:**

### **Importance of Bhutan:**

- Bhutan in a **buffer state** between India and China. Bhutan shares a 470 km long border with China.
- **Strategic importance:** The Chumbi Valley is situated at the trijunction of Bhutan, India and China and is 500 km away from the "**Chicken's neck**" in North Bengal, which connects the northeast with rest of the country.
- **To contain insurgency in North-East:** Bhutan has in the past cooperated with India and helped to flush out militant groups like United Liberation Front of Assam (ULFA) and National Democratic Front of Bodoland (NDFB) from the Himalayan nation.

Assured by India for its **distinct identity and autonomy** since India's independence Bhutan has been in the good book of India since the very beginning. There has arisen a need to revisit the India's Bhutan policy and address issues that have come up in the past few years.

- **Hydro-power projects:**
  - **Three** hydro-electric projects (HEPs) totalling **1416 MW**, (336 MW **Chukha** HEP, the 60 MW **Kurichu** HEP, and the 1020 MW **Tala** HEP), are already exporting electricity to India.
  - Delays in constructing and commissioning in Bhutan by Indian companies have led to the country's burgeoning national debt.
  - India's power-surplus status and the advent of other renewable energies like wind and solar power will make it more difficult for Bhutan to ensure that its hydropower sector becomes profitable.
  - Unless India finds ways to help, it will be accused of the same sort of "debt-trapping" that China is accused of today.
- **Trade and Commerce:**
  - India is Bhutan's **largest trading partner**. India and Bhutan have signed an Agreement on Trade, Commerce and Transit in 2016, which provides for a free trade



regime between the two countries aimed at boosting the bilateral trade for mutual benefit.

- The goods and services tax still hurts Bhutanese exporters, and demonetisation has left lasting scars on the banking system.
- Government's decision to **cut cooking gas subsidy** just before the 2013 elections in Bhutan has often been shown as proof of Indian interference.

- **Security Issues:**

- Doklam crisis and incidences of Indian presence being mistakenly represented as Indian encroachment have the potential to deteriorate the relationship between the two countries and push Bhutan into the lap of China.
- It has even raised doubts of a few that India is acting as a "**Big Brother**".

- **Joint Ventures:**

- The joint ventures are stuck because the Indian PSEs insist on having more managerial control and have refused to come up with agreed financing.

- **Connectivity:**

- India's plan for regional connectivity seems to have hit a dead-end with Bhutan.
- The Bhutanese Parliament didn't ratify the implementation of **BBIN project** which will further affect the connectivity.

The measures for continuing the cohesive and durable relationship with Bhutan are:

- The principles of **Panchsheel and Gujral doctrine** must drive our relations towards Bhutan.
- The hydropower projects, where delays in construction and commissioning by the Indian companies took place, have led to the Country's increase in the national debt. **The tariffs need to be re-negotiated.**
- The advent of wind / solar energy in India makes it more difficult for Bhutan to ensure that its hydropower sector becomes profitable. This concern must be addressed.
- India must be careful **not to seem bossy**, and end up souring up its relationship with Bhutan as was done in the case of Nepal. Considering this legacy of Independent democracy, **India should refrain from interfering in sovereign matters of Bhutan.**
- A **politically stable Bhutan** is important to India. An unstable and restive Bhutan would not only jeopardize India's investments in that country but also provide a safe haven for anti-India activities and anti-India militant groups.
- India needs to focus on **policing cross-border trade**.
- India needs to **discard the tradition of offering economic subsidies and negotiating project proposals with neighbouring capitals** and focus instead on enabling agreements, and let market forces leverage the existing economic and geographic complementarities.
- **Standby credit facility** extended to Bhutan need to be reassessed as per current exchange rates and economic stability.
- **The Doklam crisis** can be taken as a wake-up call and be used as an opportunity rather than as a continuing threat with China.
- **More people to people contact:** Steps should be taken to involve people in national, regional or cultural events so that close and strong relations between the two countries could be sustained.
- India needs to give more attention in inviting Bhutanese youth to study in India at all levels.
- **Media**, particularly **social media**, needs to be harnessed to reach out to Bhutanese policymakers and common people to give them the confidence that India will stand by them for their economic and cultural development.

### **Future of the relations:**

- There are many potential areas ideas like **organic farming, eco-tourism, developing north eastern states** that can be explored and cooperation to be strengthened.
- There are high **level groups on security, water management, power, trade, investment, culture** which can smoothen the relations between nations.
- India looks for the **opportunity for Bhutanese students** in every kind of institutions and the scholarship for them has also been expanded.
- In cultural aspect, there is a **Nehru-Wangchuck Cultural Centre** in Bhutan and they also have very rich culture where exchanges do have a broad opportunity.



- India being the fast growing economy has to **align itself with Bhutanese ideas of sustainable development** in various aspects.

#### **Conclusion:**

- **Hydro-electric power** generated by Bhutan's run-of-the river dams is the **economic bedrock of the India-Bhutan relationship**. India needs to **act robustly to address Bhutanese concerns** that are weakening the traditionally strong India-Bhutan bilateral bond, as a strong relationship with India could reduce the chances of Bhutan succumbing to Chinese pressure.

#### **Q) Discuss the importance of Maldives in Indian foreign policy? Examine the impact of recent election outcome in Maldives on its relationship with India? (250 words)**

*Key demand of the question*

*The question expects us to first bring out the reason why Maldives is so crucial for India particularly with respect to India's role and position in Indian Ocean. Thereafter, we need to bring out the recent election outcome and what it means for India. Finally, we need to provide a way forward.*

*Directive word*

*Discuss – Here your discussion should remain focussed on explaining the importance of Maldives for India.*

*Examine – When you are asked to examine, you have to probe deeper into the topic, get into details, and find out the causes or implications if any .*

*Structure of the answer*

*Introduction – Explain that voters in the Maldives delivered a stunning defeat for President Abdulla Yameen in a contentious presidential election, an outcome regarded as a victory for democracy over authoritarianism in the Indian Ocean island nation.*

*Body*

*Explain the importance of Maldives for India*

- *India sees itself as a net security provider in Indian Ocean for which Maldives is an important partner*
- *A member of SAARC*
- *Large number of Indian nationals living in Maldives*
- *Competition between India and China over Maldives etc*

*Discuss how relation between India and Maldives had deteriorated under President yameen. Talk about the tilt towards China, thwarting of democracy etc*

*Discuss the impact of the election results on India's relationship with Maldives*

*Conclusion – Give your view and discuss the way forward.*

#### **Introduction:**

Relations between India and the Maldives have been strong for decades. **India played a major role in building the Maldives economy and military. The Operation Cactus in 1988** was a success of India's foreign policy without signalling any interference in the domestic affairs of a sovereign country.

The victory of **Ibrahim Solih** should come as a great relief and as a boost to India's efforts to strengthen its partnerships in the neighbourhood. It marks **not only the triumph of democratic forces in the Maldives, but also reflects the firm commitment to the values of democracy and the rule of law.**



# 10 REASONS WHY MALDIVES IS IMPORTANT FOR INDIA



**1** Strategically located in the Indian Ocean, Maldives archipelago comprising 1,200 coral islands lies next to key shipping lanes which ensure uninterrupted energy supplies to countries like China, Japan and India

**2** Since China started to send naval ships to Indian Ocean roughly 10 years ago – and right up to Gulf of Aden in the name of anti-piracy operations – Maldives' significance has steadily grown and now it's at the heart of international geopolitics

**3** As the pre-eminent South Asian power and a 'net security provider' in the Indian Ocean region, India needs to cooperate with Maldives in security and defence sectors

**4** China's massive economic presence in Maldives is a major concern for India. With the country now said to owe 70% of its external aid to China, many believe that Yameen has done to Maldives what Rajapaksa did to Sri Lanka. India had to push back at some stage and the current political crisis

might just have offered India the right opportunity

**5** A large section of population which supports the opposition parties like Nasheed's MDP wants India to act against Yameen

**6** Maldives is also a member of Saarc. It is important for India to have Maldives on board to maintain its leadership in the region. Maldives was the only Saarc country which seemed reluctant to follow India's call for boycott of Saarc summit in Pakistan after the Uri attack

**7** Under Yameen, radicalisation grew rapidly and it was often said that archipelago accounted for one of the highest numbers of foreign fighters in Syria in terms of per capita. India can ill-afford a neighbour which fails to check Islamic radicalisation

**8** India and Maldives share ethnic, linguistic, cultural, religious and commercial links. India was among the first to recognise Maldives after its independence in 1965 and later established its mission at Malé in 1972

**9** There are 25,000 Indian nationals living in Maldives (second largest expatriate community). Indian tourists also account for close to 6% of tourists Maldives receives every year

**10** India is also a preferred destination for Maldivians for education, medical treatment, recreation and business. According to MEA, more and more Maldivians are seeking long term visa for pursuing higher studies/medical treatment in India

## Body:

### Importance of Maldives for India:

- The Maldives, long a **popular tourist destination**, has grown in **strategic importance** in recent years as China and India to establish their influence in the region, and as Beijing pushes ahead with its global trade and infrastructure plan.
- Spread over **nearly 1,200 islands spanning more than 90,000 sq km, key shipping lanes** where Beijing and New Delhi compete to pursue their often-conflicting maritime strategies pass through this tiny Indian Ocean nation.
- Though small, the Maldives is India's important neighbour. India's Prime Minister Narendra Modi called the Maldives "**a valued partner in the Indian Ocean neighbourhood**".
- India-Maldives "**ties are built on a very strong foundation**" the contours of which are defined by **shared strategic, security, economic and developmental goals**.
- However, the bilateral ties are not without irritants, which can be seen in two broad areas: **political and strategic**.

The Bilateral ties between Maldives and India under previous President Yameen was on a downward curve and deteriorating. Some of the irritants were

- There was a serious suppression of democracy with many opposition leaders being jailed under Arson and Sedition. The former **pro-India Maldivian president** Nasheed was also incarcerated. He even proclaimed Emergency fearing Impeachment
- In March 2015, Indian Prime Minister Narendra Modi cancelled his state visit to the island nation **protesting the gross injustice and authoritarian moves** of Yameen.
- The **Maldives also declined India's invitation** to take part in its **biennial eight-day naval exercise, MILAN**, last year.
- Yameen's government has also **rejected visa renewals for Indians who were legally working in the Maldives, without giving any explanation**.



- **Maldives growing “closeness” with China:** Both China and Pakistan stepping up their strategic inroads into the Maldives and China even signed a **Free-Trade agreement**.
- **Religious radicalization:** The Maldives is being radicalized by the Saudi funds and influence
- **ISIS threat:** Growing Islamic radicalisation in the tiny island-nation of about four lakh people once known for its tolerant practices has many foreign governments, including India, deeply concerned.
- Yameen government had asked India to remove its Dhruv advanced light helicopters from Maldives (which India had gifted in 2013).
- Yameen government has alleged that tensions over the presence of the two Indian helicopters in two strategically important locations in the **Laamu and Addu atolls** have been growing.
- **Work permits** were not being issued to Indian Nationals.

The impact of the election results on India's relationship with Maldives are

- It gives a **boost to India's efforts to strengthen its partnerships in the neighbourhood**.
- In keeping with '**Neighbourhood First**' Policy, India looks forward to working closely with the Maldives in **further deepening our partnership**.
- India can now **renew its ties with the new government** and work with Maldives for **ensuring stability and security of Indian ocean region(IOR)**.
- India can **renew talks over the fate of Indian Coast Guard and Air Force personnel stationed in the Maldives, whose visas have been pending since June 2018**.
- With new regime at Centre, India would hope that **democratic institutions are upheld, political prisoners are released and bilateral relations are improved**.

#### **Conclusion:**

With the people electing a more democratic form of government in Maldives, India can engage with Maldives to establish much more friendly relations than previous government era to protect the safety and security of entire Indian Ocean region. India can **stand together with the aspirations of citizens of neighbouring countries** and the **prospects of a long-term sustainable relationship will be much brighter**.

#### **Q) BIMSTEC provides India with a viable alternative to SAARC and boosts India's act east policy. Analyze. (250 words)**

*Key demand of the question:*

*It's a statement based question where sometimes parts of the questions are not directly evident. However, the meaning of the statement is clear. Also in this question there are TWO main parts that are evident. You have to analyse whether you agree or not with the statement. You may give both sides and provide suggestions too.*

*Directive Word:*

*Analyse -When asked to analyze, you have to examine methodically the structure or nature of the topic by separating it into component parts and present them as a whole in a summary.*

*Structure of Answer:*

*In the introduction in 1-2 lines write importance of Bay of Bengal and why BIMSTEC can be very useful for India especially when SAARC is not working thanks to uncooperative/uninterested neighbours (give context). In one line you may express your stand (like it's too early to say BIMSTEC is an alternative or you may strongly agree too – depending on amount of facts you have to substantiate your stance)*

*In the body, divide answer into TWO main parts: First part to prove/disprove(or give both views) why BIMSTEC is alternative to SAARC. Further divide into small parts to analyse each aspect. In the Second main part, analyse if it's a feather to India's Act East Policy (give current affairs examples – Myanmar and Thailand related)*



*In the conclusion, you may conclude that both are very much needed and should be strengthened.*

### Introduction:

The **Bay of Bengal** is fast becoming a key area of economic and strategic competition in the Indo-Pacific. It's the largest bay in the world and forms an important part of southern Asia. The limitations of SAARC due to multiple reasons have led to **South Asian region** being the **least integrated region** in the world vis-à-vis the European and ASEAN experiences.

BIMSTEC is a **bridge between South Asia and South East Asia**. BIMSTEC has gained more favour as the preferred platform for regional cooperation in South Asia

### Body:

BIMSTEC provides an alternative to SAARC due to the following reasons:

- **Connectivity:**
  - BIMSTEC serves two purposes for India – it makes it easier for India **to share a common regional platform with its neighbours in South Asia** (sans Pakistan) and secondly, **BIMSTEC also establishes a linkage between South and Southeast Asia.**
  - Urgency of **promoting regional and sub-regional cooperation** via BIMSTEC and BBIN has to be seen in the context of China's BRI and the compelling strategic challenge posed by China's muscular geo-economic and geo-political interventions in Asia, particularly in India's neighbourhood.
  - The **development of the North-eastern region**, by opening up to Bangladesh and Myanmar, is another incentive for India.
- **Regional Co-operation:** Regional cooperation under the ambit of SAARC has become difficult made BIMSTEC more viable:
  - Despite India's keen interest in cooperating and strengthening intra-regional connectivity by backing the SAARC-Motor vehicle agreement, the agreement was stalled following Pakistan's reluctance.
  - Similarly, the **SAARC satellite project** that India proposed was abandoned following objection from Pakistan in 2016
  - **SAARC has also faced obstacles in the area of security cooperation.** A major hindrance in this regard has been the lack of consensus on threat perceptions, since member countries disagree on the idea of threats. **Example:** cross-border terrorism emanating from Pakistan.
- **Cordial Relationship:**
  - The member countries have **generally cordial relationships**, something patently missing among the SAARC countries.
  - BIMSTEC's major strength comes from the fact that it **includes two influential regional powers: Thailand and India.** This adds to the **comfort of smaller neighbours by reducing the fear of dominance by one big power.**
- **Economic vistas:** As a trade bloc, BIMSTEC provides many opportunities.
  - The region has countries with the **fastest-growing economies in the world**. The combined GDP in the region is around **US\$2 trillion** and will likely grow further.
  - Trade among the BIMSTEC member countries reached **six percent in just a decade**, while in SAARC, it has **remained around five percent since its inception.**
  - Compared to SAARC, BIMSTEC has greater trade potential as well. Among the member countries, **India's intra-BIMSTEC trade is around 3 percent of its total trade.**
  - BIMSTEC regional grouping happens to have five nations that are also part of SAARC. The fact that this region is growing at 6.5% per annum, collectively comprises of 1.5 billion people, is the drive behind India's focus being part of BIMSTEC.

However, there are concerns which need to be addressed.

- **Infrequency of the BIMSTEC summits**, the highest decision-making body of the organisation. In its **20 years of existence**, the **BIMSTEC summit has taken place only thrice.**
- The **delay in the adoption of the Free Trade Agreement (FTA)**, a framework that was agreed upon in 2004, fuels doubts about BIMSTEC's efficacy.



- **BBIN Motor Vehicles Agreement [MVA]** is an instrument that was conceived to transform and facilitate trade. It has not yet been completely successful as Bhutan is worried about security and environmental fallout of such an agreement.
- In the latest summit in 2018, it was noted that the **Motor Vehicle Agreement and the Coastal Shipping Agreement** would still need more time for finalisation.
- **Both Thailand and Myanmar** are criticised for having ignored BIMSTEC in favour of ASEAN.
- **Region lacks physical connectivity.** The tri-lateral highway connecting India-Myanmar-Thailand has been a non-starter.
- BIMSTEC has identified **14 priority sectors** and has signed an FTA (2004) and a **Convention on Cooperation in Combating International Terrorism, Transnational Organized Crime and Illicit Drug Trafficking (2009)**. The pace of implementation has been quite sluggish so far.

BIMSTEC is an extra feather to India's act east policy:

- India was motivated to join BIMSTEC as it wanted to enhance its connectivity with ASEAN countries: a major component of its Look East Policy, now rechristened '**Act East'**
- In terms of **connectivity**, BIMSTEC has at last three major projects that, when finished, could transform the movement of goods and vehicles through the countries in the grouping.
  - One is the **Kaladan Multimodal project** that seeks to link India and Myanmar.
  - Another is the **Asian Trilateral Highway connecting India and Thailand through Myanmar**. It represents a significant step in establishing connectivity between India and Southeast Asian countries.
  - **Bangladesh, Bhutan, India and Nepal (BBIN)** has signed a pact for the movement of goods and vehicles among them.
- The agenda of BIMSTEC is in sync with other regional/sub-regional organisations like the **Association of Southeast Asian Nations (ASEAN)**, the **ASEAN Regional Forum (ARF)**, the **ASEAN Defence Ministers' Meeting Plus (ADMM Plus)**, the **Expanded ASEAN Maritime Forum (EAMF)**, etc. Simultaneously, BIMSTEC fits in the agenda of a **greater role for India in the Indo-Pacific too**.
- The **political rivalry** between India and Pakistan never allowed SAARC to be the driving factor in an augmenting regional cooperation within South Asia. Hence, it would be pragmatic for India to work closely with BIMSTEC and ASEAN to expand **regional cooperation in areas of mutual concerns including terrorism, violent extremism, transnational organised crime and insurgency; food security, energy; trade and investment, connectivity and infrastructure, poverty alleviation** to name a few.
- India's stimulating outlook towards Southeast Asia vis-à-vis Asia-Pacific as expressed through Act east policy and the other way round, i.e, the Asia-Pacific's desire to have India as a strong stakeholder in the region.
- BIMSTEC offers many opportunities to its member countries. For India, it aids in **its Look East Policy and South-South cooperation efforts**. The development of the North-eastern region, by opening up to Bangladesh and Myanmar, is another incentive.

