INSIGHTSIAS

SECURE SYNOPSIS

MAINS 2018

GS-II

MAY 2018

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

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General Studies Paper - II

Q) The latest recommendations by the European Commission that balances free speech and accountability on online medium should serve as a model for India to reform how it regulates online communication. Analyze. (250 words)

The Hindu

Why this question

There are several problems that have dropped up due to deeper penetration of digital technology such as fake news, privacy, online crimes etc. Presently the government is reacting rather than dealing with these issues in a holistic manner. Thus policy reforms and legal reforms required need to be discussed. The EX report provides a good model which can be utilised in other answers as well.

Key demand of the question

Following are the issues that need to be discussed in the question:

- *Issues faced on account of problems in regulating online communication*

- *The present regulatory structure in India*

- *The reforms suggested by EC*

- *The reforms which are applicable to India and how will it help in solving the unique problems that India faces*

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 the various high profile cases in India and abroad like Cambridge analytica which has necessitated brainstorming over regulations.

Body

- *Mention the issues faced currently such as cyber bullying, defamation, incitement to violence etc (now repealed section 66A), Section 69A of IT Act, poor understanding of the technology etc*

- *Detail out the present regulatory structure – mention the salient features of IT Act , mention how we try to deal with emergency situations by shutting down internet etc*

- *List down the reforms suggested by EC which you feel are relevant for India and discuss how it will help improve status quo*

Conclusion – Summarise your answer and suggest a way forward – like the reforms required in IT Act and how we need to come out with a policy document etc

Background:-

- Recent Facebook/Cambridge Analytica revelations demonstrated exactly how personal data can be exploited in electoral contexts, and are a timely reminder that more is needed to secure resilient democratic processes.

- A regulatory framework that balances free speech and accountability is one of the hallmarks of a mature democracy. The latest study on press freedom by Reporters Without Borders in which India is placed at a low 138 out of 180 countries. This is raising issue of freedom of expression in India.

India's regulation of online communication:-

- While the Indian government has not yet devised a comprehensive policy to tackle the growth of fake news, in times of communal tension, the governments have responded to such rumours and disinformation, in two distinct ways: by imposing Internet shutdowns in affected districts or states, and by disseminating credible counter-speech.

- **IT act:-**

  - IT act is the primary law in India dealing with cybercrime and electronic commerce.

  - It also defines cyber crimes and prescribed penalties for them.

  - It also established a Cyber Appellate Tribunal to resolve disputes rising from this new law

  - **A major amendment was made in 2008.**

    - It introduced the Section 66A which penalized sending of "offensive messages".

    - It also introduced the Section 69, which gave authorities the power of "interception or monitoring or decryption of any information through any computer resource".

    - It also introduced for child porn, cyber terrorism and voyeurism.

Why India needs to consider the European commission's recommendation to reform how it regulates online communication:-

- In India, the present information ecology is vitiated by many factors:

- Undue pressure on mainstream news organisations and journalists

- Strategic deployment of trolls

- Planting suspicion regarding legitimate reports by indulging in whataboutery, and amplifying disinformation through social media networks.

- Whenever the issue reaches a tipping point, **the government comes up with restrictive mechanisms which not only fail to curb the spread of disinformation but end up hurting the dissenting voices more, like the now-repealed Section 66A of the Information Technology Act**.

- India is also one of the few countries **where defamation is both a civil and a criminal offence.**

- Self-censorship is growing in the mainstream media and **journalists are increasingly the targets of online smear campaigns by the most radical nationalists**, who vilify them and even threaten physical reprisals.

- **Benefits of the European proposals:-**

  - **The business model of platform companies, which collect data for monetisation, is central to the crisis.** Hence, the EC recommendation focusses more on the role of platform companies.

  - It demands a more transparent, trustworthy and accountable online ecosystem in which it is necessary to promote adequate changes in platforms conduct, a more accountable information ecosystem, enhanced fact-checking capabilities and collective knowledge on disinformation, and the use of new technologies to improve the way information is produced and disseminated online.

  - One of the areas where the EC communication makes a breakthrough is to come up with **protocols that harness technologies across platforms to play a central role in tackling disinformation over the longer term. Central to this idea is to invest in high-quality journalism**

  - **Code of Practice on Disinformation:**

    - Online platforms should develop and follow a common Code of Practice with the aim of:

    - Ensuring transparency about sponsored content, in particular political advertising

    - Providing greater clarity about the functioning of algorithms and enabling third-party verification

    - Making it easier for users to discover and access different news sources representing alternative viewpoints

- ▪ Introducing measures to identify and close fake accounts

  - ▪ **An independent European network of fact-checkers:**

    - ▪ This will establish common working methods, exchange best practices, and work to achieve the broadest possible coverage of factual corrections across the EU

  - ▪ **Enhancing media literacy:**

    - ▪ Higher level of media literacy will help Europeans to identify online disinformation and approach online content with a critical eye.

  - ▪ **Support for Member States in ensuring the resilience of elections** against increasingly complex cyber threats, including online disinformation and cyber attack

- ▪ **Promotion of voluntary online identification systems** to improve the traceability and identification of suppliers of information and promote more trust and reliability in online interactions and in information and its sources.

Way forward:-

- ▪ At the most fundamental level, policymakers will have to define news and fake news with utmost precision.

- ▪ A distinction must be made between a harmless propaganda and a disinformation having the ability to cause imminent social harm, in order to keep intact freedom of speech at the same time punish the notorious act.

- ▪ Mandating social media websites to check fake news may render in attaching accountability.

- ▪ **International experiences:-**

  - ▪ Germany enacted a new law, **The Network Enforcement Act, which imposes fines on social media companies if they continuously fail to remove illegal content including those that constitute hate speech and fake news.**

  - ▪ Israel is mooting the so-**called "Facebook Bill" which would enable the state to issue injunctions to force social media companies to remove content that has been assessed by the police to be inciting hatred and violence**

  - ▪ The US in 2017 announced the mooting of the bipartisan Senate bill, Honest Ads Act that would give the state the powers to compel companies to disclose information on buyers, and their expenditure and dissemination of online advertising that may be political in nature. All the above states are trying to tackle the issue by way of attaching accountability to the social media giants.

- ▪ **Governments should promote news literacy and strong professional journalism in their societies**.

- ▪ Technology companies should invest in tools that identify fake news, reduce financial incentives for those who profit from disinformation, and improve online accountability.

Q) The cabinet mission plan seemed to open an avenue for the reconciliation of a united India with Muslim autonomy. Examine. (250 words)

Key demand of the question

The question expects us to discuss about the following

- • *How did the plan reject the demand for Pakistan*

- • *Recommendations of the cabinet mission which had elements of united India with Muslim autonomy*

- • *The impact of the plan, whether the Hindu and Muslim leaders agreed with the provisions of the plan*

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 .

In the case of above question on Cabinet Mission Plan, you have to probe the details of the provisions of the plan, find that if it really tried to create a united India with Muslim autonomy, how such a provision was received, and provide a balanced view. All within a given word limit.

Structure of the answer

Introduction – *details about Cabinet Mission Plan and the status quo in India at that time*

Body

- *How did the plan reject the demand for Pakistan*

- *Bring out the provisions of the plan which rejected such a demand*

- *What were the recommendations of the future constitution – which are in sync with united India with Muslim autonomy*

- *How the provisions were received by various sections of political spectrum*

Conclusion – *provide a balanced view based on your arguments above.*

Background:-

- **Cabinet Mission** of 1946 to India aimed to discuss the transfer of power from the British government to the Indian leadership, with the aim of preserving India's unity and granting it independence.

How it rejected the demand for Pakistan and seemed to open an avenue for the reconciliation of a united India with Muslim autonomy:-

- The cabinet mission plan of 1946 proposed that there **shall be a Union of India which was to be empowered to deal with the defense, foreign affairs and communications.**

- The cabinet mission **recommended an undivided India** and turned down the Muslim league's demand for a separate Pakistan. The Cabinet **mission restricted the Communal representation**

- The representation of the Provincial legislatures was to be break up into 3 sections.

    - Section A: Madras, UP, Central provinces, Bombay, Bihar & Orissa

    - **Section B: Punjab, Sindh, NWFP, Baluchistan**

    - Section C: Assam and Bengal.

    - These groups were entitled to have their own separate legislatures and to draw up their constitutions according to their own will with the help of the Constituent Assemblies to be elected by the popular electorate.

    - Though the Cabinet Mission plan rejected the idea of separate Pakistan, yet it grouped the provinces in such a way that it gave weightage to the idea of Pakistan, because the Section B would get almost complete autonomy.

- **One of the main reasons of rejection of Pakistan was somewhere linked to the justice to the Non Muslims particularly Sikhs**.

    - The Mission had the views that the larger part of the proposed Pakistan including the Punjab, Sindh, Baluchistan , NWFP and Bengal would have a large number of Non Muslims.

    - Then a smaller truncated Pakistan was also give thought but it was also rejected because , it was thought that Sikhs would be cut in two parts and their clusters of populations will get scattered around the borders.

- Princely states were independent over the question of there participation in Indian constitutional assembly.

Impact:-

- The Congress accepted the proposals related to the Constituent assembly.

- But since, the Muslim league had been given disproportionate representation; it rejected the idea of the Interim Government.

- Congress also rejected the idea of a weak centre and division of India in small states. Congress was against decentralization and the idea was to have a strong centre.

- The Muslim league first approved the plan. But when Congress declared that it could change the scheme through its majority in the Constituent Assembly, they rejected the plan and called the Muslims to resort to "Direct Action" to achieve "Pakistan".

Q) Discuss the key issues involved in the Citizenship amendment bill, 2016 and how it will only widen the old fault lines in Assam. (250 words)

Indian express

Reference

Why this question

Although an old yet an important issue, Citizenship amendment (CA) bill raises several important concerns. Recently a Joint Parliamentary committee visited Assam to review the work done. The issue is related to GS 2 syllabus under the following heading-

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

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

Key demand of the question

The question simply wants us to discuss the key issues involved in CA bill and analyse how it will widen the old fault lines in Assam.

Directive word

Discuss- we have to write in detail about all the important issues involved in the CA bill and relate them with the old fault lines in Assam.

Structure of the answer

Introduction- *Briefly discuss the aim and context (illegal migration, internal security etc) of the CA bill, 2016.*

Body-

- *discuss the key issues involved. (e.g violation of article 14 i.e right to equality, wide grounds for cancellation of OCI etc.)*

- *Mention the fault lines (Hindu-Muslim, Barak valley Bengalis vs insiders) in Assam and explain how they will be widened by the CA bill, 2016.*

Conclusion– *present a fair and balanced opinion on the CA bill, 2016 and suggest a way forward.*

Background:-

- Politics in Assam has always been dominated by the discourse of citizenship and the 'insider-outsider' conundrum. Recently Joint Parliamentary Committee on the Citizenship (Amendment) Bill, 2016, is having discussions before deciding on a report to be presented before Parliament on the Bill .

Citizenship amendment bill 2016:-

- The Bill amends the Citizenship Act, 1955 to **make illegal migrants** who are Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan, **eligible for citizenship.**

- Under the Act, one of the requirements for citizenship by naturalisation is that the applicant must have resided in India during the last 12 months, and for 11 of the previous 14 years. The **Bill relaxes this 11 year requirement to six years** for persons belonging to the same six religions and three countries.

- The Bill provides that the **registration of Overseas Citizen of India (OCI) cardholders may be cancelled if they violate any law.**

Issues it creates:-

- **Endorsing Hindus:-**

  - The Citizenship (Amendment) Bill, 2016 imagines India as a Hindu homeland, which is a refutation of the constitutional idea of the republic.

  - Experts see it as a move to endorse Hindus from Bangladesh who migrated to Assam after 1971.