#### **Conclusion:**

- BIMSTEC region is notable for its diversity, the member states need to build on the regional synergies and work towards utilising the available resources in the most optimal manner. This would help build a stronger and a more dynamic BIMSTEC.

#### **Q) The Draft Patents Rules, released by the Ministry of Commerce undermine safeguards against frivolous patents. Analyze. (250 words)**

Reference  
Reference

##### **Why this question**

*India is still a technology importing nation by large ,and has also resisted various moves of the developed countries to make its patent laws less strict. In this context it is essential to discuss how the draft patent rules undermine safeguards against frivolous patents.*



### **Directive word**

Analyze—here we have to examine methodically the structure or nature of the topic by separating it into component parts, and present them as a whole in a summary.

### **Key demand of the question.**

The question wants us to look deeper into the draft CRZ rules released by the ministry of Commerce and bring out how they undermine safeguards placed against frivolous patents.

### **Structure of the answer**

**Introduction**— write a few introductory lines about the recent changes being mulled over by the government.

### **Body-**

Discuss the salient provisions of the bill and how they affect safeguards against frivolous patents.

E.g

- It proposes a new mechanism which will expedite decisions on patent applications.
- This proposed fast-track process seems to come with various other compromises on the functioning of India's patent architecture and for protecting access to medicines.
- The monopoly of patents is often justified as an incentive to promote R&D. But in practice, patents are used to control competition and give fewer options to consumers. Towards this purpose, big corporations are known for obtaining multiple patents claiming minor changes on the same technology or molecule.
- This practice of creating patent-fences adversely impacts the industrial and technological development of countries like India, by preventing their firms from catching up with the latest technology.
- As a technology-dependent country, India's Patents Act discourages patenting frivolous inventions and excludes patenting software, plants, animals or their parts and known chemical molecules.
- The proposed changes for fast-track examination say that if a patent is granted in a foreign patent office, then the applicant can apply for fast-tracking of the same application in India, provided that there is a bilateral agreement between the Indian Patent Office and the concerned foreign patent office.
- This may lead to the "harmonisation" of Indian patentability criteria with foreign countries like US, Japan.
- It can also lead to the granting of patents prohibited under the Indian Patents Act, such as a patent on software or a known molecule. In other words, the stringent standards for granting patents set by parliament in the Act would be ignored in practice etc.

**Conclusion**— based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

The Department of Industrial Policy and Promotion (DIPP) under the Ministry of Commerce has **floated proposed changes to the rules** of the **Indian patent Act**. The **Patents (Amendment) Rules, 2018** amends the Patents Rules, 2003

### **Body:**

The proposed changes in the Rules and the challenges posed are:

- It proposes a **new mechanism** which will **expedite decisions on patent applications**.
  - **Challenges posed:** This proposed fast-track process seems to come with various other compromises on the functioning of India's patent architecture and for protecting access to medicines, for example.



- The monopoly of patents is often justified as an incentive to promote R&D. However, patents are used to control competition and give fewer options to consumers.
- For fast-track examination say that if a patent is granted in a foreign patent office, then the applicant can apply for fast-tracking of the same application in India, provided that there is a bilateral agreement between the Indian Patent Office and the concerned foreign patent office.
  - **Challenges posed:** This may lead to the “**harmonisation**” of Indian patentability criteria with foreign countries like US, Japan.
  - It can also lead to the granting of patents prohibited under the Indian Patents Act, such as a patent on software or a known molecule.
  - The stringent standards for granting patents set by parliament in the Act would be ignored in practice.
  - The **Patent Prosecution Highway** may make the Indian patent examiners rely on the examination report of the foreign patent office **and grant patents ignoring the strict patentability criteria provided in the Indian Patents Act.**

The proposed changes undermine Indian Patents Act and leads to Frivolous patents:

- **Evergreening of Patents:** Big corporations are known for **obtaining multiple patents claiming minor changes on the same technology or molecule.**
- This practice of creating **patent-fences** adversely impacts the industrial and technological development of countries like India, by preventing their firms from catching up with the latest technology.
- **India is a technology-dependent country.** India's patents Act discourages patenting frivolous inventions and excludes patenting software, plants, animals or their parts and known chemical molecules.
- The Indian Patents office granted patents in violation of the patentability standard contained in the Act. For instance, a study shows that there is a **72% error rate** in granting patents in the area of pharmaceuticals. With expeditious process, the error rates can go higher.

#### **Way Forward:**

- India needs a **clear and tough stance** on intellectual property both in domestic policy and at the multilateral level.
- Indian IPR laws is **TRIPS compliant** and this must drive its IPR policy.
- Expedition of granting IPRs can be followed up with **better manpower and infrastructure** which is imperative to test before grant IPRs.
- **Support for innovation** has to be accompanied with instruments that guard local companies **against the misuse of market power, coercive bargaining and aggressive acquisition strategies.**
- India needs to spread awareness on IPR in public.
- It needs to safeguard its patents, copyrights and traditional knowledge by ensuring easy IPR rules.

#### **Q) India's reluctance to admit China into the SAARC serves no better purpose. Examine. (250 words)**

##### Reference

##### **Why this question**

*The article highlights the scope and need of India-China cooperation in various fields, including the advantages of admitting China as a SAARC member.*

##### **Directive word**

*Examine- here we have to probe deeper into the topic, get into details, and find out the causes or implications if any.*

##### **Key demand of the question.**

*The question wants us to bring out the reasons as to why refusal of India to admit China as a member of SAARC is working against India's own interests.*

##### **Structure of the answer**



**Introduction**—write a few introductory lines about the SAARC- its members and position of China as an observer state.

### **Body-**

Discuss why preventing China from SAARC membership is working against India's interests. E.g

- The US-China trade war and frequent meetings between the leaders of India and China post-Doklam standoff worked towards setting up a hotline between India-China military headquarters to strengthen communication and build trust and mutual understanding to make their military maneuvers and movements more predictable.
- Currently, as an observer, China cannot initiate any proposal nor can it participate in discussions and deliberations within the forum. New Delhi must reconsider its strategy, as China's inclusion as a dialogue partner will not grant it a veto but rather increase the likelihood of bringing in Chinese economic and political capital to strengthen the SAARC.
- As the SAARC is mostly dysfunctional, having only paltry and symbolic successes to its credit, Chinese inclusion as a dialogue partner needs to be mulled over.
- Further, the inclusion of China as a dialogue partner in the SAARC framework would provide a forum to discuss concerns related to Beijing-led regional infrastructure development and connectivity projects and address several issues related to terms and conditions of loans, benefits for the local economy and sovereignty concerns of countries in the region etc.

**Conclusion**- based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

SAARC was set up in **1985** and today it has **8 members**: Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. Afghanistan joined SAARC only in 2007. SAARC member nations cooperate on a range of issues from **agriculture, economy, poverty alleviation, S&T and culture to encourage people to people contact**.

**China** has been an observer member in SAARC since 2005. China has recently lobbied to be upgraded to full membership and thus push its way to a dominant position in all of Asia.

### **Body:**

The Charter of SAARC requires **consensus among all members for admitting a new member**. If China is to be admitted it must get the support of all the members. China expressed its interest in joining the organisation in the 18<sup>th</sup> summit held in Kathmandu, Nepal in 2014. However, **this was not endorsed by India for geopolitical reasons**.

### **India's reasons of not endorsing China's full membership are:**

- **Non-South Asian country:** The perception that China is not a South Asian country as it doesn't share a history and culture with the people of South Asia. China is not a mainstream South Asian country.
- **Hegemony of China:** A number of SAARC countries have reportedly supported full membership for China, including ally Pakistan, as well as Nepal and Sri Lanka. China potentially dominating the organization and working against India interests within it. This may further drive China's BRI interests.
- **Impact on Bilateral ties and SAARC:** Sino-Indian political difficulties limiting SAARC's effectiveness and activities, as India-Pakistan ones have done; and Sino-Indian interactions within SAARC exacerbating China-India mistrust.

However, the reluctance of India to admit China into SAARC could work against India's interests.

### **Strategic importance:**

- The inclusion of China as a dialogue partner in the SAARC framework would provide a forum to discuss concerns related to Beijing-led regional infrastructure development and connectivity projects.
- It will also help address several issues related to **terms and conditions of loans, benefits for the local economy and sovereignty concerns of countries** in the region.



- The US-China trade war and frequent meetings between the leaders of India and China post-Doklam standoff worked towards setting up a hotline between India-China military headquarters.
- This will strengthen communication and build trust and mutual understanding to make their military manoeuvres and movements more predictable.
- With USA reducing its military presence in Afghanistan; SAARC can act as a better forum to help Afghan rebuild than China's single handed approach. This reduces China's direct leverage in Afghanistan.

#### **Economic Avenue:**

- Currently, as an observer, China cannot initiate any proposal nor can it participate in discussions and deliberations within the forum.
- New Delhi must reconsider its strategy, as China's inclusion as a dialogue partner will not grant it a veto but rather increase the likelihood of bringing in Chinese economic and political capital to strengthen the SAARC.

#### **New vigour to SAARC:**

- As the SAARC is mostly dysfunctional, having only paltry and symbolic successes to its credit, Chinese inclusion as a dialogue partner needs to be mulled over.
- This can help SAARC get a new life.

#### **Structure of SAARC:**

- A lopsided structure rare in the world of multilateral diplomacy; SAARC has **more observers (9) than actual full-fledged members (8)**. Indian officials accept that the grouping will need to be expanded at some stage.

#### **Conclusion:**

- India must, at first, **assess the role and function of SAARC** itself due to its dysfunctionality. The **implications of full membership** are crucial, given that **it comes with a veto**. Any assessment of China's role needs to **factor in India's perception**, as well as the current and future direction of the relationship. It also **requires analyses of China's relations with individual SAARC members** and its **approach to the region**.

### **Q) There is a need for India to have a better focus on the non-conventional security threats prevalent in South Asia. Discuss. (250 words)**

#### Reference

#### **Why this question**

*India places significant stress on its external security threats but there is a growing need for India to place more emphasis on non-conventional security threats faced by it and shared by other South Asian members.*

#### **Directive word**

*Discuss- this is an all-encompassing directive which mandates us to write in detail about the key demand of the question. we also have to discuss about the related and important aspects of the question in order to bring out a complete picture of the issue in hand.*

#### **Key demand of the question.**

*The question wants us to write in detail about the non-conventional threats faced by South Asian nations, including India.*

#### **Structure of the answer**

**Introduction-** Give a brief description of the conventional sources of threat to India in the context of South Asia. E.g Chinese threat, Pakistani aggression; nuclear threats etc.

#### **Body-**

*Discuss in points the non-conventional threats prevalent in South Asia. E.g*

- Terrorist attacks on the Indian mainland have surged – consider high-profile cases such as the assault on Parliament in 2001, the 2008 Mumbai attacks, the Gurdaspur attack in Punjab in 2015, the Pathankot attack in January 2016, and the attacks on the Uri military camp in September 2016, as well as regular attacks that get less media coverage.*



- It can be argued that addressing a threat by gathering credible intelligence and tightening defense mechanisms would do more to counter terrorism than mounting offensive strategies that often do not work and sometimes backfire.
- Furthermore, India and its neighbors also face many other non-conventional threats such as;
  - poverty,
  - illiteracy,
  - unemployment,
  - underdevelopment
  - and the illicit trafficking of people and drugs etc.

**Conclusion-** based on your discussion, form a fair and a balanced conclusion on the given issue.

### Introduction:

**Conventional threats** traditionally would be the **military threats faced by a nation from another nation** that impinge on its sovereign integrity, trade, maritime area under its jurisdiction as per international law in which the various laws, both international and national, apply. **Example:** Threats from China, Pakistan etc. India has equipped herself in this front with constant building up of her arsenal which includes the nuclear second strike capability and many missiles.

### Body:

Non-conventional threats would cover a host of other aspects. It can be defined as those threats which are **emanated by the non-state actors**. These are **challenges to the survival of the state and well-being of people** that arise primarily out of non-military sources. They are **trans-national in scope and transmitted rapidly due to globalization and communication revolution**.

The major ones being terrorism, piracy, natural disasters, drug trafficking, smuggling, illegal immigrants, changes in the climate and ecology

**Terrorism :** Deliberate creation and exploitation of fear through violence or threat of violence in pursuit of political change.

- State-funded terrorism by Pakistan through separatist movement in Kashmir valley.
- High-profile cases such as the assault on Parliament in 2001, the 2008 Mumbai attacks, the Gurdaspur attack in Punjab in 2015, the Pathankot attack in January 2016, and the attacks on the Uri military camp in September 2016, as well as regular attacks that get less media coverage.
- The insurgency in Nagaland, Manipur.

### Organized crimes – national and transnational

- Use of counterfeit currency, the finding of linkages between terrorists and underworld.
- National and transnational crimes like piracy, smuggling and drugs. Example: Punjab which is in the vicinity of **Golden Crescent** is a drug haven in India

### Poverty

- Poor crops in agriculture to high dependence on monsoon.
- Increasing population.
- Rising inequalities between the rich and the poor.
- Corruption and black-money.

**Religious extremism:** It is faith-based actions that are deliberate attempts to cause harm to other people.

- Polarization of the society.
- Communal violences as seen during Anti-Sikh War, Hindu-Muslim riots in Saharanpur.

### Illegal Migration

- Bangladeshi illegal immigrants, recent issue related to Rohingya Muslims.

### Unemployment:

- India has the youngest working age population in the world, providing a tremendous opportunity to leapfrog their way to development.



### **Underdevelopment**

- India has about 21.9% of her population below the poverty line despite good economic growth.

### **Climate Change and Environment Pollution**

- India's development trajectory has had to contend with increasing environmental challenge. Example: Indian cities are ranked among the most polluted cities in the world.

### **Human Security Issues**

- It is the combination of threats associated with war, genocide, and the displacement of populations.
- Issues of human trafficking, bonded labour, prostitution is highest in South Asian countries.
- The lack of freedom from violence and from the fear of violence.

**Information Security Issues:** It is the state of being protected against the unauthorized use of information, especially electronic data.

- Confidentiality and Privacy issues: The issues related to theft of personal information.
- Data theft and cyber-attack: Hacking and Denial of Service attacks on many of the Government websites. WannaCry, a crypto-ransomware can stop public life dependent on digital infrastructure.
- Lack of awareness and the culture of cybersecurity at the individual as well as institutional level.
- Lack of trained and qualified manpower to implement the countermeasures.

### **Way forward**

- South Asia is one of the least integrated regions in the world. There is a need to **strengthen the co-operation between the neighbours**.
- Alternative arrangements like **BIMSTEC, SASEC** must be kick-started.
- **Increased information exchange and better security co-ordination** between the contiguously bordered neighbours can help curb issues of terrorism, drug menace, counterfeit currency.
- Since the challenges are the same across countries, there can be **generic framework solution created with customizable** features as seen in Paris Agreement.
- Collaborative **Bilateral ties** among neighbouring nations to have documentation of illegal immigrants.
- **Strengthening the cyber-security laws** to fight the dynamic threats. Regional Cybersecurity laws like EU's GDPR law can help strengthen the cyber-arena better.
- Lastly, acceptance of the non-conventional issues as an actual problem.

**Q) Space technology has great potential to help social and economic development, especially in parts of the developing world such as South Asia, however, the potential remains untapped. Analyze. (250 words)**

#### Reference

#### **Why this question**

We have seen in case of India that space technology has benefited us immensely especially when it comes to fields such as agriculture etc. This would have enabled south Asia to collectively resolve many of the problems related to development that the region faces. However due to reasons, as discussed in the article, we have been unable to tap this potential. Hence this question

#### **Key demand of the question**

The question first expects us to bring out the potential that space technology has for South Asia. Thereafter, we need to bring out the reasons why this potential remains untapped. Finally, we need to discuss how the status quo can be reversed.

#### **Directive word**

Analyze – When asked to analyze, you have to examine methodically the structure or nature of the topic by separating it into component parts and present them as a whole in a summary.

#### **Structure of the answer**



**Introduction** – Explain that South Asia is a region with several developmental challenges and space technology could have played a role in dealing with those challenges.

### Body

Discuss how space technology would have helped south Asia –

- South Asia is a region with uneven development and serious social, economic, and developmental challenges.
- Space technology capabilities are also unevenly spread with China and India as established space players in the region but with more new entrants in the field. Countries like Bangladesh, Sri Lanka, Nepal, and the Maldives have a clear requirement for space capabilities for a number of different utilities such as dealing with natural disasters and communication. The region has remained prone to many weather-related calamities on a fairly frequent basis, making disaster warning and mitigation important drivers for pursuing an outer space agenda.
- Strengthening connectivity, communication, and broadband internet across rural and remote areas of the region too should be strong imperatives.

Discuss the reasons why potential remains untapped

- Availability of resources and lack of visionary leadership in the region are important factors, but so are international insecurity and conflict.

Discuss how the situation can be corrected

- confidence building measures (CBMs) can help promote space development in South Asia
- Using alternatives to SAARC such as BIMSTEC etc

**Conclusion** – Give your view and discuss way forward.

### Introduction:

South Asia is a region with several developmental challenges and space technology could play a role in dealing with these challenges. The expanding use of space technology in the region has given India more opportunities to continue using technological cooperation as a **tool of diplomacy**.

### Body:

Some of the achievements:

- India's **Indian Regional Navigational Satellite system (IRNSS)**, a set of 7 satellites was launched in 2018. Through this, India provides the positioning and navigation services to its neighbours within 1500km radius.
- In May 2017, **India** launched the **GSAT-9**, also dubbed the **South Asia Satellite**, aiming to provide **space-enabled services to other South Asian countries**.
- The recent launch of the **Bangabandhu-1**, Bangladesh's first geostationary satellite to orbit shows the growing use of space technology for development among the South Asian countries.

### Need for Space Cooperation in South Asia:

- South Asia is a region with uneven development and serious social, economic, and developmental challenges.
- Space technology capabilities are also unevenly spread with China and India as established space players in the region.
- Countries like Bangladesh, Sri Lanka, Nepal, and the Maldives have **requirement for space capabilities for dealing with natural disasters and communication**.
- The region has remained **prone to many weather-related calamities on a frequent basis**.
- This makes **disaster warning and mitigation** important drivers for pursuing an outer space agenda.
- **Remote sensing of huge forests require monitoring, surveying, forest fire detections, monitoring the huge water bodies like Arabian Sea and Bay of Bengal** also adds to the needs.



- **Strengthening connectivity, communication, teleeducation, telemedicine and broadband internet** across rural and remote areas of the region.
- Satellite-enabled projects that involve **cross-border management of common resources** could greatly improve regional cooperation with minimal political costs.
- **Security**, both **internal and border** is a big concern in the area. Better space technology can ensure better GIS systems.
- There are significant geographical features in South Asia that transcend political boundaries, such as the Himalayan Mountains, the Thar Desert, the Bay of Bengal, the Sundarbans forest, trans-boundary rivers, and coastlines.

Although there is a lot of need for spatial intervention, the **following challenges** have held back the space development in South Asian region

- **Availability of resources and lack of visionary leadership** in the region are important factors.
- There are **concerns of international insecurity and conflict**.
- The **competition between India and China** spills over into the space domain.
- Most South Asian countries are members of the Asia-Pacific Regional Space Agency Forum (APRSAF) that is governed by Japan.
- **Political problems** associated with regional cooperation in South Asia. **Example:** India-Pakistan rivalry.
- Smaller countries worry about being dragged into the Sino-Indian competition if they collaborate with one side or the other.
- **Lack of existing rules and norms** for outer space. Treaties such as the Outer Space Treaty (OST) are inadequate to deal with the rapidly developing space sector.
- This has resulted in a growing debate about how to strengthen space norms and rules to ensure safe and sustainable use of outer space for future generations.

#### **Way Forward:**

- **Confidence building measures (CBMs)** can help promote space development in South Asia.
- India and China can offer significant assistance to the new entrants in the space domain in the region.
- There could be **joint initiatives in the area of manufacturing and launching satellites** for the purpose of **providing advance weather-related disaster warning**.
- More significantly, space cooperation at the regional level has to focus on **more basic needs**. The social sectors like **Tele-medicine, Tele-education, coastline monitoring, forest monitoring can be taken up at first to alleviate poverty**.
- Areas such as **disaster warning and mitigation** are ideal candidates for **cooperation within the South Asian regions**.
- **Private company's participation** like SpaceX is needed to further develop the space industry.
- Loans and financial help from global financial institutions like **ADB, NDB, AIIB** should be leveraged.

#### **Conclusion:**

India, China, and Japan have their own limited capabilities to monitor the space environment. Combining the efforts of these three large space-faring powers in Asia would be greatly beneficial. **The bigger space players in Asia could find ways to co-operate, it would provide incentives to smaller states as well.**

#### **Q) Discuss the evolution of India's policy with respect to ASEAN ? (250 words)**

##### Reference

##### **Key demand of the question**

*The question expects us to bring out the evolution of India's policy with respect to ASEAN from look easy to act east. Thereafter, we need to bring out the impact of such policies on relations between India and Asean and discuss the way forward.*

##### **Directive word**



*Discuss – This is an all-encompassing directive – you have to debate on paper by going through the details of the issues concerned by examining each one of them. You have to give reasons for both for and against arguments*

### **Structure of the answer**

**Introduction** – Give a brief introduction about ASEAN and why they are important for India.

### **Body**

*Discuss in brief the history of India's relationship with ASEAN. Highlight the evolution of India's foreign policy wrt ASEAN from Look East policy to Act East policy and discuss the content of these policies*

*Highlight the major challenges and opportunities that India's relation with ASEAN provides. You can discuss the trade agreement between the two, the strategic content of the relationship etc*

*Discuss how the relationship can evolve to become mutually beneficial*

**Conclusion** – Give your view on the status of India Asean relationship and discuss way forward.

### **Introduction:**

ASEAN is a regional grouping of **10 South East Asian nations** set up under **Bangkok declaration in 1967**. India's relationship with ASEAN is a key pillar of our foreign policy and the **foundation of our Act East Policy**. India and ASEAN observed **25 years of their Dialogue Partnership, 15 years of Summit Level interaction and 5 years of Strategic Partnership** in 2018.

### **Body:**

India's policy has not been some sudden bright inspiration of an individual but a gradual growth evolving from even before independence.

#### **Historical Perspective:**

- Southeast Asia was hugely influenced by Indian culture and civilisation from around 200 BC until around the 15th century.
- **Tamil traders, adventurers, teachers and priests** continued to be the dominating influence in Southeast Asia until about 1500 CE. **Tamil kings** often ruled the earliest states in these regions.
- Hinduism and Buddhism both spread to these states from India and for many centuries co-existed there with **mutual toleration**.
- Indian influence travelled to southeast Asia through trade, religion and philosophy and not by sword or violence or conquest

#### **Post independence (1947-1992):**

- The policy was dynamic, forward looking and in complete empathy and solidarity with the hopes and aspirations of Southeast Asian people.
- India considered the struggle of Southeast countries against colonial rule as **integral to its own struggle for freedom**.
- India's foreign policy towards Southeast Asia was marked by two basic postulates:
  1. **Colonialism must be removed** and all vestiges of imperialism must be liquidated;
  2. **No big or medium powers be allowed to dominate the area** so as to fill the power vacuum created by withdrawal of European powers.
- Due to **intensity of Cold War**, relations between India, Malaysia and Singapore flourished, but the Indian foreign policy apparatus started losing interest in Southeast Asia.
- ASEAN came into existence when the war in Indo-china was escalating. The **general pro-western orientation of the original five members** of ASEAN compelled **India to distance itself from ASEAN**.

#### **Post Cold War (1992 – till date):**

- India and ASEAN came together on the basis of mutuality of interests. The post-Cold War era indeed ushered in a **new phase of rediscovery and renaissance** in the relationship between India and ASEAN.
- **Look East Policy (LEP)** that was put in place by the then Prime Minister Narasimha Rao in 1992 under radically different geo-political and economic circumstances was primarily focused on strengthening ties between India and ASEAN countries.



- Having become a sectoral partner of ASEAN in 1992, India became a dialogue partner and member of the ASEAN Regional Forum (ARF) in 1996.
- India and ASEAN entered into a summit partnership in 2002, the tenth anniversary of LEP, and launched negotiations for a Free Trade Agreement (FTA) in goods in 2003.
- The NDA Government's **Act East Policy** enunciated in Nov, 2014 sought not only to revive and reinvigorate India's relations with ASEAN but expand its engagement beyond this region.
- The AEP envisages encompassing a much wider expanse spanning from the Koreas in the North to Australia and New Zealand in the South, from Bangladesh in India's neighbourhood to Fiji and Pacific Island countries in the Far East.

### **Opportunities to explore and challenges to overcome:**

#### **India, ASEAN, and the Chinese Conundrum:**

- Issue of ownership, control, usage and exploitation of oil, gas, mineral and fisheries resources in the South China Sea has emerged as a major dispute between China and several ASEAN countries like Vietnam, Philippines, Brunei and Malaysia.
- India along with several others have supported freedom of navigation, ensuring maritime security, expeditious resolution of disputes according to provisions of UN Convention on the Law of the Seas 1982.

#### **Moving Towards a Free Trade Agreement:**

- A few ASEAN countries are still to ratify the FTA on Investment and Services between India and ASEAN.
- Negotiations on the Regional Comprehensive Economic Partnership (RCEP) Agreement which commenced in 2012 are due to be concluded soon.
- Entering into RCEP agreement will throw India open to uncontrolled imports of low quality, low priced Chinese goods which would be detrimental to its own industry.
- Secondly, India has not been able to receive any meaningful offers from other participants in the area of trade in services in which it enjoys a comparative advantage.
- India and ASEAN account for about 30% of the global population (i.e. 1.85 billion people) and a combined GDP of approximately USD 5.4 trillion. Together they would form the third largest economy in the world.

#### **India – U.S. Partnership in the Region:**

- The issuance of a Joint Strategic Vision for Asia Pacific and Indian Ocean Region has shown the USA's pivot towards Asia.
- A meeting of the Quad (USA, Japan, Australia and India) at official level also gave strong indications of the interest of these countries to work together to ensure a free, open, inclusive and prosperous region.
- India needs to walk a tight-rope in its diplomacy towards both USA and China.

#### **Way Forward:**

- Technology transfer, civilian nuclear cooperation, defence, innovation are all important sectors which need to be targeted.
- Use of soft power such as Buddhism, tourism, people to people contacts, and cultural ties with the region must also be harnessed.
- Wrt China, continuous engagement is necessary to expand cooperation, particularly on the economic front. Leverage the funds from AIIB, NDB.
- Improve Indian connectivity with ASEAN, particularly between North East India and Myanmar via the Trilateral Highway and Kaladan Multi-modal Trade Transit Project, BIMSTEC etc to promote peace and prosperity in the North-East region.
- Stronger partnership and enhanced cooperation should be prioritised by both sides if full potential of this engagement is to be realised.

#### **Conclusion:**

India and ASEAN are natural partners in their desire to create free, open and inclusive regional security architecture. India's age old ties with South-East Asia have been established through **culture, trade and religion** and **not through "conquest and colonization."** India's search for economic space resulted in the '**Look East Policy**'. The Look East Policy has today matured into a dynamic and action oriented '**Act East Policy**'.



**Q) Discuss the relevance of SAARC in India's foreign policy and examine whether BIMSTEC is more suited to India's interests ? (250 words)**

### Reference

#### **Key demand of the question**

The question expects us to discuss the status quo of SAARC, the reason why regional connectivity is important both from an Indian as well as a regional point of view. Thereafter, we need to discuss the shortcomings of SAARC and examine why BIMSTEC is more crucial for fulfilling India's vision for the region.

#### **Directive word**

**Discuss –** This is an all-encompassing directive – you have to debate on paper by going through the details of the issues concerned by examining each one of them. You have to give reasons for both for and against arguments

#### **Structure of the answer**

**Introduction –** Explain about the lack of cohesiveness in South Asia which has not allowed countries in the region to tackle their developmental deficit together.

#### **Body**

Discuss the content of India's foreign policy with respect to South Asian region and why an effective regional grouping such as SAARC or BIMSTEC would be beneficial for India

Discuss the agreements that India was planning with SAARC such as electricity grid connectivity, transport corridor etc . Discuss why achieving these aims through SAARC proved difficult

Highlight the opportunities provided by BIMSTEC and discuss the way forward wrt BIMSTEC.

**Conclusion –** Give your view and discuss way forward.

#### **Introduction:**

SAARC set up in 1985 lacks cohesiveness, **despite geographical contiguity and historical and cultural links**. The SAARC region remains the least integrated regions in the world and has failed to tackle their developmental deficit together. SAARC as an Organisation has not lived up to expectations when measured in terms of delivery.

#### **Body:**

India's foreign policy with respect to South Asian region is guided by the following principles.

- **Panchsheel:** These fundamental principles include for instance the five principles of peaceful co-existence: Mutual respect for each other's territorial integrity and sovereignty, Mutual non-aggression, Mutual non-interference, Equality and mutual benefit, and Peaceful co-existence.
- **Neighbourhood First:** Cordial relations and productive cooperation with India's neighbours, particularly with the founder Members of SAARC in South Asia, has always been a priority.
- **Strategic Autonomy:** Independence of decision making and strategic autonomy are significant features of India's foreign policy. India thus **believes in Partnerships and shuns Alliances**, particularly military alliances.
- **Constructive Engagement over Aggression:** India advocates the policy of constructive engagement over aggression. It believes that violent retaliation and confrontation can only complicate the matters.
- **No endorsement of Unilateral Sanctions:** India also does not endorse the idea of imposing sanctions against any individual country by another country or group of countries unless these sanctions have been imposed by the United Nations as a result of international consensus.

Effective grouping like SAARC will be beneficial for India

- The importance of regional cooperation particularly in the spirit of South-South cooperation between geographically contiguous countries cannot be belittled.



- **Seamless physical connectivity:** Connectivity between regions increases the economic interaction and collective growth of region. This increases the economic and political bonhomie between nations and its people.
- **Trade and Commerce:** trade liberalisation under SAAFTA , operationalization of SAARC Agreement on Trade in Services (SATIS) have the potential to tackle the developmental deficit together.
- Common threats of **Terrorism, Climate Change impacts, Poverty and Socio-Economic backwardness** can be fought together as the problems plague all countries equally.
- Unexplored and high-potential areas like **Power generation, Science & Technology, Sports, Culture** can be strengthened through agreements and MoUs.

SAARC has failed in achieving its objectives because:

- **India-Pakistan rivalry:** This has become a bottleneck in achieving effective coordination. India has conveyed that terrorism and talks cannot go on simultaneously.
- **Bilateral issues:** Long pending issues between members like fishermen issue between India and Srilanka, Teesta water sharing between India and Bangladesh, lack of direct access to Afghanistan to other members except Pakistan have restricted in arriving at common ground for regional integration.
- **Perceived Big-Brother attitude of India:** Asymmetry in the region due to sheer size of Indian economy and stature in international arena requires India to play an over active role. However, this is perceived as big brother attitude by other members creating mistrust.
- **Internal Crises:** Almost every member is facing numerous internal crises like Tamils issue in Srilanka, Constitutional crisis in Nepal, religious fundamentalism in Pakistan and Bangladesh, Terrorism and instability in Afghanistan. Consequently, there is no much enthusiasm to achieve collaboration in the sub continent.
- **China's inroad into SAARC countries:** Increasing presence of china in the region and reservations of India with China is creating roadblocks. India cannot match the levels of financing by China. China with its grand plan of BRI has lured the small nations.
- **Poverty- Ridden:** Even though the region accounts for **21% of world population, its share in global GDP is just around 3%**. Being one of the poverty ridden areas of the world, there is limited avenues to achieve synergy.

**BIMSTEC** provides an alternative to **SAARC** due to the following reasons:

- **Connectivity:**
  - BIMSTEC serves two purposes for India – it makes it easier for India to share a common regional platform with its neighbours in South Asia (sans Pakistan) and secondly, BIMSTEC also establishes a linkage between South and Southeast Asia.
  - The development of the North-eastern region, by opening up to Bangladesh and Myanmar, is another incentive for India.
- **Regional Co-operation:** Regional cooperation under the ambit of SAARC has become difficult made BIMSTEC more viable:
  - Despite India's keen interest in cooperating and strengthening intra-regional connectivity by backing the **SAARC-Motor vehicle agreement**, the agreement was stalled following Pakistan's reluctance.
  - Similarly, the **SAARC satellite project** that India proposed was abandoned following objection from Pakistan in 2016
  - **SAARC has also faced obstacles in the area of security cooperation.** A major hindrance in this regard has been the lack of consensus on threat perceptions, since member countries disagree on the idea of threats. **Example:** cross-border terrorism emanating from Pakistan.
- **Cordial Relationship:**
  - The member countries have generally cordial relationships, something patently missing among the SAARC countries.
  - BIMSTEC's major strength comes from the fact that it includes two influential regional powers: Thailand and India. This adds to the comfort of smaller neighbours by reducing the fear of dominance by one big power.



- **Economic vistas:** As a trade bloc, BIMSTEC provides many opportunities.
  - The region has countries with the **fastest-growing economies in the world**. The combined GDP in the region is around **US\$2 trillion** and will likely grow further.
  - Trade among the BIMSTEC member countries reached **six percent in just a decade**, while in SAARC, it has **remained around five percent since its inception**.
  - Compared to SAARC, BIMSTEC has greater trade potential as well. Among the member countries, **India's intra-BIMSTEC trade is around 3 percent of its total trade**.
  - BIMSTEC regional grouping happens to have five nations that are also part of SAARC. The fact that this region is growing at 6.5% per annum, collectively comprises of 1.5 billion people, is the drive behind India's focus being part of BIMSTEC.

### **Conclusion:**

- Geographies are not static; they evolve, sometimes slowly and quickly at others. How we imagine and construct regions changes according to circumstances. India must look at her **national interests and strategic autonomy**. In the process, she can take along the likeminded neighbours together.

**Q) BIMSTEC has demonstrated considerable push to further expand cooperation and connectivity among the member states. Discuss. (250 words)**

The hindu  
Reference

#### **Why this question**

BIMSTEC has been touted as an alternative to SAARC, which has reached a dead end due to various political issues. In this context it is important to discuss the measures recently taken under the BIMSTEC framework to improve connectivity and cooperation among the member states.

#### **Directive word**

Discuss- this is an all-encompassing directive which mandates us to write in detail about the key demand of the question. we also have to discuss about the related and important aspects of the question in order to bring out a complete picture of the issue in hand.

#### **Key demand of the question.**

The question wants us to write in detail about the initiatives and decisions taken under the framework of BIMSTEC to improve connectivity and cooperation among the member states.

#### **Structure of the answer**

**Introduction-** write a few introductory lines about the BIMSTEC. E.g mention about the members of the organization and date of incorporation etc.

#### **Body-**

Discuss in points about the initiatives and decisions taken by the organisation to bolster cooperation and connectivity among the member states. E.g

- Following the fourth meeting of the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) in Kathmandu in August, there is a renewed push to conclude a series of proposals to further cooperation and connectivity.
- The top among them are a master plan on connectivity and the motor vehicle agreement, which have been in the works for almost a decade.
- Other proposals like a parliamentarians forum, cooperation on cyber and space cooperation and maritime security are under discussion.
- Similarly, the motor vehicle agreement which aims to streamline vehicle movement across the region is also in an advanced stage of finalisation.



- BIMSTEC is already looking at adopting the model of ASEAN Coordinating Centre for Humanitarian Assistance (AHA) on disaster management etc.

**Conclusion**– based on your discussion, form a fair and a balanced conclusion on the given issue.

### Introduction:

The **Bay of Bengal** is fast becoming a key area of economic and strategic competition in the Indo-Pacific. BIMSTEC is a **bridge between South Asia and South East Asia**. BIMSTEC has gained more favour as the preferred platform for regional cooperation in South Asia. The Sub-regional organization came into being in 1997, through the **Bangkok declaration**. The first summit was held in 2004 and its secretariat was set up in 2014 in Dhaka, Bangladesh.

### Body:

BIMSTEC has taken several initiatives and decisions to bolster cooperation and connectivity among the member states. Following the **fourth meeting** of the BIMSTEC in Kathmandu in August 2018, there is a renewed push to conclude a series of proposals to further cooperation and connectivity.