- The Bill **makes illegal migrants eligible for citizenship on the basis of religion**. This may **violate Article 14 of the Constitution** which guarantees right to equality.

- **OCI:-**

  - The Bill allows cancellation of OCI registration for violation of any law. This is a wide ground that may cover a range of violations, including minor offences

- **Breaching Assam accord:-**

  - Would breach the clauses of the historic Assam Accord, which states that all illegal foreigners who came to the state after 1971 from Bangladesh, irrespective of their religion, have to be deported.

- **Discrimination of Muslims:-**

  - Alleged illegal migration from Bangladesh has been at the heart of Assam's discontent .Not just the Muslim Bengali, but the Hindu Bengali has also been a reason for political mobilisation in the state. But only Hindu Bengalis are being favoured by the bill.

  - While Hindus and Parsis, Sikhs, Buddhists and Christians might be naturalised, Muslims will not be offered the same advantage even if they are persecuted

Conclusion:-

- India's citizenship provisions are derived from the perception of the country as a secular republic. In fact, it is a refutation of the two-nation theory that proposed a Hindu India and a Muslim Pakistan. Independent India adopted a Constitution that rejected discrimination on the basis of religion and the birth of Bangladesh undermined the idea that religion could be the basis of a national community. **So citizenship bill amendments need to be on this line.**

Q) Bommai case is one of the most quoted verdicts in the country's political history. Discuss its verdict and its implications. (250 words)

The hindu

Wikipedia

Why this question

President's rule has been often applied in India , sometimes to fill the vacuum by a due constitutional process and sometimes unduly. Bommai case is one the historic cases in Indian history. The question is related to GS 2 syllabus under the following heading-

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

Key demand of the question

The question wants us to simply discuss the verdict of Bommai case and what impact it had on Indian Polity.

Directive word

Discuss- we have to write in detail about the salient provisions of the judgement delivered in Bommai case, and then discuss the implications of Bommai judgement for Indian polity.

Structure of the answer

Introduction– *give a brief context of the Bommai case. e.g article 356, Sarkaria Commission, frequent dismissals of state governments for political gains.*

Body-

- *Discuss in points about the principles laid down by the court before President's rule can be invoked in any state on grounds of article 356. e.g majority to be tested on the floor, power of court to question the material behind satisfaction of the president, no dissolution till Parliamentary approval etc.*

- *Discuss in points the implications of the judgement. e.g laying of principles, reinstatement of governments suspended under article 356, power of judicial review over the matter etc.*

Conclusion– *Present a fair, balanced and concise opinion on the Bommai case and mention how it strengthened the federal structure and put a check on arbitrary dismissals.*

Background:-

- Bommai case judgement is one of the landmark judgments given by the Supreme court with respect to centre state relations .

- The views expressed by the court in t**his case are similar to the concern showed by the Sarkaria Commission.**

Verdict:-

- Supreme Court issued the historic order, which in a way **put an end to the arbitrary dismissal of State governments under Article 356** by spelling out restrictions.

- Verdict concluded that the **power of the President to dismiss a State government is not absolute.**

- The verdict said the President should exercise the power only after his proclamation (imposing his/her rule) is approved by both Houses of Parliament. Till then the President can only suspend the Legislative Assembly by suspending the provisions of Constitution relating to the Legislative Assembly.

- The dissolution of Legislative Assembly is not a matter of course. It should be resorted to only where it is found necessary for achieving the purposes of the Proclamation.

- In case both Houses of Parliament disapprove or do not approve the Proclamation, the Proclamation lapses at the end of the two-month period. In such a case, the government which was dismissed revives.

- The Court made it amply clear that a Presidential Proclamation under Article 356 is is subject to judicial review.

- Article 356 could only be resorted to when there was a breakdown of constitutional machinery, as distinguished from an ordinary breakdown of law and order.

Implications:-

- **This** case **put an end to the arbitrary dismissal of State governments by a hostile Central government.**

- The verdict also categorically ruled **that the floor of the Assembly is the only forum** that should test the majority of the government of the day, and not the subjective opinion of the Governor.

- **Whenever the case of a hung Assembly**, and the subsequent exercise of government formation, came up, the Bommai case would be cited, making it one of the most quoted verdicts in the country's political history.

- Its relevance to the current political scenario in Karnataka emerges from the court's assertion that the only relevant forum to test the majority of the government of the day is on the floor of the house. The opinion of the Governor does not matter.

- Still, the judgement delivered by the Supreme Court **strengthened the federal structure of Indian polity** which had hitherto been damaged on several occasions particularly when different political parties were in power at the Centre and the State.

- Since the Bommai judgment of 1994 and Narayanan's interventions of 1997 and 1998, instances of the wanton imposition of President's rule dwindled considerably. Reinstatement of governments suspended under article 356 recently has been in Uttarakhand and Arunachala Pradesh.

- **Criticism:-**
  - People criticized that the Court took such a long time to deliver the verdict and allowed, in the cases of Karnataka and Meghalaya, the illegality to be perpetuated and ultimately deprive the citizens of those states to be governed by their chosen representative.
  - It was also criticized that the concept of secularism had been misinterpreted only regard to Hindu fundamentalism.

Q) The arbitrary and indiscriminate use of the Public Safety Act, 1978 to stifle political dissent in the Kashmir Valley shows a blatant disregard for the Constitution and the right to personal liberty. Critically comment. (250 words)

EPW

Why this question

Along with AFSPA, PSA has been criticized for its human right violations in Kashmir. In recent years the act has been alleged to be misused more frequently than AFSPA. The question is indirectly related to GS 3 syllabus under the following heading-

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

Key demand of the question

the question wants us to bring out the need for PSA and how it affects the rights of the individual.

Directive word

Critically comment- we have to see both the sides of the issue here- need for PSA and how it undermines personal liberty and other rights provided by the constitution.

Structure of the answer

Introduction– *mention the nature, history of PSA. e.g its purpose of legislation, year and territorial limits involved*

Body–

- *Discuss in points, need for PSA.*

  e.g law and order maintenance, prevention and handling of terrorism, need in case of emergency e.g during undeclared strikes and protests etc.

- *Discuss in points the cons of PSA, especially with respect to constitutional rights. e.g*

- *Acting in a manner prejudicial to the maintenance of public order has been defined in extremely broad terms, minors also booked under PSA, vague charges cited, non-application of mind on part of the executive authority etc.*

Conclusion– *Present a concise conclusion based on the above discussion and mentioning SC directives in this regard and suggest the need to apply them in letter and spirit.*

Background:-

- Along with AFSPA, Public safety act has been criticized for its human right violations in Kashmir. In recent years the act has been alleged to be misused more frequently than AFSPA.

Public safety act 1978:

- PSA allows the police to **take a person into preventive detention without a trial or the actual commission of an offence**.

- The grounds on which this can be done include preventing a person from acting in a manner prejudicial to the maintenance of public order or security of the state.

- In cases in which the conduct is said to be prejudicial to the maintenance of public order, the period of detention is three months, extendable up to one year, while in cases involving the security of the state it is six months, extendable up to two years.

- The act is still applied in light of

  - The national security of the state

  - Keeping in mind the law and order situation in Kashmir

  - To prevent and handle terrorism

  - Needed in case of emergency especially during undeclared strikes and protests etc.

Criticism:-

- **The act provides for extremely vague offences to be covered** and is, thus, conducive to misuse. Acting in a manner prejudicial to the maintenance of public order has been defined in extremely broad terms.

- **Supreme court criticized:-**

  - This law has been described as **lawless by the Supreme Court** (A K Roy v Union of India1982) and has been excessively applied with many preventive detention orders .

- **Affects personal liberty:-**

  - The arbitrary nature of the use of the PSA has led to a chilling effect.

  - Nobody knows what conduct attracts detention under the PSA or who may be the next target. It has been used against political leaders, human rights activists, protesters, and even common criminals.

  - **Moreover, the uncertainty that comes along with a PSA order is such that it affects not only the detainee**, but his entire family.

  - In 2011, Amnesty International released a report about the PSA, highlighting its **misuse to stifle political dissent.**

  - **Scope for arbitrary detentions under the PSA is tremendous:-**

    - On an average, each person has been identified as having committed offences under three first information reports (FIRs). However, most of these FIRs are "open FIRs."

- **Against constitution:-**

  - **Lack of safeguards:-**

    - Modern criminal justice systems rely on the presumption of innocence, that is, a person is innocent until proven otherwise through a free and fair trial. **In this act Procedural safeguards to ensure that innocents are not incarcerated, are absent**.

    - **The** most important safeguard is the fact that the police cannot detain a person under the act itself. Under the act, this power is vested with the district magistrate and divisional commissioner. However, this safeguard has proven highly ineffective as magistrates mechanically approve most orders.

  - **In the case of the PSA, all criminals, no matter how minor the offence, are deprived of these safeguards** because of such broad and vague definitions

  - **Detentions:-**

    - Supreme Court stating that detainees should be held as close to their residence as possible to ensure ease of access for their families and lawyers.

    - However, not only has this directive been flouted, but also none of the orders issued have laid down reasons for such transfers. As a result of this, the detainees are unable to access their families or lawyers. **This severely hampers their right to legal representation.**

- **Materials Not Supplied**

    - **The act itself allows for grounds of detention to be kept secret from the detainee for up to 10 days**. However, this is permitted only in "exceptional cases."

    - In practice, **the materials on the basis of which the person has been detained are never provided.**

    - This **violates the right of the detainee to be promptly informed of the grounds of their detention.**

- **Right to Representation**

    - The right to representation under the PSA is violated at several levels. The provisions of the act do not explicitly provide for such a right, and the few rights that are available are also rendered ineffective in practice.

    - **Under the PSA, there is no judicial recourse or appeal process.**

- **Delay in issuing PSA orders:-**

    - Logic of preventive detention is that immediate and swift action is required without wasting time for a trial to take the person into custody.

    - However, this is defeated when there are **large delays on the part of the executive itself and, thus, the preventive detention is not justified.**

- **Detainee in prior custody:**

    - In one-fourth of the cases, detainees had already been formally arrested for offences under regular criminal laws**. However, most dossiers studied do not mention the prior arrest.**

- **Juveniles:-**

    - **J**uveniles had been detained. This is against **international human rights laws and the Juvenile Justice Act.** However, following the Amnesty International report in 2011, the PSA was amended to specifically exclude its application to minors.

    - In spite of this, **juveniles are still being detained under the PSA** and have been sent to prisons in Jammu like other detainees.

- **Judicial delays:-**

    - The Jammu and Kashmir High Court guidelines as well as those laid down by the Supreme Court state that a habeas corpus petition must be decided within a maximum of 15 days

    - However the entire process takes three to four months, which is even longer than the detention period specified in cases where a person's conduct is found to be prejudicial to the maintenance of public order.

Way forward:-

- To prevent the misuse of PSA under the prevailing conditions, **the judiciary can be harnessed to ensure the effective implementation of safeguards provided i**n the act itself. This can be done through **tailoring judicial guidelines to ensure that hearings are conducted within the specified time frame**.

- The **higher judiciary can also reprimand magistrates for their failure** to apply their mind or follow the law as opposed to merely reiterating guidelines endlessly.

- **The administration can simultaneously be sensitised in regard to the application of the act. A sensitisation programme** should be carried out en masse for magistrates across the state.

Q) The post of the Governor, by constitutional design, acts as a check upon both federalism and popular democracy. Critically comment. (250 words)

The hindu

Why this question

The post of the governor has been criticized on various fronts and there have been calls to abolish the office altogether. In the evolving federal structure of India the abolishing of the office or maintaining status quo will have an important bearing on our polity. The question is related to GS 2 syllabus under the following heading-

Key demand of the question

The question wants us to dig deep into the constitutional status and logic behind the post of governor and; discuss how the office is affects the federalism and popular democracy in the country. We have to analyse both the positive and negative aspects of the office and form a personal opinion.