- **Co-operation:** India's stimulating outlook towards Southeast Asia vis-à-vis Asia-Pacific as expressed through Act east policy and the other way round, i.e. the Asia-Pacific's desire to have India as a strong stakeholder in the region.
- **Connectivity**, BIMSTEC has at last three major projects that, when finished, could transform the movement of goods and vehicles through the countries in the grouping.
  - One is the **Kaladan Multimodal project** that seeks to link India and Myanmar.
  - Another is the **Asian Trilateral Highway connecting India and Thailand through Myanmar**. It represents a significant step in establishing connectivity between India and Southeast Asian countries.
  - **Bangladesh, Bhutan, India and Nepal (BBIN)** has signed a pact for the movement of goods and vehicles among them.
- Regional cooperation in areas of mutual concerns including **terrorism, violent extremism, transnational organised crime and insurgency; food security, energy; trade and investment, poverty alleviation** to name a few.
- **Cyber-Security Co-operation:**
  - The BIMSTEC region has the largest share of social media users and largest user of mobile phones in the world.
  - Poor literacy rates and digital literacy makes it vulnerable to cyber-crimes, data-theft, internet-frauds and propagation of fake news.
  - In order to reap the digital dividend, there is a need of collaborative and co-operative effort to ensure rapid cyber capacity building.
- **Fight against Terror:**
  - On the crucial issue of joint fight against terrorism, BIMSTEC already has a **convention on combating international terrorism**.
  - All members have signed it, but yet to ratify.
- **Climate Change and Disaster Management:**
  - BIMSTEC is already looking at adopting the model of **ASEAN Coordinating Centre for Humanitarian Assistance (AHA)** on disaster management.
  - BIMSTEC weather and climate centre at Noida will be renamed as **BIMSTEC disaster management and climate change centre**.
  - India circulated a **draft coastal security plan** in December 2017 which has now been circulated to member states and their comments are awaited.
  - India will provide training to member states at its disaster management training centre in Nagpur.
- **Parliamentarian's forum:**
  - India had sent a proposal on a **joint parliamentarian's forum** and had asked for suggestions from the members.
- **Many other potential areas like Maritime Connectivity, space cooperation, transnational crime and a human rights council can be looked into.**



### **Conclusion:**

BIMSTEC region is notable for its diversity, the member states need to build on the regional synergies and work towards utilising the available resources in the most optimal manner. This would help build a stronger and a more dynamic BIMSTEC.

### **Q) Discuss how India-Maldives relationship has evolved over the time. (250 words)**

The hindu  
Reference

#### **Why this question**

*The change in government in Maldives has led to a thaw in the cold relations between the state and the India. In this context it is important to discuss the India- Maldives relationship in detail and bring out its historical and current position.*

#### **Directive word**

*Discuss- this is an all-encompassing direcreceive which mandates us to write in detail about the key demand of the question. we also have to discuss about the related and important aspects of the question in order to bring out a complete picture of the issue in hand.*

#### **Key demand of the question.**

*The question wants us to write in detail about the India-Maldives relationship- the history of engagement, important events, issues and concerns.*

#### **Structure of the answer**

**Introduction-** write a few introductory lines about the Maldives. E.g mention its location and proximity to India and its vital position in the Indian ocean.

#### **Body-**

*Discuss the history of the relationship between the two countries. E.g*

- *Indian Army's 'Operation Cactus' foiled a coup in Maldives that was attempted by a pro-Eelam group in 1988.*
- *India maintains a naval presence in Maldives, at the request of the Maldives, since 2009.*
- *Maldives has pledged its support to India as a permanent member of an expanded UN Security Council.*
- *Relations between India and Maldives came under a strain after Male had terminated the agreement it entered into with GMR in 2010 for the modernisation of the Ibrahim Nasir International Airport.*
- *Maldives is also part of China's Silk Road project, a move that has not gone down well in New Delhi.*

*Discuss the present status and future areas of cooperation and engagement. E.g*

*During his maiden India visit, Solih not only emphasized his country's traditionally close ties with India, but also affirmed his government's "India First Policy."*

- *India reciprocated the gesture by announcing an assistance of \$1.4 billion through a credit line and budgetary support to the Maldives.*

**Conclusion-** based on your discussion, form a fair and a balanced conclusion on the given issue.

#### **Introduction:**

Maldives is **strategically located** in the Indian Ocean. Maldives archipelago, comprising of 1,200 coral islands, lies next to **key shipping lanes** which ensure uninterrupted energy supplies to countries like India, China and Japan. Though small, the Maldives is **India's important neighbour and a valued partner in the Indian Ocean neighbourhood.**

**Body:**

India-Maldives ties are built on a very strong foundation, the contours of which are defined by **shared strategic, security, economic and developmental goals**. The evolution of ties between the two countries is as follows:

- **1965 to 2012:**

- India was among the first to recognise Maldives after its independence in 1965 and to establish diplomatic relations with the country. India established its mission at Malé in 1972.
- **Operation Cactus in 1988:** Indian Army's operation foiled a coup in Maldives that was attempted by a pro-Eelam group. This was a success of India's foreign policy **without signalling any interference in the domestic affairs** of a sovereign country.
- In 2006, Indian Navy gifted a **Trinkat Class Fast Attack Craft** of 46 m length to Maldives National Defence Force's Coast Guard.
- India maintains a **naval presence** in Maldives, **at the request of the Maldives**, since 2009.
- India and Maldives have consistently supported each other in multilateral fora such as the UN, the Commonwealth, the NAM and the SAARC.
- Maldives has pledged its **support to India** as a **permanent member of an expanded UN Security Council**.
- India has offered assistance to Maldives wherever required. After the tsunami that struck Maldives on December 26, 2004, India was the first country to rush relief and aid to Maldives.
- Relations between India and Maldives came under a strain after Male had terminated the agreement it entered into with GMR in 2010 for the modernisation of the Ibrahim Nasir International Airport.

- **Post 2012:**

- The relations had soured after ex-president Yameen's serious suppression of democracy with many opposition leaders being jailed under Arson and Sedition. The former **pro-India Maldivian president** Nasheed was also incarcerated. Yameen even proclaimed Emergency fearing Impeachment.
- India had assisted Maldives' election process by sending its observers, and had also withdrawn observers at one point because the electoral process was neither free nor fair.
- In March 2015, Indian Prime Minister Narendra Modi cancelled his state visit to the island nation **protesting the gross injustice and authoritarian moves** of Yameen.
- The Maldives also **declined India's invitation** to take part in its biennial eight-day naval exercise, **MILAN**, last year.
- Maldives is also part of China's Silk Road project, a move that has not gone down well in New Delhi.
- **Maldives growing "closeness" with China:** Both China and Pakistan stepping up their strategic inroads into the Maldives and China even signed a **Free-Trade agreement**.
- India was the first to respond to the drinking water crisis in 2014 in the Island by sending a ship fitted with desalination plant and huge stock of potable water.
- Yameen government had asked India to remove its Dhruv advanced light helicopters from Maldives (which India had gifted in 2013).
- Yameen's government has also **rejected visa renewals for Indians who were legally working in the Maldives, without giving any explanation**.
- **Work permits** were not being issued to Indian Nationals.

The recent victory of **Ibrahim Solih** should come as a great relief and as a boost to India's efforts to strengthen its partnerships in the neighbourhood. It marks **not only the triumph of democratic forces in the Maldives, but also reflects the firm commitment to the values of democracy and the rule of law**.



### Potential of India-Maldivian ties:

- It gives a **boost to India's efforts to strengthen its partnerships in the neighbourhood.**
- In keeping with 'Neighbourhood First' Policy, India looks forward to working closely with the Maldives in **further deepening our partnership.**
- India can now **renew its ties with the new government** and work with Maldives for **ensuring stability and security of Indian Ocean region (IOR).**
- India can **renew talks over the fate of Indian Coast Guard and Air Force personnel stationed in the Maldives, whose visas have been pending since June 2018.**
- With new regime at Centre, India would hope that **democratic institutions are upheld, political prisoners are released and bilateral relations are improved.**

### Conclusion:

- With the people electing a more democratic form of government in Maldives, India can engage with Maldives to establish much more friendly relations than previous government era to protect the safety and security of entire Indian Ocean region.
- India can **stand together with the aspirations of citizens of neighbouring countries** and the **prospects of a long-term sustainable relationship will be much brighter.**

**Q) In its present form, RCEP agreement, is good for the region but not for India. Critically analyze. (250 words)**

Reference

Reference

#### **Why this question**

*RCEP is an important trade agreement which will have significant implications for India. In this comment it is essential to analyze the agreement in detail and bring out why in its present form the agreement does not suit India's interests.*

#### **Directive word**

*Critically analyze-here we have to examine methodically the structure or nature of the topic by separating it into component parts, and present them as a whole in a summary.*

#### **Key demand of the question.**

*The question wants us to dig deep into the RCEP agreement and bring out why although the agreement may be good for the region/ bloc but is not in consonance with India's interests in its present form.*

#### **Structure of the answer**

**Introduction**— write a few introductory lines about the RCEP agreement- who are the members, status of India vis a vis RCEP and economy and population represented by the group.

#### **Body-**

*Discuss the size, power of the trade bloc and its significance. E.g*

- *The agreement will cater to half of world's GDP (half of the world's population) and will be the next biggest trade pact after the agreement on Arthur Dankel's draft to upgrade General Agreement on Tariffs and Trade (GATT).*
- *Apart from the 10 member countries of the Association of Southeast Asian Nations (ASEAN), other RCEP signatories include China, Japan, South Korea, India, Australia and New Zealand.*
- *The progress of the partnership is being closely monitored by most trade observers globally, especially when considering the US-China trade war.*

*Discuss why in present form the agreement is not good for India. E.g*

- *The agreement in the present state of negotiations would mean forgoing a substantial part of the revenues.*



- This further implies that the government needs to be confident on the GST numbers so that it can compensate for the loss
- The presence of China creates apprehensions, especially when it is well documented that the country enjoys manufacturing surplus and is already dumping its products across the world, including in India etc.

**Conclusion-** based on your discussion, form a fair and a balanced conclusion on the given issue.

### Introduction:

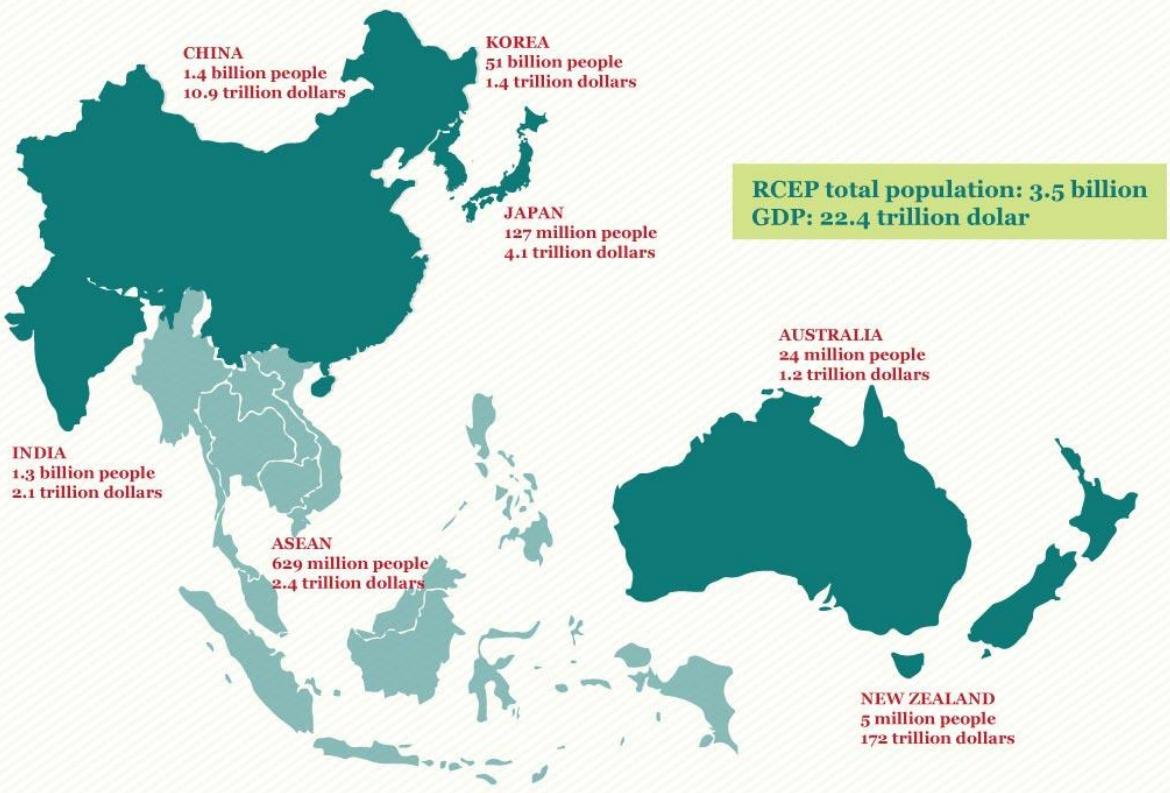
RCEP is a proposed **free trade agreement (FTA)** between **ASEAN** and **six Indo-Pacific states**. RCEP is the **world's largest economic bloc**, covering **nearly half of the global economy**. The chief objectives include the spirit to **strengthen economic linkages** and to **enhance trade and investment related activities** as well as to contribute to **minimising development gap** among the parties.

### Body:

The grouping envisages regional economic integration, leading to the creation of the largest regional trading bloc in the world, accounting for **nearly 45% of the world's population** with a **combined gross domestic product of \$21.3 trillion**.

### Significance of RCEP:

#### Coverage of the Regional Comprehensive Economic Partnership (RCEP)



- RCEP is the **world's largest economic bloc**, covering **nearly half of the global economy**.
- RCEP will provide a framework aimed at **lowering trade barriers and securing improved market access for goods and services** for businesses in the region.
- RCEP's share of the global economy could account for half of the estimated **\$0.5 quadrillion global GDP (PPP) by 2050**.
- The grouping envisages **regional economic integration**, leading to the **creation of the largest regional trading bloc in the world**.
- RCEP recognises the importance of being inclusive, especially to enable SMEs leverage on the agreement and cope with **challenges arising from globalisation and trade liberalisation**.



- Analysts suggest that there are **enormous export gains** that could accrue to India from RCEP under varying scenarios. This assumes even greater importance since our focus has been on **products with favourable terms of trade for India**.
- India endeavours to integrate with a region, which has been the most successful region of the world in terms of thriving regional value chains (RVCs). These RVCs necessitate **freer movement of professionals across countries in the region**.
- This is especially crucial in a scenario when the vector of **India's demographic dividend** is concomitant to the vector of the “**aging**” population in most RCEP countries.

However, there are views that in **present form the RCEP agreement is not good for India**.

- The current account deficit (**CAD**) touched **8 per cent of GDP**, and the agreement in the present state of negotiations would mean forgoing a substantial part of the revenues.
- Greater access to Chinese goods may have impact on the Indian manufacturing sector. India has got massive trade deficit with China. In fiscal year 2017-18, the trade deficit with China was **\$63 billion**.
- Under these circumstances, India proposed differential market access strategy for China.
- Exports from ASEAN into India have grown far quicker than Indian exports to the bloc, which they attribute to the fact that India is a “**services economy**.”
- There are demands by other RCEP countries for lowering customs duties on a number of products and greater access to the market than India has been willing to provide.
- Apart from China, India is also losing out to financial and technological hub of Singapore, agriculture and dairy majors Australia and New Zealand, plantations of South East Asian countries, and pharmaceutical trade with China and the US.
- With e-commerce as part of the discussion, the Indian resistance at WTO of not letting the discussion on digital trade will weaken.
- The free movement of investments will benefit investors in the US, Singapore, Japan and China, but very few Indians will be taking advantage of this.
- New Delhi is also worried that the RCEP will open backdoor negotiations and may lead to the country losing out on TRIPS agreements. This may result in giving way to global majors in agriculture seed and pharmaceutical manufacturing.

#### **Conclusion:**

Bilateral talks between India and China are crucial for an early conclusion of RCEP negotiations as agreed by other members. Indian policymakers need to be mindful of domestic sectors' concerns before agreeing on terms of deal. Simultaneously, there is a necessity to improve our competitiveness in the economy. India must play its **due role to get its due place** in the **regional economic configurations**.

#### **Q) Comment on what would Brexit, and the form it takes, mean for India and how should India prepare for this eventuality ? (250 words)**

##### Reference

##### **Key demand of the question**

*The question expects us to shed some light on the complications surrounding Brexit, the implication of the deal on India and evaluate the response of India so far as well as how should her response be.*

##### **Directive word**

*Comment – When you are asked to comment, you have to pick main points and give your ‘opinion’ on them based on evidences or arguments stemming from your wide reading. Your opinion may be for or against, but you must back your argument with evidences.*

##### **Structure of the answer**

**Introduction** – Highlight why Brexit has been in news off late and discuss the complications.

##### **Body**

*Comment on how and why would Brexit impact India*

- *Brexit is an opportunity for India to reset the legal terms of its trade with the UK and EU, at the multilateral level, and through free trade agreements.*



- Indian businesses traditionally rely on the UK as their port of entry into the EU
- international trade law assured Indian businesses that entry into the UK was an entry into the EU
- Today, roughly 800 Indian companies operate in the UK, employing 104,932 people. India invests more in the UK than in the rest of the EU combined. The UK is taking itself out of that combination. As Indian companies search for new markets beyond the UK, they will be unable to rely on the “four freedoms” guarantee of the EU customs union: free movement of goods, services, capital, and labor.

Analyze how India's response to Brexit has been and how it should be

- India should re-negotiate with the UK and EU the World Trade Organization Schedules of Concessions, for both goods and services, should resume its FTA discussions with the EU, and should prepare to launch FTA talks with the UK
- it needs to draw up a list of ‘substantially equivalent concessions’ it ‘initially negotiated’ with the UK and/or EU that it will ‘modify or withdraw’. On services, it needs to evaluate the prospect of WTO arbitration over ‘compensatory adjustments’ the UK and/or EU offers that India finds unacceptable, and thereafter modify or withdraw ‘substantially equivalent benefits’.

**Conclusion** – Give your view and discuss way forward.

### Introduction:

Despite 2 years of Brexit vote, Britain remains as divided as ever, over the issue of leaving the EU. Demonstrations demanding a reconsideration of the issue and a new referendum have been aplenty on the streets of U.K. Contrarily; there have also been mobilisations by pro-leave lobby albeit in smaller numbers as things are already moving in their favour.

### Body:

The Brexit is seen to have both positive and negative impacts.

### Pros of Brexit:

- Brexit might give a boost to trade ties between India and the UK.
- Due to fall in the value of Pound sterling, those who import from the UK will gain. Indian export companies operating in the UK may also gain.
- India being **more of an importing country than an exporting nation**, the overall effect may turn out positive for India provided dollar doesn't appreciate much against rupee.
- With lower pound value, Indian companies may be able to acquire many hi-tech assets.
- As investors look around the world for safe havens in these turbulent times, India stands out both in terms of stability and of growth.
- Brexit is an opportunity for India to **reset the legal terms of its trade** with the UK and EU, at the multilateral level, and through free trade agreements. Higher number of Indian tourists and student can afford to visit Britain.
- Britain will need a steady inflow of talented labour, and India fits the bill perfectly due to its English-speaking population.
- India might have some opportunities in the pharma sector of UK market due to rising health concerns there and larger government procurement of generic medicines from India if it positions itself properly.

### Cons of Brexit:

- Falling value of the pound could render several existing contracts loss making.
- Due to fall in the value of Pound sterling, Indian exports to the UK will suffer. Cheaper rupee will make Indian exports, including IT and ITeS, competitive. Indian import companies operating in the UK may also report a loss. India exports more than what it imports from Britain.
- Many Indian companies are **listed on the London Stock Exchange and many have European headquarters in London**. Brexit will take away this advantage.
- Indian businesses traditionally rely on the **UK as their port of entry into the EU**.



- International trade law assured Indian businesses that entry into the UK was an entry into the EU
- Today, roughly **800 Indian companies** operate in the UK, **employing 104,932 people**. **India invests more in the UK than in the rest of the EU combined.**
- A **no-deal Brexit** will directly hit these companies **forcing thousands out of jobs**.
- The UK is taking itself out of that combination. As Indian companies search for new markets beyond the UK, they will be unable to rely on the “**four freedoms**” guarantee of the EU customs union: **free movement of goods, services, capital, and labour**.
- Rupee may depreciate because of **the double effect of foreign fund outflow** and dollar rise.
- Brexit is a bad news for Indian outsourcers.
- India’s Forex will be impacted, particular if the currency is stored in Euros or Pound (this comes around 20% of total forex).

India's response to Brexit should be as follows:

- For India, Brexit matters because **London is the financial capital of the world** and the **bridgehead into Europe for many Indian companies**.
- India should re-negotiate with the UK and EU the World Trade Organization Schedules of Concessions, for both goods and services, should resume its FTA discussions with the EU, and should prepare to launch FTA talks with the UK.
- The Indian government will have to figure out what's the best outcome for Indian producer-exporters, and push for it.
- India needs to draw up a list of ‘substantially equivalent concessions’ it ‘initially negotiated’ with the UK and/or EU that it will ‘modify or withdraw’.
- On services, it needs to evaluate the prospect of WTO arbitration over ‘compensatory adjustments’ the UK and/or EU offers that India finds unacceptable, and thereafter modify or withdraw ‘substantially equivalent benefits’.

### **Conclusion:**

The lack of clarity on Brexit-EU divorce deal has placed all stakeholders on tenterhooks. The need of the hour is to include all the stakeholders impacted by the deal and draw up a bilateral trade deal between India and Britain.

**Q) India should not allow the RCEP trade deal to fail. Do you agree. Comment. (250 words)**

Economictimes

#### ***Directive word***

*Comment- here we have to express our knowledge and understanding of the issue and form an overall opinion thereupon.*

#### ***Key demand of the question.***

*The question wants us to express our knowledge and understanding of the RCEP agreement and express our opinion as to why/ why not India must allow the RCEP trade deal to fail. Whatever our opinion we have to substantiate it with valid arguments and facts.*

#### ***Structure of the answer***

***Introduction-*** write a few introductory lines about the RCEP agreement highlighting its significance and importance.

#### ***Body-***

*Discuss why India should not let the agreement fail. E.g*

- *The Regional Comprehensive Economic Partnership, or RCEP, is not a “competitor” to the Trans-Pacific Partnership.*
- *But, unlike the former, the RCEP is a more traditional sort of trade deal, in which tariff cuts on tradeable goods — rather than high standards for labor, environmental and intellectual-property protections — are at the center of the discussion.*



- *The truth is that those officials have it backwards. India has largely failed to develop a manufacturing sector because its factories aren't competitive and aren't plugged into global supply chains. Over the past few years, tariffs have started rising as well — often in an ad hoc and arbitrary manner — which means that becoming part of spread-out value chains will be even tougher.*
- *Given the difficulty of getting Indian negotiators to the table for bilateral trade deals, the RCEP remains the best chance to incorporate India into a genuinely open trading bloc etc.*

**Conclusion-** based on your discussion, form a fair and a balanced conclusion on the given issue.

### Introduction:

RCEP is a proposed **free trade agreement (FTA)** between **ASEAN** and **six Indo-Pacific states**. RCEP is the **world's largest economic bloc**, covering **nearly half of the global economy**. The chief objectives include the spirit to **strengthen economic linkages** and to **enhance trade and investment related activities** as well as to contribute to **minimising development gap** among the parties.

### Body:

Negotiations on the RCEP, among 16 Asian and Pacific Ocean countries, have entered a decisive phase. However, a “substantive agreement” on the trade deal is yet to see the light of the day. India should not let the agreement fail due to the following reasons.

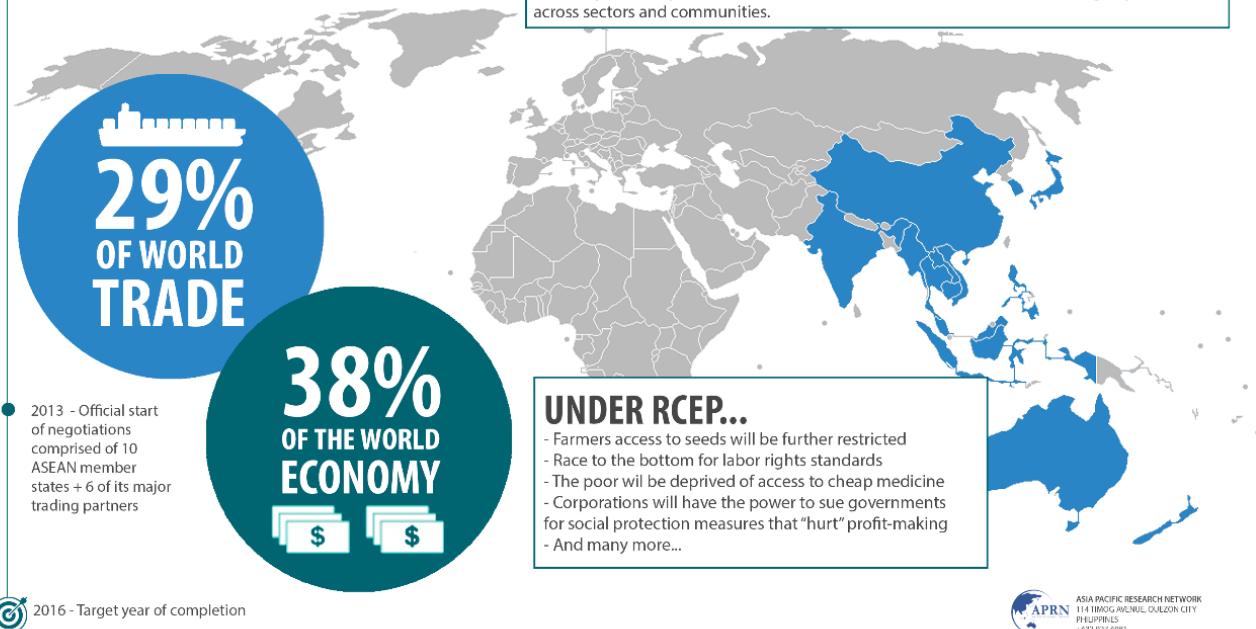
- **Own Niche:**
  - The RCEP is not a “**competitor**” to the Comprehensive and Progressive Trans-Pacific Partnership (**CPTPP**).
  - RCEP is a more traditional sort of trade deal vis-à-vis CPTPP.
- **Strengthens the strategic position of India:**
  - India is neither a member of APEC nor CPTPP.
  - India **cannot sustain an expanding political and security role** in the Indo-pacific with a shrinking economic role.
  - Regional economic integration is an active component of our **Act East Policy**.
- **Focus on trade than other parameters:**
  - The **tariff cuts on tradable goods**, rather than high standards for labour, environmental and intellectual-property protections, are at the center of the discussion.
  - The **free movement of professionals across countries** in the region is imperative for India. In a scenario when the vector of India's demographic dividend is concomitant to the vector of the “aging” population in most RCEP countries.
- **Fillip to 'Make In India':**
  - India's grand plan to **expand its manufacturing horizon** will bode well with the RCEP.
  - Over the past few years, tariffs have started rising as well, often in an ad hoc and arbitrary manner, which means that **becoming part of spread-out value chains will be even tougher**.
  - This will help reduce our trade-deficits with China and other ASEAN countries too.
- **Huge potential for trade:**
  - The grouping envisages regional economic integration, leading to the creation of the largest regional trading bloc in the world, accounting for nearly 45% of the world's population with a combined gross domestic product of \$21.3 trillion.
  - Some of the sectors that have been identified as potential sources of India's export growth impulses under RCEP to the tune of approximately \$200 billion.
  - *Exports include processed food, gems and jewellery, metal manufactures, refined petroleum, chemicals and pharmaceuticals, leather goods; textiles and clothing, automobiles and parts, electrical machinery, and parts of aircraft and spacecraft, etc.*
- **Bilateral treaties are time consuming:**
  - Given the difficulty of getting Indian negotiators to the table for bilateral trade deals, the RCEP remains the best chance to incorporate India into a genuinely open trading bloc.



- The India-EU bilateral treaty which has not been agreed upon despite years of negotiations is an example.

## RCEP COUNTRIES REPRESENT

Brunei  
Cambodia  
Indonesia  
Laos  
Malaysia  
Philippines  
Singapore  
Thailand  
Vietnam  
Australia  
China  
India  
Japan  
South Korea  
New Zealand



However, India has concerns with member countries because of which it is leery of finalizing the RCEP.

- Greater access to Chinese goods may have impact on the Indian manufacturing sector.
- India has got massive trade deficit with China.
- Under these circumstances, India proposed differential market access strategy for China.
- Exports from ASEAN into India have grown far quicker** than Indian exports to the bloc, which they attribute to the fact that India is a "**services economy**".
- There are demands by other RCEP countries for lowering customs duties on a number of products and greater access to the market than India has been willing to provide.
- More developed countries such as Australia and Singapore are unwilling to accommodate India's demands to liberalise their services regime and allow freer mobility of Indian workers.
- Some of the RCEP countries, including India, are headed for elections this year, a point where **governments traditionally turn protectionist**.

### Conclusion:

There are more compelling trade and economic reasons for RCEP to become India-led in future, than otherwise. **India would get greater market access** in other countries not only in terms of goods, **but in services and investments** too. India must play its **due role to get its due place** in the **regional economic configurations**.

**Q) Critically examine whether the Global Compact for Safe, Orderly and Regular Migration solve the migrant crisis facing the world currently ? (250 words)**

### Reference

#### **Key demand of the question**

*The question expects us to explain about the Global Compact for Safe, Orderly and Regular Migration and how it would help in resolving the migrant crisis including in North east India.*

#### **Directive word**

*Critically examine – When you are asked to examine, you have to probe deeper into the topic, get into details, and find out the causes or implications if any . When 'critically' is suffixed or prefixed to a directive, all you need to do is look at the good and bad of something and give a fair judgement.*

#### **Structure of the answer**



**Introduction** – Explain that The ‘Global Compact for Safe, Orderly and Regular Migration’ is the first, intergovernmental agreement that covers all dimensions of global migration. The legally non-binding pact aims to promote efforts to strengthen regular migration pathways and protect the human rights of migrants. Its objectives and commitments provide states and international agencies a means to coordinate migration policies and ensure that migration works for all.

### Body

Discuss details about the agreement and how it proves useful in dealing with the migrant crisis.

- Explain about the migrant crisis caused by several factors such as climate change, political and social conflicts etc which are leading to this issue gaining prominence off late. Thereafter, also touch upon the nature of migrant crisis being faced in North east India.

Discuss how the above agreement can help in resolving such issues

**Conclusion** – Highlight the importance of the agreement and discuss way forward.

### Introduction:

- The ‘Global Compact for Safe, Orderly and Regular Migration’ is the **first, intergovernmental agreement that covers all dimensions of global migration**.
- It is a **legally non-binding pact** aims to promote **efforts to strengthen regular migration pathways** and **protect the human rights of migrants**.
- Its objectives and commitments provide states and international agencies a means to coordinate migration policies and ensure that migration works for all.
- 164 nations adopted the pact in December 2018 at UN Conference to manage the global migration crisis.
- The global migrant population constitutes **4 per cent of the world’s population**.

### Body:

#### Rationale behind the pact:

- **Increasing persecutions:** The **conflicts in West Asia, Africa and South America**, and the extreme violence associated with them have forced people to leave their homes and seek a haven in foreign countries.
- **Climate Change Refugees:** climate change effects also contributed to the growing number of migrants and refugees. **Example:** Sudan, Libya
- According to the United Nations, **approximately 258 million migrants** around the world are living outside their country of birth.
- Around **68 million** out of these are in the “**forcibly displaced**”
- Since 2000, the number of global migrants has **grown by 49 per cent, from 2.8 to 3.4 per cent of the global population**.
- The UN data also shows that, since then, **more than 60,000 migrants have lost their lives** while on the move.

The global compact for safe, orderly and regular migration was a **recommendation of New York Declaration in September 2016** adopted for recognizing the need for enhanced international cooperation and a comprehensive approach to the issue of migrants.

**Yes**, the global compact has the potential solve the migrant crisis facing the world currently

- The Global Compact aims to **minimize the global resentments against migration**.
  - The significant case against migration has been the perceived negative economic impact on host countries. However, migrants spend 85 per cent of their earnings in their host communities.
  - Migrants across the globe sent approximately USD 600 billion in remittances in 2017, which is three times higher than the global Overseas Development Assistance (ODA).
  - In this way, migrants contribute to the development of both the country of origin and host states.
- The Compact also states that it is rooted in the 2030 Agenda for Sustainable Development.



- The Compact has two guiding principles that articulate the need for ‘gender-responsive’ and ‘child-sensitive’ migration policies.
  - It puts the **rights of migrant women and children at its heart by mainstreaming a gender perspective.**
  - Among the 258 million migrants around the world, more than 50 per cent are women and girls.
  - Moreover, women constitute 74 per cent of international migrant domestic workers.
- The Compact aims to enhance global cooperation to reduce migration-related deaths, and in combating smuggling and trafficking, all of which are priorities for any government.
- The Compact proposes building a Platform on Disaster Displacement” and developing an ‘Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change’ to address the issue.
  - The Global Compact recognizes climate change as a driver for migration and lays out a framework for dealing with it.
  - According to the **World Bank**, **around 143 million people**, especially in the developing world, could be forced to relocate within their countries by 2050.
  - Another study shows that about **2 billion people may become climate change refugees by 2100.**

**However**, the global compact faces many challenges

- Many see the non-binding nature of the Global Compact as a challenge and the most significant limitation.
- The non-participation of **some important countries including the United States, Australia and Hungary**, raises questions about the future of the pact.
- The most significant challenges before the Compact lie in its **implementation against the rise of populism and anti-immigrant sentiments across the globe**.
- Countries view the adoption of the Compact as an **instance of surrender of sovereignty**.
- **Addressing the gap between reality and perception** about migration and migrants will be a great challenge before the Compact in the coming years.
- The Compact does not talk about who will **coordinate, monitor and fund its implementation**. Since member states are responsible for implementation, they will have to do much more than mere reviews and occasional follow up in order to achieve the goals of the Compact.

#### **Conclusion:**

The **developing world hosts more than half of the global migrant population** putting undue pressure on the limited resources. The need of the hour is **enhanced international cooperation** and a **comprehensive approach** to the issue of migrants. Protection of the **safety, dignity human rights and fundamental freedoms of all migrants, regardless of their migratory status** should be at the core of such agreements.

**Q) Examine the fears of the developing countries with regards to displacing the “development agenda” in the WTO for a new agenda on digital trade ? (250 words)**

#### Reference

##### **Why this question**

*The article discusses the issues raised by civil society groups and others with respect to nefarious designs of transnational organisation in setting down the new WTO agenda related to digital trade. We need to be aware of the implications of such a trade deal and what must be the way forward.*

##### **Key demand of the question**

*The question expects us to bring out the discussion at the buenos Aires summit with regards to displacing the “development agenda” in the WTO for a new agenda on digital trade. Thereafter we need to examine the issues that the developed countries have with wto rules governing digital travel and e-commerce and the impact it would have on domestic economy. Finally, we need to give a fair and balanced opinion and highlight what needs to be done.*

##### **Directive word**



**Examine** – When you are asked to examine, you have to probe deeper into the topic, get into details, and find out the causes or implications if any.

### **Structure of the answer**

**Introduction** – highlight that at the Buenos Aires summit of wto, developing countries rejected the idea of displacing the “development agenda” in the WTO for a new agenda on digital trade

### **Body**

Discuss the issues with such a new agenda on digital trade

- *India fears that new rules could provide unfair market access to foreign companies, hurting the rapidly growing domestic e-commerce platforms. A key demand by the developed countries is to make permanent the current ban on customs duties on global electronic transactions—they were suspended in 1998.*
- *playing on India’s mind is the previous WTO deal on the Information Technology Agreement, under which it agreed to abolish tariffs on hardware, squeezing the domestic electronics manufacturing industry.*

Discuss what needs to be done

- *what is needed around the world for structural transformation is a jobs-and-development-focused digital industrialisation strategy.*
- *Digital industrialisation indicates the need for investment in countries’ technical, legal and economic infrastructure and policies to develop and support domestic digital businesses and platforms and build capacities to use domestic data in the public interest;*
- *to strategically promote domestic MSMEs including through technology transfer and national data use frameworks*

**Conclusion** – Give your view and discuss way forward.

### **Introduction:**

At the 11<sup>th</sup> Ministerial Conference of WTO, the US blocked a permanent solution on government stockholding for food security purposes, India and developing countries toughened its stand on new issues including e-commerce and investment facilitation for digital trade.

### **Body:**

Civil society organisations — including development advocates, consumer and environmental groups from developed and developing countries — issued a statement calling on governments to reject World Trade Organization (WTO) talks on e-commerce.