Directive word

Critically comment- We have to form a personal opinion on the issue after taking into account both the positive aspects/ need, as well as negative aspects of the office of governor. We have to discuss how the office shapes/ has shaped the federal structure and popular democracy in India.

Structure of the answer

Introduction– *Mention the articles of the constitution related to the office of governor and its powers.*

Body–

- *Discuss the logic behind retaining the office by the constitution assembly and how the office has been misused for political gains and how that affects the federal structure of India and its popular democracy.*

  e.g discuss the discretionary power of governor which offers huge scope for blatant misuse, discuss the need for protecting national integrity and sovereignty in a newly formed democratic republic etc

- *Discuss the importance of the office in present times.*

  e.g during emergency, secessionist movements in various parts of the country etc.

Conclusion– *Form a fair and balanced opinion on the need and desirability of the office of the governor and suggest a way forward*

Background :-

- With the Karnataka elections held recently the role of governor has come under question again

Necessity of the post of governor:-

- The **Constituent assembly chose to retain the post, and continue to vest it with discretionary power.**

- As there was a dearth of competent legislators in the States a certain amount of centralisation of power was necessary in a nascent state such as India.

- Concerned members of the CA were assured that the Governor would remain only a constitutional post, and would have no power to interfere in the day-to-day administration of the State.

- **Founding fathers were anxious about political** unity and, therefore, willing to weaken the principle of federal autonomy to strengthen Central authority.

- They endorsed the retention of the office of governor. For them, a governor was the guardian of republican authority and its continuity.

How is it acting as a check upon federalism and democracy :-

- In **colonial India** not only was the governor's office unaccountable to the people of that province or presidency, it was designed to be unaccountable.

- The office of the Governor represented a choke point in the Constitution (ordinances and emergencies are others), where f**ederalism and the popular will were to be kept in check from above, if the occasion ever arose.**

- Karnataka has just been the most recent example demonstrating that the **Governor has enough discretion to skew the political process in the direction that the Central government desires.**

- Far from safeguarding constitutional propriety, **governors have acted as the Central government's partisan agents. They have dismissed inconvenient governments**, subverted democratic verdicts, thwarted the functioning of elected state governments hostile to the ruling party at the Centre .

Problem with constitutional design :-

- The governor is merely appointed by the president on the advice of the Central government.

- Unlike the president, a governor does not have a fixed term. He/she holds office at the pleasure of the ruling party in the centre.

- Both the manner of the appointment and the uncertainty of tenure conspire to make the incumbent an object of the Central government in politically charged circumstances

- **Australian governors sometimes sparked political controversies similar to the ones provoked by their Indian counterparts by using their reserve powers to dismiss state governments or by refusing to notify their recommendations.**

  - These controversies were minimized once elected premiers were given the right to propose the governors they wanted for their provinces.

  - **The Australian example** illustrates the extent to which the office of governor is an imperial hold-over that survives because the concerted constitutional energy needed to abolish it is hard to muster.

Way forward:-

- **International experiences:-**

  - German Länder or states only have heads of governments, chief minister-equivalents known as minister-presidents. Germany's political structure demonstrates that there is no constitutional need to mirror the office of the head of state at the provincial level. It is only in countries with histories of authoritarian colonial rule that this position even exists.

- Editorialists have called upon the apex court to codify the processes to be followed by the governor in the event of a hung assembly.

- It would be an even better one if the task of implementing these guidelines was taken away from the governor and handed over to the Election Commission. The statutory body that conducts and supervises the largest and most challenging democratic processes in the world is self-evidently the institution best equipped to steward those processes to their political conclusion.

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

Q) Examine how organisational barriers and court processes that contribute to case delay in India, could be resolved. (250 words)

The Hindu

Why this question

Indian courts suffer from huge pendency of cases and various attempts to resolve the same have not been largely successful. Besides, pending vacancies and deficit infrastructure, a host of issues related to organisational barriers and court processes delay justice delivery in India. The issue is related to GS-2 syllabus under the following heading-

Separation of powers between various organs dispute redressal mechanisms and institutions.

Key demand of the question.

The question wants us to describe briefly the organisational barriers and court processes that cause delay in case disposal in India. Then the question wants us to write in detail about how these barriers can be removed.

Directive word

Examine- We have to describe and explain the ways/ means/ techniques/ technologies that could be deployed to elicit a reform in organisational barriers and court processes, in order to decrease case disposal rates in India.

Structure of the answer

Introduction– *Mention the huge pendency of cases in Indian courts and mention the main reasons behind the same- e.g pending vacancies, infrastructure deficit, legal ambiguities etc.*

Body-

- *Discuss some of the organisational barriers and court processes that hinder case disposal- e.g case listing process (e.g The uncertainty around which cases will come up for hearing means neither judges nor lawyers can plan their preparation, which compels lawyers to cite the simultaneous listing of multiple cases as an excuse for adjournments) , court infrastructure (e.g inadequate support staff for judges to the dearth of basic courtroom facilities due to which judges are unable to perform their functions in a timely manner).*

- *Discuss how these barriers could be removed.*

  E.g bringing external support agencies to manage daily managemental operations of the court, increasing reliance on empirical data and courtroom technology, e-courts, national judicial data grid, Case Information System, file-tracking and knowledge management systems, provide Interoperability and compatibility with National Case Management System; Interoperable Criminal Justice System, National Legal Services Authority (NALSA) and other programmes to enhance the quantity and quality of Justice Delivery System. etc.

Conclusion- *mention the imperative of a prompt justice delivery system and provide further suggestions like filling of vacancies, improving court infrastructure, rationalization of laws etc.*

Background:-

- As of September 30, 2016, the Supreme Court has nearly 61,000 pending cases, official figures say. The high courts have a backlog of more than 40 lakh cases, and all subordinate courts together are yet to dispose of around 2.85 crore cases. On an average, cases take three years and nine months to get disposed.

Factors leading to case delay:-

- **Case stuck:-**

  - Usually cases near the final stage of hearing tend to be left over at disproportionate rates and often end up getting stuck in the system.

- **Uncertainty:-**

- The uncertainty around which cases will come up for hearing means neither judges nor lawyers can plan their preparation.

- This situation compels lawyers to waste time waiting in court and enables them to cite the simultaneous listing of multiple cases as an excuse for adjournments.

- Registry staff must manage the massive task of re-listing leftover matters in an already bulging docket, instead of streamlining case flow.

- **Case listing:**

  - It is not uncommon to see more than 100 cases being assigned to judges on a given day. Such case listing affects the adjudication process and thus the justice delivery system as the judge rarely gets proper time for research.

- **Adjournments:-**

  - A pervasive reason for delays is adjournments. A study by the Vidhi Centre for Legal Policy (VCLP) conducted on Delhi HC found that **in 91 per cent of cases delayed over two years, adjournments were sought and granted.**

  - These encourage delaying tactics, block judicial time, prevent effective case management and impoverish litigants. They deter many from seeking access to formal justice.

  - Though the Code of Civil Procedure, 1908 suggests not more than three adjournments should be given in each case, Vidhi finds the Delhi High Court gave more than three adjournments in nearly 70% of all delayed cases.

- **Court infrastructure**

  - Inadequate support staff for judges to the dearth of basic courtroom facilities.

  - Without research and secretarial support, judges are unable to perform their functions in a timely manner.

  - Even though judges managed to hear many cases in a day, it **takes time for the stenographers to finish typing the orders.**

- Contribution of the courts to the **problem by non-adherence to procedural timeframes**.

- **Lawyers :-**

  - 82% of all delays could be attributed to lawyers and not the judges per se.

  - There is some anecodtal evidence that lawyers end up meeting their clients only when they are produced in court, thus giving them a very little time to effectively confer with their clients for their case.

- Delays in the legal system are caused not only because of a shortage of judges, but also because of a shortage of police officers (who have to investigate cases and then come to court on a regular basis), prosecutors (who are often underpaid and over-worked), inadequate judicial infrastructure (overcrowded court rooms or inadequate support staff such as stenographers)

How to resolve:-

- Increasing the strength of judges, reducing judicial vacancies, diverting cases from the courts to alternate dispute resolution forums (such as mediation and Lok Adalats) and specialised tribunals.

- **Both jail adalats and plea bargaining**, reduce the backlog in courts, by encouraging accused in certain cases to plead guilty in exchange for a reduced sentence.

- **Specification of time limits** has emerged as a distinctive feature of process reforms across jurisdictions that have been able to quantifiably minimise judicial delay, such as the UK and Singapore.

- Reduce government litigation, simplify procedures, recommending precise capacity reinforcements and use of technology.

- Courts must become more open to applying management principles to optimise case movement and judicial time. **In this, external support agencies competent in strategic thinking should be allowed to work with judicial officers to understand and help the institution function better.**

- **Technology:-**

  - Using technology in courts cannot remain limited to digitising records alone but must affect how cases actually move through the system.

  - Initiatives such as CIS must be supplemented with file-tracking and knowledge management systems, to help courts achieve an optimal level of functioning.

Q) Some of the issues faced by Indian judiciary today, are in fact, recurring problems left unaddressed for decades. Examine. (250 words)

The hindu

Reference

Why this question

Indian judiciary has been going through turbulent waters with a range of issues questioning its credibility and foundation. These issues, though apparently new are a result of some systemic deficiencies which have been left unaddressed for decades. The issue is related to the GS-2 syllabus under the following heading-

Separation of powers between various organs, dispute redressal mechanisms and institutions.

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.

Key demand of the question.

The question wants us to dig deep into the question, identify the important issues faced by Indian judiciary today and then examine them. We have to find necessary justification in the form of arguments and facts, to establish that some of the issues faced by Indian judiciary today, are in fact, recurring problems left unaddressed for decades.

Directive word

Examine- we have to dig deep into the issue and find out how the present issues faced by Indian judiciary are not new but recurring problems.

Structure of the answer

Introduction– *Identify and mention those issues which you think are faced by Indian judiciary today and have been existing there for decades. E.g appointments in judiciary (rejection by the government of the collegium's recommendation of K.M. Joseph), mechanism to deal with allegations of corruption in the higher judiciary (recent CJI controversy), CJI's position as the master of the roster etc.*

Body- *Discuss in points how these problems have been existed there for decades. Take help of the articles attached to frame your answer. Discuss the issues individually and be exhaustive and concise at the same time.*

- *E.g appointments in judiciary- Discuss the logic of the makers of constitution in making such an arrangement of appointment, then discuss first judges case and how it was misused to get it replaced by a less desirable collegium system, which has its own flaws.*

Similarly frame your answer for other two issues.

Conclusion– *Form a concise, fair and balanced opinion on the issue and suggest a way-forward.*

Background:-

- As of September 30, 2016, the Supreme Court has nearly 61,000 pending cases, official figures say. The high courts have a backlog of more than 40 lakh cases, and all subordinate courts together are yet to dispose of around 2.85 crore cases. On an average, cases take three years and nine months to get disposed.

- Such is apathy faced by judiciary and hence reforms are necessary

Problems plaguing judiciary for decades:-

- **Under trials:-**

  - India has one of the **world's largest number of undertrial prisoners**. A little over two-thirds of India's roughly 4.2 lakh prisoners await trial.

- **Low performance of India on ease of doing business because of lag in enforcement of contract** largely due to the inefficient judicial system

- The system is unable to keep pace with new cases being instituted in Indian diverse economy.

- **Judicial procedure is very complex and** costly putting the poor at a distance from justice

- **Cases stuck:-**

  - Usually cases near the final stage of hearing tend to be left over at disproportionate rates and often end up getting stuck in the system.

- **Uncertainty:-**

  - The uncertainty around which cases will come up for hearing means neither judges nor lawyers can plan their preparation.

  - This situation compels lawyers to waste time waiting in court and enables them to cite the simultaneous listing of multiple cases as an excuse for adjournments.

  - Registry staff must manage the massive task of re-listing leftover matters in an already bulging docket, instead of streamlining case flow.

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- **Court infrastructure**

  - Inadequate support staff for judges to the dearth of basic courtroom facilities.

  - Without research and secretarial support, judges are unable to perform their functions in a timely manner.

  - Even though judges managed to hear many cases in a day, it **takes time for the stenographers to finish typing the orders.**

  - **Most of the subordinate courts lack basic infrastructure** for judges, court staff and litigants

- Contribution of the courts to the **problem by non-adherence to procedural timeframes**.

- **Lawyers :-**

  - 82% of all delays could be attributed to lawyers and not the judges per se.

  - There is some anecdotal evidence that lawyers end up meeting their clients only when they are produced in court, thus giving them a very little time to effectively confer with their clients for their case.

- **Other government institutions leading to indirectly affecting judiciary:-**

  - Delays in the legal system are caused not only because of a shortage of judges, but also because of a shortage of police officers (who have to investigate cases and then come to court on a regular basis), prosecutors (who are often underpaid and over-worked), inadequate judicial infrastructure (overcrowded court rooms or inadequate support staff such as stenographers)

- **Appointment of judges:-**

  - Article 124 states that judges of the Supreme Court shall be appointed by the President, after consultation with certain authorities, including the CJI. **But it does not tell us how these consultations are to be made, or what criteria ought to be applied in deciding who becomes a judge.**

- The collegium system is not only opaque and inequitable, containing not a single constitutionally provided check or balance.

- Recent rejection by the government of the collegium's recommendation of K.M. Joseph, for elevation to the Supreme Court also raised several doubts.

- The **Constitution is silent on the administrative role that the CJI performs.**

  - The central authority that he now enjoys, in deciding which cases get to be heard by which benches, is essentially a product of custom (since codified into the Supreme Court Rules of 2013).

- **Anomolies found recently:-**

  - According to experts, in the issue related to present CJI **assignment of certain particularly sensitive cases to benches is without reference to established norms** and precedents.

  - **Benches are generally constituted by the Chief Justice considering the previous orders** and it is rare to exclude from reconstituted benches the Judges who had heard the matter earlier and are still available.

  - **There appears to be a pattern in distribution of such cases**. Matters involving Constitutional Authorities and certain issues relevant to political spectrum are being marked to certain Benches.

Way forward:-

- There is a need to put in place an independent mechanism to deal with allegations of corruption in the judiciary.

- **Choice of determining benches:-**

  - In US Supreme court the Chief justice has no choice in the question of which judges to hear the case because all the 9 judges sit together to hear cases.

  - Similarly in UK 12 judges often sit in the panels of five (or more) so chief justice choice is constrained which is not the case in India where benches are sat predominantly in benches of two.

- **Allocation of cases, if not made transparent, would lead to suspicion.**

  - More internal conflict in the court as the four Supreme court judges had publicly showed the apprehensions that cases were allotted to preferred Benches earlier.

- **Based on international experiences Supreme court can consider the following options:**

  - A just and fair roster must be one that is divided subject-wise among judges according to their experience and expertise in those subjects must be decided.

  - Politically sensitive matters should be before the five senior judges of the Supreme Court. Among them, the allocation of individual cases must be by random computer allocation not by the individual decision of any human.

- **Vacancies in the Supreme Court and in the High Courts need to be filled up.** Most High Courts are functioning with half or one third the sanctioned strength.

- The infrastructure in the courts needs improvement

- There needs to be appointment of ad hoc or additional judges to clear pending cases .

- Reforming the system of appointing judges and holding their functioning to account is another priority.

- **Accepting applications for appointments as High Court judges:-**

  - This is followed in the U.K. and can be adopted in India too. **There must be full and complete disclosure of relationships and affiliations of applicants to sitting and retired judges**. Minimum eligibility criteria for consideration need to be laid down, including appearances in important cases.

- **Three member Permanent Commission to scrutinise the credentials of candidates and recommend names may be constituted.**

  - These Permanent Commissions should also be vested with the power to scrutinise complaints of dishonesty and lack of integrity of judges, to make recommendations to the collegiums to withdraw work from those judges pending impeachment.

- **The Law Commission has recommended** hearing cases continuously, avoiding postponements and reaching speedy verdicts. This is possible only when the caseload per judge is of a reasonable size.

- **Creating an Indian Judicial Service to create a large pool of trained, dedicated judges who would enlarge the pool of talent available for elevation to the higher judiciary would be a big step forward.**

- Diverting cases from the courts to alternate dispute resolution forums (such as mediation and Lok Adalats) and specialised tribunals.

- **Both jail adalats and plea bargaining**, reduce the backlog in courts, by encouraging accused in certain cases to plead guilty in exchange for a reduced sentence.

- **Specification of time limits** has emerged as a distinctive feature of process reforms across jurisdictions that have been able to quantifiably minimise judicial delay, such as the UK and Singapore.

- Reduce government litigation, simplify procedures, recommending precise capacity reinforcements and use of technology.

- Courts must become more open to applying management principles to optimise case movement and judicial time. **In this, external support agencies competent in strategic thinking should be allowed to work with judicial officers to understand and help the institution function better.**

- **Technology:-**

  - Using technology in courts cannot remain limited to digitising records alone but must affect how cases actually move through the system.

  - Initiatives such as CIS must be supplemented with file-tracking and knowledge management systems, to help courts achieve an optimal level of functioning.

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

Q) Discuss whether creation of post poll alliances is in line with the spirit of democracy? (250 words)

dnaindia

Why this question

The fractured mandate post Karnataka elections will reignite the debate over post poll alliances and hence needs to be discussed.

Key demand of the question

The question demands us to analyze the pros and cons of post poll alliances – the constitutional, legal, by convention perspective along with role of governors etc needs to be analyzed in this question.

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 why this topic is in news. Mention some past incidents which has already caused controversy.

Body – *Discuss the pros and cons of post poll alliances in democracy by bringing out the diverse perspective on the necessity (or not) of post poll alliances.*

Conclusion – *present a balanced view and way forward.*

Background:-

- Recent Karnataka assembly elections along with past instances from Goa, Meghalaya etc showed post poll alliances have become the new normal for the political parties for forming the government**.**

Post poll alliances is undemocratic:-

- Having chief minister from a party that did not have the majority at the hustings both in terms of seats and vote percentages seems 'undemocratic'.

- Undemocratic on the grounds that **voters had no inkling about it when they cast their votes.**

- Some criticise it as a **breach of the promises made by the political parties during the election campaigns**.

However there are many precedents which justify post poll alliances:-

- **Avoid another election:-**

  - There were several national and regional parties and often such alliances have to be entered into to ensure a government is formed as **it would not be feasible to conduct elections till one party has an absolute majority.**

- Due to post poll alliances going into elections, every party will think twice before launching forth a barrage of personal attacks on its adversaries. So, this could jolly well usher a **new climate of polite electoral politics.**

- **Sarkaria commission:-**

  - **Commission report specifically dealt with the situation where no single party obtained absolute majority. It provided the order of preference the Governor should follow in selecting a Chief Minister in such a fluid situation**:

    - An alliance of parties that was formed prior to the elections.

    - The single largest party staking a claim to form the government with the support of others, including independents.

    - A post-electoral coalition of parties, with all the partners in the coalition joining the government.

    - A post-electoral alliance of parties, with some of the parties in the alliance forming a government and the remaining parties, including independents, supporting the government from outside.

  - **Supreme court:-**

    - The precedent that's been set by the Supreme Court is that the Governor invites the largest pre-poll alliance, then the single-largest parties.

    - In 2015, hearing a public interest litigation, SC had expressed its inability to step-in an act against two political parties that chose to form a post-poll alliance. SC observed that a promise made by a political party was not a promise enforceable by law.

Q) The ordinance making power of the legislature should be used sparingly and with due respect to the constitution. Discuss. (250 words)

EPW

Why this question

Recently the Parliament promulgated 3 ordinances and it is a known fact that the state and the central govt have been resorting to indiscriminate use of ordinances, without any regard for the constitutional ethos. The question is related to GS 2 syllabus under the following heading-

---

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

Key demand of the question

The question simply wants us to discuss, why ordinances should not be promulgated frequently and what are its implications.

Directive word

Discuss- We have to write in detail about the cons of resorting to ordinance route frequently by the central and state governments.

Structure of the answer

Introduction– *Mention article 123, 213; and some recent ordinances promulgated by the legislature. e.g Criminal Law (Amendment) Ordinance, 2018, Fugitive Economic Offenders Ordinance, 2018 etc.*

Body–

- *Discuss in points, why ordinances should be promulgated only rarely.*

- *e.g- it is against the constitutional scheme of responsibility of the executive towards the legislature, it is opposed to two core tenets of the rule of law- stability and consistency, absence of Parliamentary scrutiny and feedback, ordinances passed in haste are often ill-designed etc.*

- *Discuss in points the need to promulgate ordinances. e.g when parliament is not in session, during emergency, in cases where immediate action is necessary etc.*

Conclusion– *Give a fair and concise opinion on the need and desirability of ordinance making power of the legislature and mention the SC judgements i.e C Wadhwa v State of Bihar (1987)and Krishna Kumar Singh v State of Bihar (2017).*

Background:-

- In a parliamentary democracy such as India, the ordinance promulgation power is supposed to be used as an exception and not as a matter of course. The constitutional scheme exists to ensure accountability of the political executive to the elected legislature.

Ordinance making in India:-

- **Articles 123 and 213 of the Constitution:-**

- These state that an ordinance may be promulgated to meet a certain circumstance, but must be laid before the legislature in question, and will expire within six weeks of the legislature being convened.

- An ordinance is thus, by definition, limited in time, and can cease to have effect even earlier, if the legislature passes a resolution disapproving the ordinance.

Misuse of ordinance making power:-

- The very nature of the ordinance might mean that a frequent resort to it is only self-defeating

- **Excessively used:-**

  - Following the washout of the second half of the budget session, three ordinances have recently been promulgated by the President.

  - First was the Criminal Law (Amendment) Ordinance, 2018 ,followed by the Fugitive Economic Offenders Ordinance, 2018,amendments to the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 (henceforth Commercial Courts Act) were made through an ordinance. .

- **Misuse of ordinance power has been questioned:-**

  - Supreme Court acted on concerns about the manner in which the ordinance promulgating power has been used at the state level.

- **First, in limiting the manner in which ordinances may be repromulgated and second, in ensuring that ordinances cease to be in effect, if they are not placed before the legislature.**

- Without imposing any substantive limits on when an ordinance may be promulgated, **the Supreme Court has restrained the government's ordinance-making power** (though somewhat belatedly).

- **Self limiting:-**

  - **Validity and legality of actions taken on the basis of an ordinance will be in limbo,** unless subsequent legislation is passed to the same effect by the legislature.

  - Overuse of ordinances goes fundamentally a**gainst two core tenets of the rule of law, stability and consistency**

- **Self defeating due to absence of Parliamentary scrutiny and feedback :-**

  - Governments may favour the "ordinance route" because **it makes for good optics or helps them avoid the difficult task of political negotiation in Lok sabha and Rajya sabha that is part and parcel of lawmaking.** That, however, is a self-defeating exercise.

  - **Taking the ordinance route may only raise suspicions about the government's motives and harden the opposition's stand** towards a measure, as was seen with the proposed amendments to the land acquisition law.

- The **executive's power to issue ordinances, therefore, goes against separation of powers;** for it acts neither as a check nor as a balance on the authority exercised by the other branches of government.

- Ordinances passed in haste are often ill-designed

Why ordinance making is needed?

- It ought to be Power to legislate when Parliament is not in session.

  - **When legislature is not in session:** the President can only promulgate when either of the House of Parliament is not in session.