The issues with such a new agenda on digital trade are:

- There are fears that policy would severely constrain the policy space of countries to develop their economies in the future.
- It would **accelerate the global disadvantaging of workers** and small enterprises in all countries vis-à-vis large corporations that characterizes the current global economy
- India fears that the new global e-commerce rules could provide unfair market access to foreign online retail firms, hurting the rapidly growing domestic start-ups.
- **E-commerce entered the WTO in 1998**, when member countries agreed not to impose customs duties on electronic transmissions, and the moratorium has been extended periodically.
- Many countries have made submissions on various aspects of digital trade such as cross-border data flows, server localisation, technology transfer, source code, consumer protection, intellectual property rights and trade facilitation aspects of e-commerce.
- **Threats to economic sovereignty and future development prospects from premature digital liberalisation will be greatly amplified** if the rapidly evolving digital economic space is governed by rules that were developed by transnational corporations (TNCs) for their own profit-making around the world.



- A key demand by the developed countries is to make permanent the **current ban on customs duties on global electronic transactions** which were suspended in 1998.
- India is still sceptical about previous WTO deal on the Information Technology Agreement, under which it agreed to abolish tariffs on hardware, squeezing the domestic electronics manufacturing industry.
- India has maintained that e-commerce per se may be good for development but it may not be prudent to begin talks since many countries don't fully understand the implications of negotiating binding rules.
- With rapid developments in manufacturing through 3-D printing, absence of customs duty could have severe adverse impact on the domestic manufacturing sector.

## Not in Favour

**India clears stand on talks on e-commerce at WTO**

**Submits document ahead of WTO ministerial meet next week**

**Says no to any negotiation on opening cross-border digital trade**

**Says won't do anything beyond WTO norms adopted in 1998**

- Seeks periodic reviews for implementation of the current norms
- In 1998, nations agreed not to impose customs duties on e-transmissions
- Some nations now pushing for talks to end barriers to e-comm

### Way forward:

- Transforming the global trading system WTO so that it could promote shared prosperity among all the countries.
- The much wanted need around the world is structural transformation which is a jobs-and-development-focused digital industrialisation strategy.
- Digital industrialisation indicates the need for investment in countries' technical, legal and economic infrastructure and policies to develop and support domestic digital businesses and platforms and build capacities to use domestic data in the public interest.
- To strategically **promote domestic MSMEs including through technology transfer and national data use frameworks**.
- To **ensure universal benefits of the digital economy through full employment policies**.
- To ensure **proper taxation and investments to close the digital divide**.
- To advance consumer welfare and privacy through **enforceable consumer protection measures**.
- To **ensure public interest regulation of the digital economy and sound competition practices** and other pro-development strategies

### Conclusion:

- Domestic policies should be developed with appropriate stakeholder input, as well as through regional integration to accomplish the above.
- Policymakers require sufficient policy space to do so. Status-quo on e-commerce should be maintained till developing countries understand what is at stake in the area of global e-commerce rule-making.

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

**Q) Critically analyze the significance of Asia Reassurance Initiative Act for India ? (250 words)**

Reference

#### Why this question

America recently enacted the Asia Reassurance Initiative Act (ARIA), which promises to bring back fresh focus to American priorities in the Indo-Pacific. This is going to have a sizeable impact on India's interests in the region and needs to be analyzed.



### **Key demand of the question**

The question expects us to explain India's interest in Asia Pacific and explain the pros and cons of the said act on India's interests in the region. Finally we need to provide a fair and balanced opinion and discuss the way forward.

### **Directive word**

**Critically analyze** – When asked to analyze, you have to examine methodically the structure or nature of the topic by separating it into component parts and present them as a whole in a summary. When 'critically' is suffixed or prefixed to a directive, all you need to do is look at the good and bad of something and give a fair judgement.

### **Structure of the answer**

**Introduction** – Explain that America recently enacted the Asia Reassurance Initiative Act (ARIA), which promises to bring back fresh focus to American priorities in the Indo-Pacific.

### **Body**

Explain in detail about the Act. It spells out a long-term strategy for the Indo-Pacific. It conveys willingness of the Congress to support financial appropriations for initiatives the US Administration may bring before it in realising various components of the strategy.

#### *Discuss India's interest in the region*

- India is worried about the prospect of American withdrawal from Afghanistan as well as about the inroads that China is making in India's neighborhood.
- A third concern is more broadly the challenge that China poses to India, both militarily and politically.
- So, New Delhi is likely to judge this Act on how it will address these three challenges.

#### *Explain the positives of this act for India.*

- reiterates India's significance in the U.S. strategy in the region. The Act notes India as a Major Defense Partner, a "unique" status for India, which would ease defense trade and sharing of technology, including "license-free access to a wide range of dual-use technologies" as well as promote greater coordination on security policies and strategies and increased military-to-military engagements
- congressional action comes immediately after Trump's decision to withdraw U.S. troops from Afghanistan. Whether the congressional action will slow down or alter American withdrawal remains to be seen. Trump is reportedly considering changes to his approach to Syria, including slowing down a reduced presence.
- represents a relatively greater level of commitment to the region than the earlier 'Pivot to Asia' declared by President Obama in 2013 that turned out to be mainly a rhetorical flourish
- ARIA is important because it manifests a change in US perception of China from it being a competitor to now an adversary. The Act expresses 'grave concerns with Chinese actions'
- ARIA embraces the concept of Indo-Pacific in place of the earlier focus on Asia-Pacific. The difference between the two concepts is the inclusion of India as an integral part of the geostrategic space that the US sees as the main theatre of contestation with China.

#### *Discuss the limitations in the act in altering the status quo*

The amount indicated is modest, a mere \$1.5 billion per year for the next five years, hardly commensurate with the scale of ambition ARIA manifests. Etc

**Conclusion** – Give a fair and balanced opinion, based on arguments made, on the significance of the Act for India and discuss way forward.



## **Introduction:**

Asia Reassurance Initiative Act (**ARIA**) was recently signed by the President of the US. The Act promises **to bring back fresh focus to American priorities in the Indo-Pacific**. It specifically calls for America's increased engagement in the Indo-Pacific region and strengthened support, including arms sales, for U.S. allies in the region.

## **Body:**

### **Importance of ARIA:**

- The Act assumes particular importance in the **context of China's expanding and aggressive footprint across Asia, Africa, Europe, and Oceania**.
- **The responses by the United States as well as its allies, partners, and friends in the region**.
- The act develops a long-term strategic vision and a comprehensive, multifaceted, and principled United States policy for the Indo-Pacific region.
- India has a lot of strategic interests at stake with the geopolitical dynamics in a constant flux.
- India's worries about the prospect of American withdrawal from Afghanistan.
- China is making inroads in India's neighbourhood.
- The challenge that China poses to India, both militarily and politically.

With growing strategic partnership and increasing trade with the USA, the policies are imperative. The positives of ARIA for India:

- **Special importance:**
- ARIA reiterates India's significance in the U.S. strategy in the Indo-Pacific region.
- The Act notes India as a **Major Defence Partner**, a "unique" status for India, which would **ease defence trade and sharing of technology**. **Example:** license-free access to a wide range of dual-use technologies
- It promotes greater coordination on security policies and strategies and increased military-to-military engagements.
- **US Policies in West Asia and Afghanistan:**
- The decision of Withdrawal of the troops from Afghanistan has implied security concerns from India.
- Similar moves in the Syria approach including slowing down a reduced presence.
- **Countering China's hegemony:**
- ARIA manifests a **change in US perception of China** from it being a competitor to now an adversary.
- The Act expresses 'grave concerns with Chinese actions that seek (i) to further constrain space for civil society and religion within China; and (ii) to undermine a rules-based order in the Indo-Pacific region'.
- It demonstrates a broad consensus in the US that China is a threat not only to its security interests, but also an economic and even ideological rival.
- This is also reflected in the explicit commitment to helping Taiwan maintain 'asymmetric' military capabilities vis-à-vis China.

### **The Limitations of the ARIA:**

- The **special importance** in practical terms, this doesn't change very much. It is more of a symbolic element.
- India is considered a partner in Indo-Pacific region, however India's action in Afghanistan is not taken into consideration by the USA.
- The Act does talk about **countering China's coercive economic policies**. This is a tactic used by China to trap the Indian neighbour with debt and then use them as leverage against India. India's limited capacity to provide an alternative has been an issue.
- The financial support indicated is modest, **a mere \$1.5 billion per year** for the next five years, hardly commensurate with the scale of ambition ARIA manifests.
- US pressure on China is helpful, but a confrontation, which forces countries to take sides, may not be welcome.



- India, like other American partners in Asia, has had concerns about Washington's commitment to the region. This Act is not likely to remove those concerns.

#### **Conclusion:**

- The law calls for developing a diplomatic strategy that includes working with United States allies and partners to conduct joint maritime training and freedom of navigation operations in the Indo-Pacific region, including the East China Sea and the South China Sea, in support of a rules-based international system benefiting all countries.

### **Q) Highlight the role played by Indian diaspora in Act East policy ? (250 words)**

*Key demand of the question*

*The question expects us to highlight the role played by diaspora in Act East policy.*

*Structure of the answer*

*Introduction – Highlight that India has widened its foreign policy perspective with reinvigorating arrangements with east by transforming 'Look East Policy' into 'Act East Policy'. In this regards, Indian diaspora has an important role to make this policy a success.*

*Body – Explain the role played by diaspora in look east policy by focussing on their role as a strategic asset as well as in soft power diplomacy. Explain about the role played by such diaspora in enhancing trade and commerce between the regions which has been aided by FTAs. Bring out their role in science and technology, cultural connectedness by focussing on their role in developing Nalanda etc. Bring out the issues such as lack of connectivity etc*

*Conclusion – Give your view and discuss way forward.*

#### **Introduction:**

India places ASEAN at the heart of its '**Act East Policy**' and **centre of the dream of an Asian century. About a fifth, or six million**, of the 31 million overseas Indians, comprising Indian citizens abroad and persons of Indian origin, live in ASEAN countries. The focus areas of cooperation between ASEAN member states and India for the future can be described in terms of **3Cs – commerce, connectivity and culture**. Indian diaspora has an important role to make this policy a success.

#### **Body:**

In the case of Southeast Asia, **ethnic Indians, as well as the Chinese**, have long been an integral part of their societies. These communities have acted as a **bridge between the two regions**. However, the use of the 'diaspora' as a tool of Indian foreign policy is relatively a new phenomenon. The role played by diaspora in look east policy can be studied under the following heads.

Except for Myanmar, Malaysia and Singapore, where Indians constitute 5.0 per cent, 8.0 per cent and 7.0 per cent, respectively, they are too minuscule numerically in the rest of the countries to figure separately in the demographic data

#### **Soft Power diplomacy:**

- India shares rich cultural and historical ties with the East and South East Asian countries.
- Contrary to popular belief, younger generation in India and Southeast Asia are speaking more to each other through **cultural space – music, arts, games and education**. Social media has made most positive impact on cultural ties
- While **yoga** is gaining popularity in the **ASEAN region**, the **Buddhist links and Buddhist circuit in India** are acting as a **bridge** to connect the two regions.
- India's soft power is reflected in **Buddhism, yoga, revival of Nalanda University, chairs of Indian studies in universities** (Singapore, Malaysia, Indonesia), **Indian cultural centres** (Jakarta, Bali, Bangkok, Kuala Lumpur, Suva, Lautoka), and **joint restoration of monuments** (Cambodia, Vietnam, Laos).
- The various hindu temples, celebration of Hindu festivals are still continued even today.



### Influential Positions:

- A diaspora estimated at **about 6 million people** fills **mainstream roles and responsibilities** in their adopted countries, helping shape the destiny of these countries.
- The ex-President of Singapore, current deputy prime minister, foreign minister of Malaysia is all of Indian descent.

### Trade and Commerce:

- Singapore is the **largest FDI investor** in India.
- The lobbying for favourable trade policies is vital in India- ASEAN trade relations as well as forthcoming RCEP agreement.
- The free-trade agreements signed with ASEAN and individual countries further strengthen the ties.

### Remittances:

- Many south Indians are working in skilled, semi-skilled and unskilled sectors across SE Asia.
- Although the remittances are present, it is a **small fraction** vis-à-vis the western and middle-east countries.

### Science & Technology:

- ASEAN-India Science & Technology Collaboration formally started in 1996 with establishment of ASEAN India S&T working group (AIWGST).
- Several projects and scientific activities have been supported and implemented under ASEAN India S&T program which includes- ASEAN-India Collaborative R&D on Thermally Sprayed Ceramic-Based Coatings, R&D project on Extent of Transfer of Alien Invasive Organisms (Nuisance) in South/SE Asia Region by Shipping etc.

However, there are **several challenges** that are hindering the active Diasporic interaction.

#### • Connectivity:

- Although located in the Indian ocean region and geographically contiguous, there is a very poor connectivity between the nations.
- This has impacted the relations between the diaspora and India.

#### • Indifferent treatment:

- The focus before 1990's was mostly on the western countries. For long years, India turned a blind eye to East Asia, Indo-Pacific or Asia-Pacific regions.
- The long neglect of the diaspora is still taking time to get back to normalcy.

#### • Ideological differences:

- Diversity has led to many issues like the religious radicalism seen in Indonesia recently.
- The religious persecution of Rohingyas is another sticky point on which a decisive action is to be taken.

### Way Forward:

- Various initiatives like the **Kaladan multimodal project, IMT trilateral highway** are trying to reduce the connectivity issues.
- Increase in the number of flights as well as better sea connectivity needs to be worked upon to improve people-to-people contact.
- Addressing the common challenges in the region like creating skills for the digital age, generating jobs in the age of disruption, meeting the need of rapid urbanisation, protecting the bio-diversity and making the energy sources cleaner.
- **Regional groupings** like ASEAN should empower its cultural wing to increase the people contact.
- There is need to use the **soft power of our diaspora** to **overcome the China's hegemony** in the south- east nations.
- Using the Government initiatives like Pravasi Bharatiya program, **Know India program** to engage the **diaspora youth** to build better ties and inculcate the **feeling of Indianess among them**.

### Conclusion:

India's goodwill in Southeast Asia is based on its **benign approach**, similar to its role in Africa, West Asia and Central Asia. The longstanding relations must be leveraged to build an extremely high-trust relationship between India and ASEAN using the Act-East policy.



## **Q) Discuss how India's diaspora policy has evolved over the years ? (250 words)**

### ***Key demand of the question***

*The question expects us to explain the how our policy regarding our diaspora has evolved over the years. We also need to highlight and explain the specific steps taken by the government to engage Indian diaspora and the advantages it has had.*

### ***Directive word***

*Discuss – here your discussion should focus on the key demand of the question*

### ***Structure of the answer***

**Introduction** – Mention that diasporas have emerged as powerful entities since they are recognized as ‘soft power’ in the realm of foreign policy strategy and also as an agent or catalyst of economic development of countries of origin beside their active role in the host countries.

### ***Body***

*Highlight that Indian Diaspora has increasingly become more influential over India's foreign policy and has evolved as a strategic asset for India in the recent decades. Mention that around roughly about 25 million people spread across 135 countries form a part of Indian diaspora.*

*Discuss the evolution of our policy wrt our diaspora – ethnic Indians who chose to remain abroad would consider themselves as citizens or nationals of their respective host lands. In fact, they were encouraged to integrate with host culture and fight for the liberation of their adopted lands*

*Later, when there was a switch of foreign policy priorities from realism to inter- third world cooperation under the regime of Rajiv Gandhi, there was a slight shift in Diaspora policy as well. He offered his amicable support and tried to handle Fiji Indian crisis in 1986, which had strained our relationship with Fiji. Besides, having realized Indian Diaspora as a strategic asset, he invited Indian diasporic talents like Sam Pitroda to realize his vision of 21st century India and took administrative measures like the establishment of Indian Overseas Affairs department in 1984. At the same time, there were no constructive steps or consistent and clear-cut policies to deal or tap the overseas Indians until the coming of National Democratic Alliance government led by BJP. Diaspora was able to participate in the plethora of economic opportunities of the unregulated and open Indian economy. It resolved the foreign currency crisis due to substantial investment and remittance from the Indian Diaspora. Subsequently, the Indian government changed its outlook towards Diaspora and reviewed its Diaspora policy. The NDA government led by BJP had initiated major steps to leverage upon the Indian Diaspora for economic growth and also as part of its larger vision of cultural nationalism.*

*Discuss the specific measures undertaken to engage diaspora such as the ones mentioned in the article.*

**Conclusion** – *Highlight how significant diaspora is for the development of our country and the way forward.*

### ***Introduction:***

Diaspora serves as an important phenomenon for non-state actors, soft powers in foreign policy analysis and an ‘**inevitable link**’ between the home and host lands for the people. More than 30 million persons of Indian origin live abroad and the Indian diaspora represents for their values.

It is recognized that there is a **convergence of Diaspora policy and foreign policy** of a country due to the embedded role of Diaspora in the foreign affairs.