- **Immediate action is needed:**

  - The President though has the power of promulgating the ordinances but same cannot be done unless he is satisfied that there are circumstances that require him to take immediate action.

- **Parliament should approve:** after the ordinance has been passed it is required to be approved by the parliament within six weeks of reassembling. The same will cease to operate if disapproved by either House.

- *During emergency*

Way forward:-

- Even if there is broad consensus that a certain legislative measure is needed, parliamentary scrutiny is valuable in and of itself.

- **Reference to the standing committee and open debate about the merits of a bill and its drafting are likely to address shortcomings or oversights in the law.**

- **Ordinances are not immune from judicial challenge:-**

  - The Supreme Court, in *Krishna Kumar Singh v. State of Bihar*, made a series of pronouncements with potentially huge implications for the future of democratic governance in the country. **The case raised intricate constitutional questions concerning the executive's power to make law through ordinance.**

Q) One year one election would be more appropriate for India rather than one nation one election. Examine. (250 words)

Indian express

Why this question

Elections in India signify the world's largest democratic exercise but on the other hand frequent elections across the country consume a significant amount of resources and divert much of the time of the political parties at the central level. The present PM has suggested many times, the idea of one nation one election. And recently Election Commission presented the idea of one year one election in place of one nation one election. The question is related to GS 2 syllabus under the following heading-

Key demand of the question

The question wants us to contrast the idea of "one nation one election" vs "one year one election". We have to explain why the later is better suited for India in the present circumstances.

Directive word

Examine- We have to give explanation in support of the given stand i.e one year one election is better. We have to support our answer with proper arguments/ facts etc.

Structure of the answer

Introduction– *Mention the EC's idea of one year one election, and also mention the other option of one nation one election.*

Body– *Discuss in points, why the EC'S idea is better.*

e.g it will require fewer amendments to the constitution, it will respect the essence of the exercise of popular will, unlike one nation one election which prioritizes economic costs of elections over the exercise itself, it will avoid clubbing of national and state issues, it will not disturb federalism much, not much issues generated by emergencies like need to hold by-election etc.

Conclusion– *Mention the importance of the exercise of the election, and the diverse structure and aspirations of India which necessitate respect for popular will and democracy.*

Background:-

- While the EC has reiterated its support for holding simultaneous polls, provided the legal and financial challenges are overcome, it has alternatively suggested that all the elections due in a year may be held together.

Benefits of one year one election:-

- Accomplishing one year one election will be easier as **it doesn't require as many legal amendments as simultaneous polls for which the Centre will have to make five amendments to the Constitution.**

- One year one election can be executed by amending Section 15 of the RP Act 1951. If the six-month stipulation is extended to nine or 10 months, elections to all states, whose term is expiring in one year, can be held together.

- The proviso to Section 73 of the RP Act 1951 clearly says that even if the poll results are declared before the actual expiration date, the concerned state assembly can complete its term. So, if all elections in a year are clubbed together, the terms of state assemblies, which are expiring later in the year, need not be curtailed. **They can complete their term that year and the new government can be sworn in after that.**

- Not much issues generated by emergencies like need to hold by-election in this case

- Does not affect federalism much

- Frequent elections have multiple merits in providing momentary employment, boosting domestic consumption.

- **Problems with Simultaneous polls:-**
  - According to the EC, Article 83, which deals with the duration of Houses of Parliament, will have to be tweaked, along with Article 85 (dissolution of Lok Sabha by the President), Article 172 (duration of state

legislatures), Article 174 (dissolution of state assemblies) and Article 356 (President's Rule), to facilitate simultaneous polls.

- **Simultaneous elections impinge on the political autonomy of States**. Today, any elected State government can choose to dissolve its Assembly and call for fresh elections. If elections are to be held simultaneously, States will have to give up this power and wait for a national election schedule.

- There is clear empirical evidence that most Indian voters tend to choose the same party when elections are held simultaneously to both Centre and State.

- The sheer logistics of holding simultaneous elections could be unmanageable to implement, given that the electorate exceeds 670 million voters and 7, 00, 000 polling stations spread across varying geographic zones that will have to consider localised weather conditions, festivals and events.

- Also, local and national issues could get subsumed by each other and fears would abound on the misuse of Article 356 by the Union Government, making One nation, One election an impractical concept to cater to a diverse polity such as India.

Q) The rules governing the functioning of the Rajya Sabha have not kept pace with the times and requires reform. Examine (250 words)

Indian express

Why this question

The rules governing the functioning of the Rajya Sabha have not kept pace with the times. Earlier this month, Vice President Venkaiah Naidu appointed a two-member committee to make recommendations for revising the rules of the Upper House. This makes a discussion to understand the requirement of reforms in rules of Rajya Sabha and the kind of reforms required, imperative.

Key demand of the question

The questik expects us to challenge the assertion whether the rule of Rajya Sabha have become anachronistic. This would require an analysis into the performance of Rajya sabha and where all the rules are creating bottlenecks. We would have to provide way forward as well.

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 – *Talk about some of the recent controversy in Rajya Sabha which has necessitated a relook into the rules of the rajya sabha*

Body

- *Briefly explain the origin of Rajya Sabha rules.*

- *Briefly explain that nature of governance and legislation has changed significantly which means that the legislators can not keep on functioning in business as usual attitude*

- *Examine whether the rules have not kept pace with times and merit reform – talk about the performance of Rajya sabha as an institution, efficiency etc*

- *Suggest some of the changes required in the rules*

Conclusion – *Present your view on the assertion made in the question and present a way forward.*

Background:-

- Concerned over repeated disruptions and adjournments in the Rajya Sabha during the Budget session, Chairman of Rajya sabha has constituted a two-member committee to review Rules of Procedure and Conduct of Business to ensure smooth conduct of proceedings.

- The Agnihotri committee has been set up at a time when the two Houses of Parliament are facing similar structural challenges. So its recommendations, while meant for the Rajya Sabha, will also influence rule-making for the Lok Sabha

Rules governing functioning of Rajya Sabha:-

- Both Houses of Parliament have their own rules of procedure. These rules govern every detail of how the Houses function on a daily basis. For Parliament to be effective in its role, these rules require regular updating and strengthening. **The Constitution, through Article 118(1), gives the two Houses of Parliament the power to make rules to regulate their functioning.**

- **When the Rajya Sabha met for the first time in 1952, it did not have any rules of its own. Article 118(2) of the Constitution provided an interim mechanism for rules**.

- Under this article, the chairman of Rajya Sabha had the power to modify and adopt rules that were in place before the commencement of the Constitution. In 1952, these were the rules of the Constituent Assembly, the body which had framed the Constitution. Sarvepalli Radhakrishnan, the first chairman of Rajya Sabha, amended these to be used as the rules of procedure.

- Among other things, they provided for Question Hour in the style of the House of Lords. Ministers had to answer questions two days a week and three oral questions a day. The rules also created a committee of 15 MPs to suggest any change. **Based on this committee's recommendation, the initial rules were amended four more times until the end of 1952**.

- **But it was not until 1964 that the Rajya Sabha made its own rules under Article 118(1). And it is the 1964 rules that have been amended over the years and currently govern the functioning of the Upper House.**

- However, these rules were not made from the ground up. The old framework of 1952 was used as a base and supplemented. In some cases, the provisions were merely carried forward and continue to exist even today. **For example, the 1952 Rajya Sabha rules to discipline disorderly MPs are the same ones as now.**

They have not kept pace with times:-

- According to the Rajya Sabha Secretariat, the **need for a review was felt as over 120 working hours of a total of 165 were lost during the Budget session**.

  - There is no specific provision for automatic suspension of members who persistently and wilfully obstruct House proceedings by shouting slogans unlike Rule 374 (A) of the Lok Sabha Rules that provides for automatic suspension. **So, the Chair is often left with no option but to adjourn the House if there is grave disorder.**

- **Disruptions also make it difficult to get Bills passed**:-

  - The current Rules of Procedure relating to voting procedure on the Bill become inadequate in such a situation. Therefore, there is a need to amend such rules to make them effective and robust in future.

- There were differences in provisions of Lok Sabha and the Rajya Sabha Rules in certain matters, with some Upper House Rules being more precise than corresponding Lower House Rules and some inadequate and not very precise. Some of these Rules relate to Points of Order, Suspension of Rules, Discussion on Matters of Public Interest, and Notice of Privilege,

- Rajya Sabha (Council of States), was devised to represent the states and prevent hasty, ill-conceived legislation. But it is performing poorly on both counts.

- Today's Rajya Sabha is acting as a tool for partisan politics.

- **The existing mechanisms (like Question Hour) for securing the government's accountability to Parliament have lost their edge.**

- **Issues facing Parliament are now more complex and technical than ever**.

What can be done?

- **Agnihotri committee:-**

    - The committee will have to balance completion of government business with discussions raised by other political parties

    - The committee will have to suggest measures for completely overhauling mechanisms like question hour.

    - The committee's suggestions for strengthening deliberations in the House will be crucial.

    - The committee will have the difficult task of suggesting solutions for protecting the sanctity of parliamentary proceedings.

Q) Discuss the legal, administrative and other issues associated with the idea of allocating cadres and services based on the combined score of CSE and FC. (250 words)

The hindu

Why this question

The PMO has recently mooted the idea of including the score of Foundation Course (FC) in allocating the cadre and service in UPSC civil service exam. However, there are several issues involved. The question is related to GS 2 syllabus under the following heading-

Key demand of the question.

The question wants us to simply highlight and describe in detail about the legal, administrative and other issues associated with the idea of allocating cadres and services based on the combined score of CSE and FC. We have to highlight the issues under different headings separately here.

Directive word

Discuss- we have to be as exhaustive as possible in our answer. We have to write in detail about the legal, administrative and also if there is any other issue involved.

Structure of the answer

Introduction– *Mention the normal course followed for service and cadre allocation in CSE.*

Also mention the recent proposal.

Body- *Discuss in points, under different headings, what are the problems associated with the given idea.*

> *E.g Legal issues- Article 321 which only authorizes UPSC to conduct UPSC exam will be violated, article 316 (security of tenure of UPSC members) and article 319 (bars from holding further office) will not be applicable on directors of academies where FC is done.*

- *Administrative issues- Lack of capacity in present academies to conduct FC, Issue with cadre and service allocation in cases where people take EOLs (Extra-ordinary leave) etc.*

- *Other issues- politicization of the process, higher chances of corruption etc*

Conclusion– *Bring out a fair, balanced opinion on the need to bring reform in the civil services exam and on the desirability of the present idea.*

Background:-

- Recently Prime Minister's Office made a proposal that it **wants to alter that process and allot services and cadres to candidates only after taking into account how they fare in the Foundation Course.**

Legal issues :-

- Articles 315 to 323 of the Constitution deal with Public Service Commissions of the Union and the States.

- Article 320(1) says: It shall be the duty of the Union and the State Public Service Commission to conduct examinations for appointments to the services of the Union and the services of the State respectively.

- **Thus, the duty of conducting the CSE is vested only in the UPSC. If the marks secured in the foundation course in the training academy are included for allocation for services, it would make the training academy an extended wing of the UPSC, which it is not. Therefore the new proposal violates Article 320(1).**

- This move of deciding service after the foundation course would lead to **large-scale litigation by bureaucrats right at the beginning of their careers**.

- **Service recruitment rules will have to be amended** to accommodate the new idea.

Administrative :-

- **The Director and the faculty members of the training academy that conducts the foundation course are mostly career civil servants on deputation who do not** enjoy the constitutional protection that the UPSC members enjoy under article 316 and 319 nor is there any bar on their holding further posts. **This means that the Director and faculty members will not be able to withstand pressure from politicians, senior bureaucrats and others to give more marks to favoured candidates**.

- **There is also the grave risk of corruption** in the form of 'marks for money' in the training academy.