**Body:**

**Evolution of India's policy towards its diaspora** can be studied under the following heads.

- **Nehruvian era :**
  - Post independence, there was a **paradigm shift** in the position of Diaspora policy as a result of India's foreign policy being guided by **Nehruvian ideals of anti-imperialism and racial apartheid, respect for Sovereignty and non-alignment**.
  - On the economic front, India chose to follow **self-reliance** as its goal for economic development.
  - Nehru categorically announced that ethnic Indians who chose to remain abroad would consider themselves as citizens or nationals of their respective host lands.
  - In fact, they were **encouraged to integrate with host culture and fight for the liberation of their adopted lands**.
- **Lal Bahadur Shastri period:**
  - Nehru's successor Lal Bahadur Shastri **entered into an agreement with Srilanka** to resolve the question of Tamils in Sri Lanka.
  - Otherwise, **the Nehruvian trend was continued and extended to till 1980** by successive governments.
- **Indira Gandhi's tenure:**
  - There was **no change of position** in the Diaspora policy.
  - Owing to oil shocks and Balance of Payment crisis, the government pushed for a **remittance -centric approach** especially for the Gulf Indians.
- **Rajiv Gandhi's rule:**
  - Later, when there was a switch of foreign policy priorities from realism to inter- third world cooperation under the regime of Rajiv Gandhi, there was a **slight shift in Diaspora policy** as well.
  - He offered his amicable support and tried to **handle Fiji Indian crisis** in 1986.
  - Besides, having realized Indian Diaspora as a strategic asset, he invited Indian diasporic talents like **Sam Pitroda** to realize his vision of 21st century India.
  - He took administrative measures like the **establishment of Indian Overseas Affairs** department in 1984.
- **Post Economic Reforms of 1991:**
  - On the advent of **new economic model**, the Indian Diaspora was able to participate in the plethora of economic opportunities of the unregulated and open Indian economy.
  - **It resolved the foreign currency crisis due to substantial investment and remittance** from the Indian Diaspora.
- Subsequently, the Indian government changed its outlook towards Diaspora and reviewed its Diaspora policy:
  - The NDA government had initiated major steps to leverage upon the Indian Diaspora for economic growth and also as part of its **larger vision of cultural nationalism**.
  - In the light of this, **long and short term comprehensive policy measures** were unveiled to engage its diverse Diaspora during its regime such as the **appointment of High Level Committee on Indian Diaspora**, launching of **PIO card scheme**, organizing annual **Pravasi Bharatiya Divas** on 9th January, giving out **Pravasi Bharatiya Samman Awards, offering Dual citizenship (OCI)**
  - The subsequent governments established a **separate Ministry of Overseas Indian Affairs** which has taken several initiatives for engaging the Diaspora, **the Overseas Citizen of India Card, NRI funds and voting rights for Indian citizens**
  - The government has decided on a single identity card to make it easier for the diaspora to connect with the homeland, secure lifelong Indian visas, avoid checks at local police stations during visits, and own land.
  - India also allowed visitors from 43 countries, including the United States, Australia and Fiji, to **receive visas upon arrival**, replacing the previous process, which took weeks.
  - Moreover, the **merger of Person of Indian Origin (PIO) and Overseas Citizen of India (OCI) cards** has brought the relationship closer

**New dimensions:**

- There is now a linkage between Indian diasporic community and development of the country. Diaspora has become an important feature of India's foreign policy today.
- There are special outreaches to Indian communities during high-level visits to the United States, the United Kingdom, Australia, Canada, Singapore, Israel, United Arab Emirates, Saudi Arabia and Qatar.
- Diaspora policy not only focuses on the rich, industrialist, white collared professionals but gives **due respect to the working class population.**

**Conclusion:**

Considering its size and expansion, it is aptly mentioned in the **High Level Committee Report on Indian Diaspora** by the Government of India, "**The Sun never sets in the Indian Diaspora**". With the versatile role of Diaspora, India could fulfil its cherished dream of being a super power and it could make much head way in its international and foreign affairs.

**Q) In the wake of US accusations, Indian is keen to introduce several reforms in WTO. Discuss. (250 words)**

Economictimes

**Why this question**

*The article discusses the recent relationship phase between US and India and the need for reforms in the WTO as felt by India.*

**Directive word**

*Discuss- this is an all-encompassing directive which mandates us to write in detail about the key demand of the question. we also have to discuss about the related and important aspects of the question in order to bring out a complete picture of the issue in hand.*

**Key demand of the question.**

*The question wants us to write in detail about the US- India tussle at the WTO and reforms suggested by India recently in respect of the international trade body.*

**Structure of the answer**

**Introduction**– write a few introductory lines about the WTO. E.g the world economy and polity has changed since the formation of the WTO in 1995 and therefore there is need for some upgrade and reforms in the Geneva-based body.

**Body**– Discuss the reforms suggested by India in the wake of US accusations. E.g

*India is likely to float a proposal aimed at reforming the dispute settlement mechanism, rule-making and transparency requirements at the World Trade Organization*

*India's reform paper comes in the wake of the US blocking the appointment of judges at the global trade watchdog for more than two years, accusing emerging economies including India and China of eating into the development rights of poorer nations, and insisting on penalising countries if they introduce or increase subsidies for domestic industry without reporting to the organisation.*

*India's stand is that the appellate body issue needs to be resolved first because that is central. Without that, WTO is no organisation*

*India is opposed to the idea of linking notification requirements with punitive action. India and 40 other members had opposed the US' proposal in November that seeks to prohibit defaulters from presiding over WTO bodies and allows other countries to not answer questions posed by them.*

*India's move assumes significance in the backdrop of growing protectionism in the global trade, hurting the confidence of the WTO.*

**Conclusion**– based on your discussion, form a fair and a balanced conclusion on the given issue.

**Introduction:**

The World Trade Organization (WTO), successor of General Agreement on Tariffs and Trade (GATT), came into force after the Marrakesh Agreement in 1995. Global economy has seen many



ups and downs since then including the Asian Tigers crisis, sub-prime crisis and consequent global meltdown in 2008.

The multilateral trading system is under stress and number of fresh trade restrictive measures have surged which will affect global trade and economic growth. Reforms are needed in WTO to Support a Better Global Trade order.

### **Body:**

The accusations made by USA against India in wake of WTO provisions are:

- The US has accused India, China and other emerging economies of **claiming rights and using exemptions from commitments meant for poorer nations in global trade negotiations.**
- Lashing out at India, USA said the country used its status as a developing member to press for continued exemption from its commitments of some \$30 billion in input subsidies, a rule intended to address development for some of the poorest farmers in the world.
- The self-declared development status risks the institutional relevance of the organisation and collapse of negotiations.
- The US has said that **all developing countries should not be considered as one lot** but there should be differentiation among them and **to penalize countries which increase subsidy without reporting the WTO.**

The reforms suggested by India in the wake of US accusations are as follows:

- India's reform paper comes in the wake of **the US blocking the appointment of judges at the global trade watchdog for more than two years.**
- India will **float a proposal** aimed at **reforming the dispute settlement mechanism, rule-making and transparency requirements** at the World Trade Organization.
- **The appellate body issue of WTO** needs to be resolved as it is central to WTO as an organisation.
- On the issue of notifications and transparency, **India is opposed to the idea of linking notification requirements with punitive action.** USA had proposed to prohibit defaulters from presiding over WTO bodies and allows other countries to not answer questions posed by them.
- The **rich nations are forming groupings** to prepare ground for pushing new issues such as investment facilitation, preparing rules for e-commerce, promoting gender equality and reducing subsidy on fisheries.

### **Conclusion:**

India's move assumes significance in the backdrop of **growing protectionism in the global trade, hurting the confidence of the WTO.** Certain members want to further strengthen the 164-member body to make it more effective. The reforms however should be done **in consultation with developed as well as developing countries.**

### **Q) The developments in Venezuela offer huge advantages for Indian economy.**

**Comment. (250 words)**

Reference

The hindubuisnessline

#### **Why this question**

*The recent political crisis may not be in the interest of the country or the world in general but it offers benefits to countries like India and China. In this context it is important to discuss these developments and their effects on Indian economy.*

#### **Directive word**

*Comment- here we have to express our knowledge and understanding of the issue and form an overall opinion thereupon.*

#### **Key demand of the question.**

*The question wants us to express our knowledge and understanding of the recent political crisis in Venezuela and express our opinion as to how it will impact Indian economy.*



### **Structure of the answer**

**Introduction-** write a few introductory lines about the recent crisis in Venezuela. E.g mention the formation of interim government by opposition leader and his recognition by the US etc.

### **Body-**

Discuss the India- Venezuela relationship and how India could benefit from these developments. E.g Venezuela was the fourth-biggest crude supplier to India — after Iraq, Saudi Arabia and Iran.

"The quality of Venezuelan oil has been deteriorating after years of under-investment and aging infrastructure,

This means it'll be tough for Venezuela to sell more oil to new markets and customers outside of traditionally active buyers in China and India."

US sanctions against Venezuela could further help India getting cheaper supplies of oil.

India could explore a rupee-payment mechanism for trade with Venezuela, besides exporting rice and drugs to the South American nation, all in return for crude oil etc.

**Conclusion-** based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

The most recent plunge in oil prices—falling from more than \$100 per barrel in 2014 to a low of under \$30 per barrel in early 2016—has sucked Venezuela into an economic and political spiral, from which it could take decades to recover.

Its hyperinflation is running at 80,000%, soaring debts leading to sovereign defaults, falling oil production and growing autocracy of president Maduro to maintain power has affected Venezuela and its citizens very bad.

### **Body:**

USA wants Nicolás Maduro out as president and Juan Guaido, the president of the National Assembly, in. The USA has issued sanctions against Venezuela's state-run oil company, PDVSA recently. With this, American imports of crude oil will reduce and there is more supply for OPEC producer's other big customers viz. India and China.

### **India and Venezuela relations:**

- India and Venezuela have been maintaining cordial
- The 50<sup>th</sup> Anniversary of the establishment of diplomatic relations was celebrated in
- There is a **similarity of views on major international, political and economic issues**.
- Venezuela has emerged as India's fourth largest oil supplier, after Iraq, Saudi Arabia and Iran, in 2018, and is among the top 10 crude oil suppliers to India.
- The supplies accounted for about 8 percent of total imports.
- The **Indian pharma industry** has already made a mark and some reputed companies (example: Sun Pharma, Reddy's) are operating in Venezuela.

The developments in Venezuela will offer huge advantages to India

- US sanctions against Venezuela could further help India getting cheaper supplies of oil.
- The opportunity to soak up the extra supplies from Venezuela at potentially cheap prices would be a boon for the Asian countries, where the governments are trying to support slowing economic growth.
- India is considering setting up a **rupee-payment mechanism** for trade with Venezuela, besides exporting rice and drugs to the South American nation, all in return for crude oil.
- The **rupee-payment mechanism** is also being considered to benefit Indian exporters, particularly pharmaceutical products and non-basmati rice.
- This would help save the US Dollars and stabilize the shaky Rupee- dollar exchange rate to an extent.
- The oil trade will also help reduce the increased dependency on the middle-east nations which is also in turmoil.



- India could export up to half-a-million tonnes to Venezuela on a regular basis, if a rupee-based payment mechanism is set up.

### **Concerns in Oil trade:**

- The quality of Venezuelan oil has been deteriorating after years of under-investment and aging infrastructure.
- One point of uncertainty is whether the potential U.S. action will be similar to measures against Iran that has forced nations across the globe to limit purchases from the Persian Gulf state.
- Any disruption in Venezuelan supplies is also likely to increase demand for heavy-sour crudes — the dense, viscous and relatively more sulphurous varieties that the Latin American nation produces.
- Political turmoil in the Venezuela is another sticky point in oil trade.

### **Conclusion:**

India must closely monitor the situation and try to maximize the most. This will be a win-win situation for both India and Venezuela in terms of trade. India must also provide the required humanitarian assistance to people suffering due to political and economic turmoil and help Venezuela stand back to its feet.

### **Q) Belt and Road Initiative of China poses a threat to the unipolarity enjoyed by USA post 1990s. Comment. (250 words)**

epw

#### **Why this question**

*The article wonderfully explains the theory of international relations by juxtaposing it to the current global power dynamics. It will enhance our understanding of geopolitical events and enable us to develop a better perspective on belt and road initiative and what it means for India.*

#### **Key demand of the question**

*The question expects us to bring out details of the belt and road initiative and explain how it poses a threat to unipolar status enjoyed by USA post cold war. Thereafter, it expects us to explain the impact on global power relations including on India and discuss way forward.*

#### **Directive word**

*Comment – When you are asked to comment, you have to pick main points and give your ‘opinion’ on them based on evidences or arguments stemming from your wide reading. Your opinion may be for or against, but you must back your argument with evidences.*

#### **Structure of the answer**

**Introduction** – Highlight the geopolitical flux in recent years.

#### **Body**

*Explain about the unipolarity of USA since cold war and the ways in which it has been extended as discussed in the article. Highlight about the emphasis given by USA on developing maritime capabilities, sea lanes of communication and exercising influence through a military industrial complex and regime change.*

*Explain about the belt and road initiative and how the Chinese approach differs from that of USA. Explain about debt diplomacy, land lines of communication etc*

*Discuss the issues in Belt and Road initiative which prevents countries like India from coming on board*

**Conclusion** – give a fair and balanced view and discuss way forward.

#### **Introduction:**

- The likely outbreak of hostilities between a rising China and a sliding United States (US) as seen in **increased trade-wars**.



- BRI is seen as China's ultimate love towards globalisation which changed its destiny and a fight against protectionism (America first policy). The initiative if successfully executed, for sure leads the way to Chinese leadership on a global scale.
- USA threatened by the prospect of the re-emergence of Eurasian transportation links and their impact on the maritime order, have launched a relentless campaign against Chinese investments in South Asia, Africa, and Central Asia along the BRI route.
- The Chinese investment policies are shown as debt trap, predatory, imperial, comprador.

### Body:

USA post cold-war:

- The US had the goodwill as well as the power to build a more inclusive and democratic global governance architecture.
- However, led by the **military-industrial complex (MIC)**, it created utter chaos in West Asia and South Asia through illegal wars and unnecessary interventions. It promoted unabashed unilateralism, undermining international rules at will.
- Wars and walls continue to consume the US's annual military budget of roughly \$650 billion.
  - According to a Brown University study, the US has spent **\$5.9 trillion on the war on terror between 2001 and 2019**.
  - The Trump administration is planning to draw \$13.9 billion from the unused portion of the Army Corps of Engineers budget to construct a more than 200-mile-long wall along the US-Mexico border.
- Washington's position as a **pre-eminent global power is precariously balanced**. It is finding it exceedingly difficult to maintain the primacy of the dollar in international financial markets as well as that of its navy in the maritime domain.

China's BRI and its approach:

- BRI consisting of the land-based belt, '**Silk Road Economic Belt**', and '**Maritime Silk Road**', aims to connect the East Asian economic region with the European economic circle and runs across the continents of Asia, Europe and Africa.
- BRI is China's ambitious project announced in 2013. It covers about 65% of the world population, 60% of the world GDP and over 70 countries in six economic corridors.
- China is spending almost \$1 trillion to **revive and renew the overland and maritime trade links** between China, Europe, West Asia, and East Africa through construction of modern ports linked to high-speed road and rail corridors.

#### China's Belt & Road Initiative



The Chinese approach differs from that of USA:

- Adhering to the principles of sea power, Washington continued to feed its 800-odd military bases across the globe to assert its maritime dominance.



- China spotted the gaping hole in the US's approach, and is attempting to **strike a fine balance between its maritime and continental ambitions** by launching the BRI, which has the potential to boost international trade, instead of strife.
- The American obsession with the sea lines of communication (SLOCs) prevented the US from imagining that the land lines of communication (LLOCs) could also be built to augment global supply chains. The latter is being encashed by China under its BRI.
- Ancient silk routes opened windows of friendly engagement among nations and embodied the spirit of peace and cooperation, openness and inclusiveness, mutual learning and mutual benefit. BRI aims to revitalize the ancient silk routes.
- BRI projects are using debt diplomacy by granting huge loans to recipient countries

#### **India's concerns with BRI:**

- India argues that the China-Pakistan Economic Corridor project violates its sovereignty because it passes through the part of the Pakistan-occupied Kashmir that belongs to India.
- **Debt trap:**
  - BRI projects are pushing recipient countries into indebtedness, do not transfer skills or technology and are environmentally unsustainable.
  - For instance story of Sri Lanka being saddled with great amounts of debt to China was well known.
- China is planning to extend the CPEC to Afghanistan. Meanwhile, Maldives, Nepal, Myanmar and Sri Lanka are eagerly pursuing potential BRI projects.
- Through OBOR, China is countering the strategies of India in North East region and is promoting its greater presence in North East India, part of which China claims as its own territory. This may have a security impact on India.
- Tense bilateral relations with China, deep mistrusts and India's growing concerns over Chinese hegemonic intentions in South Asia and Indo-Pacific region make it practically unlikely that India will ever consider joining this project.
- **Military deployment:**
  - The fact that the Chinese have begun to deploy 30,000 security personnel to protect the projects along the CPEC route makes it an active player in the politics of the Indian sub-continent. Clearly, this is a case of double standards.

#### **Way forward:**

- The American strategic culture **needs an overhaul** in times of the fourth industrial revolution.
- USA cannot continue to play the great game to keep land powers divided and involved in border conflicts.
- The march towards development of trans-continental commercial corridors is not likely to halt because the emerging transportation technologies—autonomous electric trucks and bullet trains—are favouring land transportation networks over shipping.
- Online markets demand faster logistics that fast trains running across continents will fulfil more efficiently than container ships.
- Strategists need to work harder on restoring the land-sea equilibrium, instead of allowing maritime powers to stall the construction of railway lines as was done during World War I with the Berlin-Baghdad rail line.

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

**Q) Discuss the role of WHO in promoting public health and environmental health across the globe. (250 words)**

[Wikipedia](#)  
[Reference](#)

#### **Directive word**

*Discuss- this is an all-encompassing directive which mandates us to write in detail about the key demand of the question. we also have to discuss about the related and important aspects of the question in order to bring out a complete picture of the issue in hand.*

#### **Key demand of the question.**



*The question wants us to write in detail the role and functions performed by the WHO in order to promote public and environmental health across the world.*

### **Structure of the answer**

**Introduction**— write a few introductory lines about the WHO. E.g The WHO is a specialized agency of the United Nations that is concerned with international public health. It was established in 1948, and is headquartered in Geneva, Switzerland. The WHO's Constitution states that its objective "is the attainment by all people of the highest possible level of health".

### **Body-**

*Discuss the structure and functioning of WHO. E.g*

- As of 2016, the WHO has 194 member states: all of them Member States of the United Nations except for the Cook Islands and Niue.
- WHO Member States appoint delegations to the World Health Assembly, WHO's supreme decision-making body.
- All UN Member States are eligible for WHO membership.
- The Executive Board is composed of members technically qualified in health, and gives effect to the decisions and policies of the Health Assembly.
- In addition, the UN observer organizations International Committee of the Red Cross and International Federation of Red Cross and Red Crescent Societies have entered into "official relations" with WHO and are invited as observers.

*Discuss the functions of WHO. E.g*

- The WHO is responsible for the World Health Report, the worldwide World Health Survey, and World Health Day.
- providing leadership on matters critical to health and engaging in partnerships where joint action is needed;
- shaping the research agenda and stimulating the generation, translation, and dissemination of valuable knowledge;
- setting norms and standards and promoting and monitoring their implementation;
- articulating ethical and evidence-based policy options;

**Conclusion**— based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

The World Health Organization (WHO) is a **specialized agency of the United Nations** that is concerned with **international public health**. It was established in 1948, and is headquartered in Geneva, Switzerland. The WHO's Constitution states that its objective "**is the attainment by all people of the highest possible level of health**". The WHO is responsible for the **World Health Report, the worldwide World Health Survey, and World Health Day**.