- Politicisation and communalisation of the services are likely to take place from the beginning.

- **Infrastructural issues:-**

  - The training academy has facilities to handle not more than 400 candidates for the foundation course. With only about 12 faculty members in the training academy in Mussoorie, the trainer-trainee ratio for the foundation course is very high, and **it will be impossible to do the kind of rigorous and objective evaluation that is required under the government's new proposal**.

  - The evaluation of the trainees will be even less rigorous and objective when the foundation course is conducted in training academies situated elsewhere.

  - The inclusion of the highly subjective foundation course marks can play havoc with the final rankings and with the allocation of services and cadres can impact many careers.

- **Rewriting exam:-**

  - Nearly 60-70% of the candidates qualifying for the IPS and Central Services Group A do not join the foundation course in Mussoorie as they prepare for the civil services (main) examination again to improve their prospects.

  - **Clearly, it is not possible to evaluate such candidates in the foundation course as contemplated in the new proposal.**

  - **They cannot be compelled to attend the foundation course** because that would amount to depriving them of their chance of taking the examination again.

Other issues :-

- The new proposal seeks to tinker with precisely that aspect of the civil services which is recruitment that is least in need of reform. The real problems of the civil services are with what happens after an officer joins the system.

- No probationer will ask questions during the foundation course for **fear of getting a poor assessment and a service they do not want.**

- In the present system, the moment their cadre is allotted, probationers start developing a loyalty to that state, start learning its language and history and interacting with people of that state. **All of this will now get upended.**

- **Technical issues**

  - The proposal raises a whole lot of technical questions that cannot be easily resolved given the current system of service allocation and training.

  - The first question is about what the foundation course will consist of.

- **Constraints with academies:-**

  - Pliant academies with extraordinary powers will open the doors of sought-after **services to people whose ideological outlook suits the government**, creating a loyal or committed bureaucracy over the long haul.

- Could give rise to a trend where **high-ranking candidates will no longer get services of their choice.**

- **Will destroy the purpose for which officers go through the Foundation Course** as probationers will compete for every mark so that they get the service of their choice.

- Using a probationer's performance in the foundation course to decide his or her service **will ruin whatever objectivity the UPSC examination provides** and put pressure on probationers to appeal to the subjective assessments of their examiners.

Conclusion:-

- There is no doubt that reforms are necessary but any decision needs to be taken only after dialogue and discussion involving multiple stakeholders especially aspirants as well whose life is at stake.

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) Critically analyze the process of selection of the Supreme Court judges in India. Suggest measures to prevent the executive's unnecessary intervention into the judiciary. (250 words)

The Hindu

The Quint

The Hindu

Why this question

The recent controversy around selection of a SC judge whose name has been recommended by the collegium but opposed by the govt, revolves around fundamental queries regarding the distribution of powers between the executive and legislative. The question is related to GS-2 syllabus under the following heading- 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.

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.

Directive word

critically analyze- 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.

Structure of the 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 time-limit for the govt. to approve the collegium's recommendations.*

- *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.*

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 i.e. 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.

- The collegium method was created as a result of two judgments of the Supreme Court, first in 1993 and by a follow-up President's Reference to the Court in 1998.

- 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.**

  - 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.

  - 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.

- Third Judges Case

  - 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.

- General rule of thumb when it comes to appointing existing High Court judges is seniority more senior judges in these courts should be considered for elevation to the Supreme Court. However, where a particular judge has demonstrated exceptional ability or character, the order of superiority can be superseded. **The reasons behind that particular judge being appointed need to be recorded in such cases.**

- 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**

Criticism :-

- **Controversial appointments:-**

  - The conduct of the Justice Karnan ever since his elevation to the bench has been controversial.

  - There is a failure to make an assessment of the personality of the contemnor at the time of recommending his name for elevation.

  - 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.

- 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.

Executive intervention in judiciary :-

- Recent controversy about government's opposition to the elevation of the Chief Justice of the Uttarakhand High Court, Justice K.M. Joseph, to the Supreme Court, as recommended by the Supreme Court collegium.

- **NJAC:-**

  - With NJAC the commission was meant to ensure that the Judiciary wouldn't get sole control over appointments by including the Law Minister and two "eminent persons" decided by the PM, Leader of Opposition and CJI together. Only three judges (CJI + 2 others) were automatically part of the commission.

- **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.

- **Neither the old memorandum of procedure nor the Constitution of India set out any time limits for the Executive to approve the Collegium's recommendations**. Consequently, the government has been able to frustrate the judges by just sitting on the files and doing nothing about them.

- Chief justice is not being consulted by the president when the latter appoints additional judges to the High Court Division for a two year term. **After the two year term, additional judges are either confirmed as permanent or may be appointed for another term as additional judges.**

Way forward:-

- 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.

  - The advantage of judicial commissions are that they are independent, broad based and they represent not only the views of the judiciary but also of the executive and other sections of society.

  - They are transparent in their working even to the extent that applications are invited by public advertisement, as was the case when judges were appointed to the new Supreme Court of the U.K. recently.

- With the size of the Indian superior judiciary, it may be necessary to have two judicial commissions in India, one for the Supreme Court and another for the High Courts.

- There should be a Fix time limit for approval of recommendations.

Q) Indian judicial system needs several reforms. Examine. (250 words)

The hindu

Why this question

There have been several reforms undertaken in recent years to improve polity, economy etc, however no reform has been forthcoming on the functioning of judiciary. There are several issues

that are faced by the judiciary and underlining those issues and the reforms required to address issues in Judiciary and discussing them is the need of the hour.

Key demand of the question

Following aspects are to be highlighted in your answer

- *The issues faced by indian Judiciary which merits reform*

- *The impact if status quo persisted in Judiciary*

- *The reforms required*

- *Way forward for implementing these reforms*

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. The issues mentioned above are to be discussed.

Structure of the answer

Introduction – Highlight some of the controversies in current news which indicate that judicial reforms are necessary.

Body

Analyze the issues plaguing judicary. Here discuss issues ranging from pendency of cases to appointment of judges to transparency in judicial functioning to Judicial standards and accountability bill etc

Examine the impact that persistence of these issues have

Mention the reforms required to improve the functioning of judicary. Discuss reforms under various heads in the same way that you would describe the issues

Mention how can the reforms be implemented as in the way forward

Conclusion – Mention the need judicial reforms in a democracy for the smooth functioning of judiciary and how reforms should be implemented as soon as possible.

Background:-

- As of September 30, 2016, the Supreme Court has nearly 61,000 pending cases, official figures say. The high courts have a backlog of more than 40 lakh cases, and all subordinate courts together are yet to dispose of around 2.85 crore cases. On an average, cases take three years and nine months to get disposed.

- Such is apathy faced by judiciary and hence reforms are necessary

Problems plaguing judiciary:-

- **Under trials:-**

  - India has one of the **world's largest number of undertrial prisoners**. A little over two-thirds of India's roughly 4.2 lakh prisoners await trial.

- **Cases stuck:-**

  - Usually cases near the final stage of hearing tend to be left over at disproportionate rates and often end up getting stuck in the system.

- **Uncertainty:-**

  - The uncertainty around which cases will come up for hearing means neither judges nor lawyers can plan their preparation.

  - This situation compels lawyers to waste time waiting in court and enables them to cite the simultaneous listing of multiple cases as an excuse for adjournments.

  - Registry staff must manage the massive task of re-listing leftover matters in an already bulging docket, instead of streamlining case flow.

- **Case listing:**

  - It is not uncommon to see more than 100 cases being assigned to judges on a given day. Such case listing affects the adjudication process and thus the justice delivery system as the judge rarely gets proper time for research.

- **Adjournments:-**

  - A pervasive reason for delays is adjournments. A study by the Vidhi Centre for Legal Policy (VCLP) conducted on Delhi HC found that **in 91 per cent of cases delayed over two years, adjournments were sought and granted.**

  - These encourage delaying tactics, block judicial time, prevent effective case management and impoverish litigants. They deter many from seeking access to formal justice.

  - Though the Code of Civil Procedure, 1908 suggests not more than three adjournments should be given in each case, Vidhi finds the Delhi High Court gave more than three adjournments in nearly 70% of all delayed cases.

- **Court infrastructure**

  - Inadequate support staff for judges to the dearth of basic courtroom facilities.

  - Without research and secretarial support, judges are unable to perform their functions in a timely manner.

  - Even though judges managed to hear many cases in a day, it **takes time for the stenographers to finish typing the orders.**

- Contribution of the courts to the **problem by non-adherence to procedural timeframes**.

- **Lawyers :-**

  - 82% of all delays could be attributed to lawyers and not the judges per se.

  - There is some anecdotal evidence that lawyers end up meeting their clients only when they are produced in court, thus giving them a very little time to effectively confer with their clients for their case.

- **Other government institutions leading to indirectly affecting judiciary:-**

  - Delays in the legal system are caused not only because of a shortage of judges, but also because of a shortage of police officers (who have to investigate cases and then come to court on a regular basis), prosecutors (who are often underpaid and over-worked), inadequate judicial infrastructure (overcrowded court rooms or inadequate support staff such as stenographers)

Reforms needed :-

- **Vacancies in the Supreme Court and in the High Courts need to be filled up.** Most High Courts are functioning with half or one third the sanctioned strength.

- The infrastructure in the courts needs improvement

- There needs to be appointment of ad hoc or additional judges to clear pending cases .

- Reforming the system of appointing judges and holding their functioning to account is another priority.

- **Accepting applications for appointments as High Court judges:-**

  - This is followed in the U.K. and can be adopted in India too. **There must be full and complete disclosure of relationships and affiliations of applicants to sitting and retired judges**. Minimum eligibility criteria for consideration need to be laid down, including appearances in important cases.

- **Three member Permanent Commission to scrutinise the credentials of candidates and recommend names may be constituted.**

  - These Permanent Commissions should also be vested with the power to scrutinise complaints of dishonesty and lack of integrity of judges, to make recommendations to the collegiums to withdraw work from those judges pending impeachment.

- **The Law Commission has recommended** hearing cases continuously, avoiding postponements and reaching speedy verdicts. This is possible only when the caseload per judge is of a reasonable size.

- **Creating an Indian Judicial Service to create a large pool of trained, dedicated judges who would enlarge the pool of talent available for elevation to the higher judiciary would be a big step forward.**

- Diverting cases from the courts to alternate dispute resolution forums (such as mediation and Lok Adalats) and specialised tribunals.

- **Both jail adalats and plea bargaining**, reduce the backlog in courts, by encouraging accused in certain cases to plead guilty in exchange for a reduced sentence.

- **Specification of time limits** has emerged as a distinctive feature of process reforms across jurisdictions that have been able to quantifiably minimise judicial delay, such as the UK and Singapore.

- Reduce government litigation, simplify procedures, recommending precise capacity reinforcements and use of technology.

- Courts must become more open to applying management principles to optimise case movement and judicial time. **In this, external support agencies competent in strategic thinking should be allowed to work with judicial officers to understand and help the institution function better.**

- **Technology:-**

  - Using technology in courts cannot remain limited to digitising records alone but must affect how cases actually move through the system.

  - Initiatives such as CIS must be supplemented with file-tracking and knowledge management systems, to help courts achieve an optimal level of functioning.

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) The terms of reference of the 15th Finance commission seriously undermine Indian federalism. Discuss. (250 words)

The hindu

Why this question

The terms of reference (TOR) of the 15th finance commission have been under criticism from the states, especially the southern states, for various reasons. The question is related to GS-2 syllabus under the following heading-

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.

Key demand of the question

The question wants us to bring out the salient provisions of the TOR of the 15th finance commission and discuss how they would affect federalism in India.

Directive word

Discuss- we have to write in detail about the important provisions of the TOR of the 15th finance commission and how they would affect the federal structure of India.

Structure of the answer

Introduction– *give a brief description of the finance commission, its constitutional powers and mandate.*

Body- *Discuss in points, how the ToR of 15th finance commission will affect federalism.*

e.g. change in population base and consequent change in resources allocation, power of the commission to review the award of its predecessor i.e 14th finance commission, increase in share of

centrally sponsored schemes, reversing the 14th Finance Commission's efforts to ensure that the discretionary element in the grant given by the Commission is totally eliminated etc.

Conclusion- *mention the imperative of fiscal federalism and diverse nature of states which demands devolution of sufficient powers- legal and financial.*

Background:-

- The terms of reference of the 15th Finance Commission are a matter of utmost importance to the resources available to the States of India. The terms of reference of this Commission have created apprehension among States about principles of fairness and equity in the distribution of public resources for development.

Terms of 15 th finance commission undermine federalism:-

- **The ToR want to curtail borrowing by States from the present 3% of Gross State Domestic Product (GSDP) to 1.7% i**f the Fiscal Responsibility and Budget Management Review Committee has its way with its recommendation.

  - India has just started exercising borrowing rights as recommended by the 14th Finance Commission. If this is reversed, this will severely curtail capital expenditure of States

- The foremost objective of the Finance Commission is an equitable distribution of financial resources between the two units of the Union. The States in India **today neither have the resources to fulfil their tasks as laid down in the Constitution, nor do they have the right to raise such resources due to the government policy and GST reduced states independence even further.**

- **Revenue grants:-**

  - The terms of reference state that the Commission may also examine whether revenue deficit grants be provided at all.

  - Revenue deficits are offshoots of the path of development followed by States and cannot be brought down in the short term.

  - To discontinue post-tax devolution of revenue deficit grants would go against the principle of cooperative federalism.

- **Vertical devolution:-**

  - The terms of reference explicitly privilege the **committed expenditures of the Centre**.

  - The Finance Commission should not take a residual approach to the question of vertical devolution. **The approach should not be that of distributing what is left over after providing for the requirements of the Centre.**

- The **terms of reference are unprecedented in asking the 15th Finance Commission to consider proposing performance-based incentives** beyond those relating to fiscal responsibility, population and devolution to local bodies.

  - It is not the duty of the Finance Commission to venture into the realm of day-to-day governance. The elected governments of States will decide what policies are appropriate for people.

- **Fiscal consolidation:-**

  - They intensify efforts to use the Finance Commission **as an instrument of fiscal consolidation** and to impose the ideological and economic agenda of the Central government on the States

  - This aspect is criticised as it is **not the task of a Finance Commission to recommend road maps for fiscal management**

- The **Centre's direction to use the 2011 Census instead of the 1971 Census for population data has concerned the southern states**. As the population in these States has stabilised, the concern is that their share of tax allocation would reduce.

  - The terms of reference for the 15th Finance Commission **have brought the south together in making a strong case for fiscal federalism.**

- Using 2011 census data will give states with the greatest increase in population an advantage in their share of revenue, relative to prior revenue allocations.

- Using the 2011 census would mean that the policy successes is states like TN, Kerala are punished and the policy failures of badly governed states are rewarded.

- Taking away the resources of successful states at this crucial juncture of their development also affects their future development and welfare outcomes.

- The use of the 2011 census in the 15th FC is merely revealing the symptoms caused by the problem of centralizing fiscal decisions.

Way forward:-

- Long-term solution is to **foster genuine fiscal federalism** where states largely raise their own revenue and face hard budget constraints, i.e. fiscal autonomy accompanied by fiscal responsibility.

- Creating a fiscal structure where the states have greater revenue-raising authority, as well as greater decision making power on spending, implies a lower reliance on the Union government in fiscal matters as well as governance decisions.

- India needs to move away from centralization-decentralization thinking, and embrace genuine fiscal federalism by permanently creating a fiscal power centre in the states.

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

Q) Putting restrictions on the use of Aadhar will defeat the very purpose it is designed for. Examine in light of the various cases being heard in SC regarding the use of Aadhar. (250 words)

Financial express

Why this question

Aadhar has a huge role to play in targetted delivery of government subsidies. However, it has also led to various debates including those of privacy and exclusion errors which is being heard in the courts. It is important for us to keep track of the court judgements and orders regarding the use of Aadhar.

Key demand of the question

The question demands us to examine whether making Aadhar compulsory for targetting of service delivery makes sense. The article also highlights that putting restrictions on the use of Aadhar will hamper targeted delivery of subsidies. We have to examine the veracity of this claim by highlighting the various debates surrounding the issue in light of SC judgments.

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 . In this question the topic is making Aadhar compulsory for targetted delivery of government services.

Structure of the answer

Introduction – Highlight the role that government expects Aadhar to play and mention that the usage of Aadhar has come under the courts scanner due to concerns raised by Civil society organisations.

Body

- *Mention about Aadhar Act to highlight government's point of view. Mention the areas where Aadhar has been made mandatory*

- *Discuss the pros and cons of the above step. Divide your answer into broad heads like constitutionality, privacy, effectiveness etc to examine the hypothesis.*

- *While explaining the above point, quote liberally from various cases regarding Aadhar which are pending in the court or has been decided by the court.*

  Conclusion – Summarise the arguments presented and give a way forward.

Background:

- Aadhaar which was just another identification document for people and a solution to pilferage and duplication of subsidies and rations for government has given way to banks, telecom companies, mutual funds, insurance companies, railways, airports, schools, hospitals, and workplaces linked for Aadhaar.

- The subsidies affected by these announcements include food grain and horticultural subsidies, crop insurance schemes and benefits offered under Federal government programs such as the National Rural Livelihood Mission and National Career Services.

- The Lok Sabha also passed the Finance Bill of 2017, makes holding and using one's Aadhaar card mandatory for the filing of income tax returns as well as obtaining and keeping a PAN card.

Why restrictions on Aadhar need to be there :-

- **Cyber attacks:-**

  - **RBI report** points out that an enormous integrated database where everything is linked to Aadhaar opens up **the country to incalculable loss**, whereby Indian businesses and administration could be crippled, through cyber warfare

  - Aadhaar data also offers valuable intelligence, which can be harvested by penetrating Aadhaar-enabled applications

  - India deals with frequent cyber attacks from China and Pakistan. **Hacking the Aadhaar database would be an easy way for other countries to create disruption within India**.

- **Privacy issues:-**

  - Apart from **foreign hackers**, domestic criminals would also have a golden target of opportunity even as **citizens privacy and security are endangered.**

- **Invasive power to the state:-**

  - The first concerns whether the state can at all compel a person to part with his or her biometric information without securing the person's informed consent

  - The second involves questions over the surveillance apparatus that the Aadhaar Act creates

  - The third raises questions over the level of exclusion caused by the use of Aadhaar, for example, concerns over the extent to which the programme meets its purported objectives

  - The fourth questions the degree of protection offered to the data that the UIDAI collects, stores and operates.

- **Freedom:-**

  - The **essence of individual freedom, of the right to life that Article 21 of the Constitution guarantees, i**s that every person has a basic entitlement to bodily integrity, to decide for themselves how they want to lead their lives. But this is compromised by Aadhar.

- **Supreme court :-**

  - The Supreme Court reaffirmed an earlier ruling from 2013, stating that **Aadhaar can only be a voluntary decision of the individual and that as long as a person is eligible to avail benefits and subsidies, the government cannot deny them those benefits and subsidies because on the basis that they do not have an Aadhaar card.** Despite this ruling, the federal government decided to push through with these moves.

- **The sheer size of the Aadhaar database wherein its issues lie :-**

- Aadhaar system doesn't have the strongest track records when it comes to the deliverance of subsidies and benefits.

- **For instance, according to a report in the Economic and Political Weekly based on data made released by the Unique Identification Authority of India (UIDAI) itself, the probability of the identities of two different people matching was 1/112 for India's 1.3 billion population.**

- A survey conducted by Andhra Pradesh's government itself saw **48 per cent respondents citing Aadhaar issues as a reason for them missing out on subsidies and benefits.**

- Pervasive Aadhaarisation brings together systems and platforms in a digital ecosystem **without interoperable standards for security.**

- **Aadhaar database has not been defined as "critical infrastructure" by the Indian government.**

- Even Google and Apple have been wary about taking to Aadhaar due to security concerns.

- **There is the question of whether or not the government's bureaucracy is equipped to handle the Aadhaar database** .

  - Internet users reported how easy it was to access Aadhaar card information from government websites.

- **There is the issue of the legal framework and privacy when it comes to Aadhaar cards**.

  - Critics have argued that safeguards in place in the Aadhaar Act itself do not go as far as they should to ensure the protection of privacy of citizens.

Restrictions are not needed as it defeats the purpose of aadhar :-

- The Aadhaar system's positives will not only be limited to the government, but spread to the private business sector too as **with an Aadhaar backed identity, banks will be more confident in giving out loans and businesses, both big and small more secure in knowing who they're working with.**

- **Aadhaar biometrics being unique has ensured the 50% plus levels of theft in PDS rations has all but been eliminated**. In the case of LPG, similarly, using the Aadhaar de-duplication software helped eliminate those with more than one LPG connection.

- There are a very large number of fake PAN numbers. When the PAN are fake, the taxman does not get the data. **Mandating the linking of PAN with Aadhaar was the logical thing to do.**

- Given the fact that terrorists and other criminals use mobile phones as the SIMs are bought using fake Ids **it makes perfect sense to ensure the owner can be traced by using Aadhaar that cannot be faked since,** when the purchase is made, a biometric check is performed.

- The Aadhar system ensures privacy through design, as it uses a **federated architecture**. In other words, **the biometric data is never shared by UIDAI**

  - The **core bio-metric information** cannot be shared with any person even with the consent of the Aadhaar card holder. Even, the general information cannot be unlawfully shared.

- With a flourishing population and varying demographics, this system allows the state to **maintain a central database keeping track of its nationals**. Unlike the passport or any other identification document, the **Aadhaar card also supplements the running of national welfare schemes by identifying those who need them the most.**

Way forward:-

- If the Indian government sees Aadhaar as a gateway to its services or entitlement schemes, **it should move immediately to designate UID as critical infrastructure and set up a dedicated Computer Emergency Response Team to monitor attacks or intrusions on the database**.

- Crafting an encryption policy that specifically addresses encryption for Aadhaar-enabled apps

- Security testing of all Aadhaar-enabled applications

- Encouraging device-level encryption for mobile phones and laptop computers

- Creating a Computer Emergency Response Team to monitor attacks on Aadhaar

- Working with the private sector at forums like the International Electronic and Electrical Engineers (IEEE) and the Internet Engineering Task Force to create interoperable security standards for platforms relying on national identity databases.

Q) Apni Dharohar Apni Pehchan Project will ensure better upkeep of monuments and boost tourism. Analyze. (250 words)

Financial express

Economic times

Why this question

Dalmia group adopting Red Fort has led to a debate over the move. Many people see the transfer of responsibility of management of nationally important monuments to private parties as a bad move, while others understand the benefit that it will provide. It is important to discuss the pros and cons of the policy of the government that enabled this move.

Key demand of the question

The focus of the question is on determining whether apni dharohar scheme through which private parties will adopt monuments will enable better facilities being developed there, better maintenance and management etc. The question also asks us to determine how will it help in boosting tourism.

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. Here we have to explain the scheme, examine the debates that it raises, assess the impact that the scheme will have, mention the precautions that need to be taken and finally a way forward.

Structure of the answer

Introduction – explain apni dharohar scheme.