### **Body:**

#### **Structure of WHO:**

- As of 2016, the WHO has 194 member states: all of them Member States of the United Nations except for the Cook Islands and Niue.
- WHO Member States appoint delegations to the **World Health Assembly**, WHO's supreme decision-making and legislative body.
- All UN Member States are eligible for WHO membership.
- The Executive Board is composed of members technically qualified in health, and gives effect to the decisions and policies of the Health Assembly.
- In addition, the UN observer organizations International Committee of the Red Cross and International Federation of Red Cross and Red Crescent Societies have entered into "official relations" with WHO and are invited as observers.



### **Role of WHO in Promoting Public Health:**

Since its establishment, it has played a leading role in the **eradication of smallpox**. Its current priorities include

- Communicable diseases, in particular HIV/AIDS, Ebola, malaria and tuberculosis.
- The mitigation of the effects of non-communicable diseases such as sexual and reproductive health, development, and aging.
- Nutrition, food security and healthy eating; occupational health.
- Substance abuse.
- Refugee and migrant health.
- Driving the development of reporting, publications, and networking.



### **Promoting Environmental Health:**

- The WHO estimates that 12.6 million people died as a result of living or working in an unhealthy environment in 2012 – this accounts for nearly 1 in 4 of total global deaths.
- Environmental risk factors, such as air, water and soil pollution, chemical exposures, climate change, and ultraviolet radiation, contribute to more than 100 diseases and injuries. This can result in a number of pollution-related diseases.
- WHO's first global conference on air pollution and health organized in collaboration with UN Environment, World Meteorological Organization (WMO) and the secretariat of the UN Framework Convention on Climate Change (UNFCCC).
- The focus of Conference was on Improving air quality, combating climate change and saving lives.

### **Conclusion:**

The principle that all people should enjoy the highest standard of health, regardless of race, religion, political belief, economic or social condition, has guided WHO's work for the past 70 years. It has achieved success in eradicating many deadly diseases across the world and is constantly working to battle deadly diseases like AIDS, TB etc.

### **Q) Discuss the impact that America's withdrawal from Afghanistan would have on India. (250 words)**

*Key demand of the question*

*The question expects us to discuss the situation with respect to American troops in Afghanistan, India's position on this matter and thereafter bring out whether and how the withdrawal of US troops from Afghanistan would affect India.*

*Directive word*



*Discuss – This is an all-encompassing directive – you have to debate on paper by going through the details of the issues concerned by examining each one of them. You have to give reasons for both for and against arguments.*

*Structure of the answer*

*Introduction – Explain why this issue is in news currently.*

*Body*

*Discuss the 2017 policy of USA of enhancing troop presence in Afghanistan and the recent winds of change which indicate that the USA is looking to withdraw*

*Discuss how it impacts India's strategic interests*

*Highlight what India needs to do – India needs to shed its diplomatic diffidence because unlike in the 1990s, India's options for engagement today are not restricted. It may not have the leverage of being a spoiler but neither does it carry uncomfortable baggage. During the last 18 years, India has earned goodwill cutting across Afghanistan's geographies and ethnicities. Instead of playing favourites, it has supported institution building and shown that its interests coincide with the idea of a stable, secure, independent and peaceful Afghanistan. What is needed is more active and coordinated diplomacy, official and non-official, so that India remains at the table as Afghanistan's preferred development partner through its transition.*

*Conclusion – Give your view and discuss way forward.*

### **Introduction:**

The Trump administration has decided to withdraw roughly 7,000 troops from Afghanistan after withdrawal from Syria. This decision will have major consequences for peace in Afghanistan and the neighbourhood.

### **Body:**

The **US policy on Afghanistan in 2017** was considered a paradigm shift. Its core objectives were to help the Afghan National Defence and Security Forces stabilize the security situation, gain the momentum against the Taliban, and prevent the Islamic State from gaining a foothold in Afghanistan.

However, last year there was a decision to withdraw the troops. Such decisions have once again underscored Trump's unmatched tendency to shock his own administration for **pursuing an isolationist and anti-interventionist foreign policy** to appease its core political base.

Impacts on India's strategic interests due to America's withdrawal:

- **Rise of Taliban:**
  - India has two main interests in Afghanistan, which are, **preventing any extremist group from taking over Afghanistan**, and **maintaining economic cooperation with the Afghan government and civil society**.
  - The Taliban has **refused to negotiate with the current Afghan regime**, deeming it to be illegitimate.
  - The fears of Afghanistan returning to its **heroin-sustained war-lordism** are high probability.
- **Increased Pakistan leverage:**
  - The reason for Taliban's resilience is the support and succour it receives from Rawalpindi. Pakistan's leverage in Afghanistan is set to grow.
  - India's Afghanistan policy has a major objective **to curtail Islamabad's influence in Kabul and deny Pakistan's state and non-state agents leverage to plot against Indian interests**.
- **Instable Kashmir:**
  - The US withdrawing troops from Afghanistan could affect the Kashmir Valley as **terrorist outfits may feel empowered**.



- **Geopolitics in Asian Heartland:**

- India's problems are exacerbated because American withdrawal comes at a time when its views on Afghanistan are at significant variance with other traditional regional partners like Russia and Iran.
- China is already making inroads into Afghanistan with her BRI project. The process will be further easier.
- Turkey is also eying an opportunity to play its role to safeguard the interests of Afghanistan's Turkmen-Turkic community

- **Commercial Interests:**

- India's Afghanistan policy's another objective is **to gain access to vast energy markets in Central Asia**, is also at stake.
- India has presence in Afghanistan after the construction of the Chahbahar Port in Iran and the highway that links it to Kabul.
- Indian infrastructure projects of Salma dam, Parliament building, infrastructure projects will be at stake.
- The recently started trade initiative between Afghanistan and India will be wiped out.

**Way Forward:**

- The U.S.'s eventual pullout as Afghanistan's peacekeeper is inevitable, **close bilateral consultations** should be made to help Afghanistan according to its own needs.
- India has **always supported for Afghanistan's democracy**. Use of her '**soft power**' – ranging from telecommunications to education, community development programmes can be pushed forward.
- India's best course with Afghanistan remains its **own regional strategy**, not becoming a part of any other country's strategy.
- Playing a larger role in regional security would enhance the status of India as regional powers as well as the stability of South, Central, and West Asia.
- India must seek to **build capacities and capabilities** of Afghan nationals and **its institutions for governance and delivery of public service**, develop socio-economic infrastructure, secure lives and promote livelihood.
- **Inactive SAARC** must now be revived to strengthen the regional co-operation in South Asia.
- **Tier-II diplomacy and involving other stakeholders**: India, which has been against holding talks with the Taliban for a long time, finally sent two retired diplomats, at the 'non-official level', to join them at the Moscow peace talks.
- Continuing the efforts of **implementing mega infrastructure projects, providing military equipments and training to Afghan personnel** on the sidelines.
- Use of regional groupings like SCO to combat the terrorism emanating from Afghanistan.

**Conclusion:**

- Echoing the Afghan stand, India has been asserting that the peace process must be "**Afghan-led, Afghan-owned and Afghan-controlled.**"

**Q) The Chinese economic slowdown will have significant impact on the Indian economy. Discuss. (250 words)**

Economictimes

**Why this question**

*China is the world's second largest economy and an important trade partner of India. In this context it is important to discuss the impact of Chinese slowdown on india.*

**Directive word**

*Discuss- this is an all-encompassing directive which mandates us to write in detail about the key demand of the question. we also have to discuss about the related and important aspects of the question in order to bring out a complete picture of the issue in hand.*

**Key demand of the question.**

*The question wants us to write in detail as to how Chinese slowdown may impact Indian economy- in bad as well as the good way.*



### **Structure of the answer**

**Introduction-** write a few introductory lines about the Chinese economic slowdown. E.g China's economic growth cooled to its slowest in 28 years in 2018. China's Dec exports unexpectedly fell 4.4% from a year earlier, with demand in most of its major markets weakening. Imports also saw a shock drop, falling 7.6% — the biggest decline since July 2016.

### **Body-**

Discuss in points as to how Indian economy could be affected due to Chinese slowdown. E.g

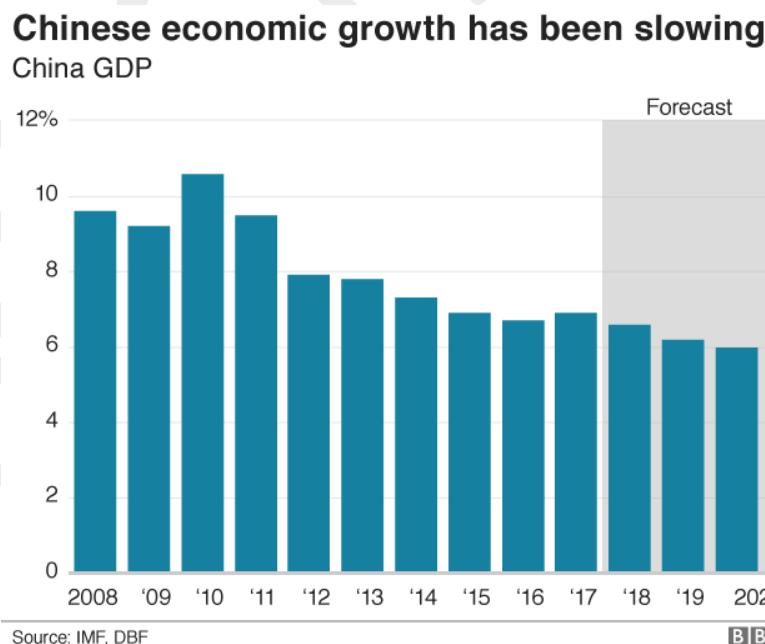
- China has the biggest share in India's imports, at more than 16%.
- It is also the fourth largest export market for the country, with a 4.39% share. So the impact on India is unlikely to be huge.
- If yuan weakens, it makes imports from China cheaper; excess capacities in China could lead to dumping of products. This could hurt Indian companies.
- India's exports of raw material to China could suffer.
- On the positive side, India could become a destination for Chinese companies; it would make economic sense for Chinese companies to shift manufacturing of products they sell in India.
- India could also gain from Chinese help in infrastructure.

**Conclusion-** based on your discussion, form a fair and a balanced conclusion on the given issue.

### **Introduction:**

Growth in the **world's second-biggest economy** 'China' **cooled last year to its lowest level in almost three decades**, according to government data. The growth of gross domestic product (GDP) in China has slowed to **6.6% in 2018**. China's Dec 2018 **exports** unexpectedly fell **4.4% from a year earlier**, with demand in most of its major markets weakening. **Imports** also saw a shock drop, **falling 7.6%** — the biggest decline since July 2016.

### **Body:**



Softening demand in China is being felt around the world, with **slowing sales of goods** from iPhones to automobiles, prompting warnings from the likes of Apple and Jaguar Land Rover. The Chinese slowdown has significant impacts on Indian economy too.



## Negatives:

- **Reduced Exports from India:**
- Chinese industry is closely integrated into international supply chains. Half of all the world's steel, copper, coal and cement goes to China. So if it isn't buying, prices are likely to fall. India is a chief supplier of raw materials.
- **Vulnerabilities due to integrated economy:**
- The scale of integration of global economies is so high, that an issue in one can have repercussions across global economies. A case in point is the devaluation of Yuan in China (2016) led to stock-market crashes across global economies.
- **Falling commodity prices:**
- The effect of China's slowing economy on commodity prices, finding that a 1% reduction in China's growth lowers the price of coal, metals and oil and gas. This decline in prices has become **an indirect risk for India** as falling commodity prices pose a risk to significant investments made by firms in metals, mining and oil exploration sectors.
- **Unfair trade practices:**
- If Yuan weakens, it makes imports from China cheaper; excess capacities in China could lead to dumping of products. This could hurt Indian companies. India's exports of raw material to China could suffer

## Positives:

- **Minimal impact:**
- China accounts for approximately **one-tenth of India's merchandise trade**. It has the **biggest share in India's imports**, at more than **16%**. It is also the fourth largest export market for the country, with a 4.39% share.
- **Manufacturing hub:**
- **Increasing labour costs, ageing workforce** in China gives an opportunity to India further deepen its position into global supply chains.
- China's changing priorities may see India emerge as an alternative export hub for some products, aided by lower labour costs and its eagerness to become a hub for exports of goods.
- India could gain from Chinese help in infrastructure.
- **Services unaffected:**
- Unlike merchandise trade, Chinese presence in India's \$235 billion worth services trade is minimal.

## Conclusion:

India is fortunate in that it is less vulnerable to economic shocks emanating from China, but it is not entirely ring-fenced either. India should cushion itself to reduce the negative impact of a Chinese slowdown. At the same time, it should also explore the positive side of a Chinese slowdown.

## Q) Highlight the issues in dispute resolution process of WTO ? (250 words)

*Key demand of the question*

*The question expects us to discuss the dispute resolution process of WTO and thereafter examine the issues and discuss way forward.*

*Structure of the answer*

*Introduction – Highlight that many analysts have said that Buenos Aires summit has highlighted the existential crisis faced by WTO especially during a time when emerging economies have adopted assertive and developed economies have adopted protectionist attitude.*



### *Body*

*Explain about the structure of dispute resolution at wto and issues caused by USA.*

- *The nature of the trade disputes is now increasingly getting hypertechnical. Despite this, the WTO currently faces a trade dispute settlement crisis. The U.S. has systematically blocked the appointment of new Appellate Body members (judges). This has impeded the work of the WTO appeal mechanism.*
- *The WTO dispute settlement mechanism is not a world trade court. The process remains political and diplomatic. In trade wars, the objective is not to settle a dispute; it is to win the battle.*
- *WTO members are thus concerned over the politicisation of the Appellate Body appointment and reappointment process.*
- *there is concern over the possibility of China finding its way to have a permanent seat.*

### *Discuss china's prospect*

- *Despite limitations ensured by US and EU, China has largely benefited from the rules-based WTO system. It might well be the new WTO leader in the coming future. China's growing assertiveness, in fact, may be the reason for the U.S.'s hard measures. Its emerging power and the impact of its commercial domination on other economies are evident.*
- *Highlight the way forward*
- *Emerging economies and developing countries should have their fair say*
- *Multilateralism in such institutions must be encouraged*

*Conclusion – give your view and discuss way forward.*

### **Introduction:**

**Resolving trade disputes** has been one of the core functions of the WTO. When countries cannot resolve matters with their trading partners, they show up at the door of the WTO. The **Appellate Body(AB)**, one of the highest adjudicating bodies of the international trade world, hears disputes brought by WTO members. After more than two decades, this mechanism is now under duress.

### **Body:**

#### **Track-record of Appellate body:**

- More than 500 disputes have been filed at the WTO by countries since 1995.
- The AB has adjudicated on complex and diverse issues including on environmental protection, renewable energy subsidies, tax evasion, money laundering, patent protection, animal welfare and food safety, among many others.
- The dispute settlement system has increasingly become the raison d'être of the WTO itself, experts say.

#### **Context of the issue:**

WTO is facing existential crisis during a time when developed economies have adopted protectionist attitude. The U.S. has systematically blocked the appointment of new Appellate Body members ("judges") and de facto impeded the work of the WTO appeal mechanism. With only four working members out of seven normally serving office in July 2018, the institution is under great stress. If no appointment is made, it will simply be destroyed by December 2019, with only one remaining member to tackle a massive number of disputes that are also **increasingly hyper technical**.



### Issues faced by the WTO:

- **Politicisation of the Appellate Body appointment and reappointment process:**
- The quasi-attribution of permanent Appellate Body seats to the U.S. and the European Union (EU).
- There is a trade war between US and China despite both being a member of WTO. This negates the **core non-discriminatory principle** of WTO.
- US and China have imposed **counter-productive duties**, accusing each other of harming their domestic interests. WTO has not been able to prevent the trade wars despite best efforts and has been labelled as a talk shop.
- There is concern that China may be on its way to having a permanent seat.
- **The “Overreaching” or judicial activism of United States:**
- USA has systematically blocked the filling of vacancies for ‘judges’ to the seven-member AB, it has acutely affected the functioning of the body, even as disputes continue to pile up.
- The US is linking the broader reform of the dispute settlement process with the filling of vacancies for the members to the AB. This impacts the dispute settlement mechanism as a whole.
- The US here tried to separate trade from development and objected to mention centrality for development at the preparation of the declaration.
- The US stand will **adversely affect** the **development interest of the developing world**.
- At the **Buenos Aires**, the developed countries led by the US and the European Union formed **groups on e-commerce, investment facilitation and MSMEs** within the WTO with more than 70 members in each group.
- The **WTO dispute settlement mechanism** is not a world trade court. The process remains political and diplomatic. In trade wars, the objective is not to settle a dispute; it is to win the battle.
- The very existence of an appeal mechanism is now paradoxically questioned at a time the global community criticises the absence of the same mechanism in Investor-State Dispute Settlement.

### China's prospects:

- **Beijing** might well be the **new WTO leader** and China's growing assertiveness may be the reason for the U.S.'s hard posturing.
- China is trying to establish herself by its assertiveness in rule-based WTO system.
- In less than a decade since its first dispute, China has accumulated a vast experience close to that of the U.S. or Europe.
- This strategic and selective normative acculturation has been an empowering one — so much so that Beijing, together with a few others, the EU, and to some extent India, is now the main supporter of multilateralism.
- China, EU, and to some extent India, and a few others, is now the main supporter of multilateralism.
- The recent **EU-China proposal** to promote the reform of the WTO is said to combat **“unilateralism and protectionism”** but might well fail to address unfair trade issues raised against China itself.

### Way Forward:

- WTO needs to strengthen the dispute settlement mechanism as there are issues in appointment of judges in new appellate body.
- WTO needs to enhance discussion mechanism by introducing wider consultations. It has been a long-standing complaint by the smaller participants that the consultations or decision making is limited to the green room of DG of WTO.
- There is a need of free trade is required more by developing countries like India than developed countries.
- There is need for the structural reform in the WTO functioning as multilateral trading system. Despite WTO being a democratic organization, there is a need to make it more effective in protecting the interests of small nations against stronger countries. The process of retaliation is ineffective and too impractical for smaller players.
- So, developing countries must work collaboratively to strengthen WTO to collaborate effectively and learn from the past experiences when India and China led the developing countries in environmental forums, garnering funds in the form of GCF.

**Conclusion:**

The world has changed and multilateral institutions now have to embed these changes. This WTO crisis might well be the final battle to retain control over a Western-centric organisation. The time has come for the emerging economies and the developing world to have a greater say in how to shape multilateralism and its institutions.

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