Body

- *Mention the status quo. Why is such a scheme necessary.*

- *Examine whether involvement of private companies in handling national monuments will help in better upkeep and management, or whether the furore generated is justified. Highlight the provisions of the scheme such as the project is a non-revenue-generating one and no financial bids were involved. It envisages limited access to non-core areas and monuments won't be handed over*

- *Highlight the precautions that need to be taken – involvement of ASI in maintenance etc*

- *Discuss the positive impact that it might have on tourism and the indirect benefits from the scheme – more revenue, more employment etc*

Conclusion – Summarise your arguments and provide a way forward.

Background:-

- According to Global Financial Integrity illegal trade in paintings, sculptures, and other artefacts is one of the world's most lucrative criminal enterprises, estimated at $6 billion a year.

- India has been witnessing theft from State-protected monuments and museums over the years so this brings to the fore the fraught issue of pilferage and smuggling of art treasures from Indian shores. This brings on to the forefront the significance of conserving heritage.

Apni darohar apni pehchan project:-

- Adopt a heritage: Apni Dharohar, Apni Pehchaan is a **collaborative effort among the tourism ministry, culture ministry, Archaeological Survey of India (ASI), states and union territories.**

- **It** aims **to involve companies to take up the responsibility for making our heritage and tourism more sustainable through developme**nt, operation, and maintenance of world class tourist infrastructure and amenities at ASI/state heritage sites and other important tourist sites in India.

- **Monument mitras** are picked through a 'vision bidding' process in which those with the best plan for the heritage sites are chosen.

  - It is part of responsible tourism where the 'Monument Mitra' essentially spends his CSR funds for upkeep and maintenance etc., and gets limited visibility.

- The project primarily focusses on providing basic amenities that includes cleanliness, public conveniences, drinking water, ease of access for differently abled and senior citizens, standardized signage.

- 'The Adopt a Heritage' is essentially a non-revenue generating project

Significance of this project:-

- **Tourism:-**

  - Adopt a Heritage project is meant to **address the challenges that the Archaeological Survey of India and other government bodies are facing in operating tourism** infrastructure at heritage sites.

  - By allowing private players to build, operate and maintain "tourist-friendly" and "world class amenities at these sites, the expectation is that the project will boost domestic and international tourism.**

- **Preserving monuments:-**

  - Aga khan trust success on Humayun's Tomb led to restoration of large number of adjoining monuments

  - IT giant Infosys Ltd is also involved in restore monuments and organizing cultural shows in south India. In 2016, Infosys Foundation restored Somanatheswara temple complex in Karnataka's Lakshmeshwara and around Rs 5 crore were spent over last four years.

  - Even in many countries conservation has improved when private entities were involved.

Concerns:-

- Experts believe the government needs to tread with extreme caution as monuments can be exploited in this manner

- Private companies are concerned about their revenues, and they don't know much about conservation work. So the responsibility of the state increases in terms of supervising these companies closely.

Way forward:-

- **Every school must have age-group heritage clubs** which will look at the built, natural and cultural of heritage of the district it is in through lectures, field trips and exhibitions.

- Humanities must be a compulsory subject in undergraduate education

- Research into and documentation of lost or vanishing heritage (particularly into building materials, techniques etc.) and of the State's historical past must be encouraged in higher **educational institutions through liberal funding.**

Conclusion:-

- Instead of allowing continued defacing and desecration of Indian heritage, one should encourage the Monument Mitra Programme and hope more and more companies come forward to save and salvage our collective national inheritance.

Q) Critically examine whether the provisions of draft national telecom policy resemble a wishlist without addressing the key issues plaguing the telecom sector? (250 words)

Reference

Financial express

Why this question

The government has come out with the draft national telecom policy which has several ambitious targets like 'Connect India', 'Propel India', 'Secure India' which aim to revolutionize the telecom sector in India. However, it remains to be examined whether the provisions of the policy facilitate the easing of concerns like lack of finances, infrastructural bottlenecks etc. Hence this topic becomes important.

Key demand of the question

The question asks us to bring out the aims of the policy and examine whether these aims are merely a bunch of wishes or whether the provisions are sufficient to achieve the aims and address the issues. We are also required to analyze the provisions in the light whether they help in resolving the issues faced by the telecom sector in 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 . In the case of above question on draft telecom policy, you have to examine the issue in line with the key demand of the question.

Structure of the answer

Introduction – Mention the status quo of telecom sector in India and the need for coming out with a policy.

Body

- *Mention the aims of the policy. 'Connect India' , 'Propel India', 'Secure India'. Discuss whether they are in line with what we need.*

- *Discuss the issues faced by the sector. Pricing of spectrum, ensuring profitability, infrastructural improvement*

- *Discuss the provisions designed to achieve our vision. Discuss whether they are adequate in light of the issues faced. To support your stand quote from the studies mentioned in the article*

- *Mention the changes that should be brought in the policy to make it more effective.*

Conclusion – reiterate the importance of a policy and the refining needed in it.

Background:-

- Recently the draft of National Telecom Policy (NTP) 2018 i.e., National Digital Communications Policy 2018 has been released for public consultations by the government.

Draft telecom policy:-

- The key strategies in the draft talks of recognizing spectrum as a key natural resource for public benefit to achieve India's socio-economic goals

- The policy aims to accomplish some of the strategic objectives by 2022 including:

  1. Provisioning of Broadband for all

  2. Creating four million additional jobs in the digital communications sector

- Enhancing the contribution of the digital communications sector to eight percent of India's GDP from around six percent in 2017

    1. Enhancing India's contribution to global value chains

    2. Ensuring digital sovereignty

- It has **a three point action plan**

    1. 'Connect India' under which it plans to set up a robust digital communications infrastructure

    2. 'Propel India' where the power of emerging digital technologies, including 5G, artificial intelligence (AI), Internet Of Things (IoT) will be harnessed

- 'Secure India' to focus on ensuring individual autonomy and choice, data ownership, privacy and security

Features of the draft policy:-

- There would be the **optimal pricing of the spectrum** to ensure sustainable and affordable access to digital communications

- **Enabling light touch licensing/ de-licensing** for broadband proliferation

- **Promoting the co-use/ secondary use of spectrum**

- It also **outlined roadmap for high in demand backhaul spectrum** for transmitting signals between mobile towers in E and V band as per international best practices.

- **Constituting a Spectrum Advisory Team (SAT)** consisting of experts, industry, and academia to facilitate the identification of new bands, applications and efficiency measures to catalyze innovation and efficient spectrum management

- **It proposes identifying and making available new spectrum bands for access and backhaul segments for timely deployment** and growth of 5G networks and making available harmonized and contiguous spectrum required for deployment of next-generation access technologies

- **Setting up National Broadband Mission**

    - The draft talks of establishing a 'National Broadband Mission -Rashtriya Broadband Abhiyan' to secure universal broadband access for implementation of broadband initiatives, to be funded through USOF and PPP:

        - BharatNet for providing 1Gbps to Gram Panchayats upgradeable to 10 Gbps

        - GramNet for connecting all key rural development institutions with 10Mbps upgradeable to 100 Mbps

        - NagarNet for establishing one- million public Wi-Fi Hotspots in urban areas

        - JanWiFi for establishing two-million Wi-Fi Hotspots in rural areas

        - Implementing a 'Fibre First Initiative' to take Optical fiber to the home, to enterprises, and to key development institutions in tier I, II and III towns and to rural clusters

    - **Setting up Telecom Ombudsman**

        - It talks about establishing effective institutional mechanisms to protect consumers' interests including a Telecom Ombudsman and a centralized web-based complaint redressal system

        - The Telecom Commission has already approved setting up of the Telecom Ombudsman and has asked TRAI to take care of it

    - **Roadmap for Green Telecom in India**

        - The Policy talks of incentivizing the use of renewable energy technologies in the communications sector

        - This includes utilization of small cell fuel batteries, lithium-ion batteries or other similar technologies and promoting research and development of green telecom

Benefits:-

- High spectrum price and related charges have been main concern of telecom services segment which is reeling under a debt of around Rs 7.8 lakh crore. **The draft policy also proposes recognising of mid-band spectrum, particularly the 3 GHz to 24 GHz range, for next-generation networks.**

- The policy **recognises the importance of continued improvement in the regulatory framework for attracting investments and ensuring fair competition**, to serve the needs of Indian citizens.

- Given the sector's capital-intensive nature, **the policy aims to attract long-term, high quality and sustainable investments**

- It aims to pursue regulatory reforms to ensure that the regulatory structures and processes remain relevant, transparent, accountable and forward-looking.

  - **Policy promises to remove regulatory barriers and reduce the regulatory burden that hampers investments**, innovation and consumer interest.

- Draft of the policy is progressive and the **government is keen to deliver widest range of new services and technologies to the Indian consumers at affordable costs.**

- It has placed significant **emphasis on building a strong fiber network in India.**

Criticism:-

- Government did not do anything about spectrum prices which were increased due to restricted supply.

- **Implementation could be a big challenge in the light of existing licensing regime.**

- **Proposals in the draft National Digital Communications Policy 2018 policy have found mention in earlier regulations and vision statements of the telecom regulator or the Department of Telecom**.

  - For example, making broadband access available to every citizen. **This was already the stated objective of the Centre when the National Telecom Policy was rolled out in 2012.**

  - Restructuring C-DOT as a premier telecom research and development centre:-

    - This was the intent with which C-DOT was set up in 1984

  - Similarly, there is mention of finding synergies between telecom public sector undertakings. **This exercise was first started in 2002 but nothing has come of it till date.**

- **Woes of telecom industry:-**

  - Telecom industry is in the middle of a massive crisis

  - On the one hand operators are under a massive financial strain, with declining profits and growing debt while on the **other there is tremendous pressure on them to invest more into building networks to satiate the growing demand for data services**.

  - The 2018 policy very emphatically states that it envisions investments of $100 billion in the digital communications sector **but the reality is that none of the existing players is in a position to put that money on the table**

  - There is no clarity or any roadmap on reduction of the financial stress of the industry.

Way forward:-

- Government should focus on putting together a roadmap explaining how it will execute these initiatives.

  - For instance, the new policy states that incentivising manufacturing of semiconductor chips is one of the top priority areas. The Centre has already rolled out a policy in this regard which has failed to attract any player so far due to a number of reasons.

  - **The new policy should have gone into these reasons and proposed a plan to fix the shortcomings.**

- Need to offer a clear roadmap of how it plans to provide fiscal relief to the industry rather than merely restating that the plan is to rationalise government taxes and levies for the sector in addition to giving critical infrastructure status to the industry.

Q) To enable greater efficacy of public policies, it is necessary to ensure meaningful public participation. Discuss. (250 words)

Why this question

A lot of policies have been made public for comments and feedback, however a very limited set of people particularly organised civil society are able to register their feedback and response. Ways to ensure greater public participation needs to be devised so as to enable formulation of better policies.

Key demand of the question

The following points have to be brought out

- *The present situation – how public participation is sought to be ensured etc*

- *the advantages and ways of ensuring greater public participation*

- *The impracticality and disadvantages of greater public participation in case of public policies*

- *Instances of public policies which have had a buy in of all stakeholders and the impact that it has created such as RTI*

- *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 the recent policies which have been brought out for public response and relate that to the issue being discussed in the question.

Body

- *Bring out the present situation – highlight that formal mechanisms exist but are unutilized or underutilized*

- *Highlight the advantages of ensuring greater public participation*

- *Highlight the disadvantages of the same*

- *Highlight ways in which the situation can be improved*

- *Highlight case study of RTI where there was a lot of genuine public participation and how the policy has strengthened democracy and the experience should be replicated across*

Conclusion – *stress on the importance of the issue in ensuring formulation of better policies and the way forward.*

Background:-

- **Recently government has put** draft forest policy, amendments to the 2011 Coastal Regulation Zone (CRZ) notification and the draft National Clean Air Programme (NCAP) **in public domain for public opinion however the approach followed is criticised.**

Public policies available for public participation but approach is criticized:

- **Strict time frame:-**

  - The government has put out these three documents, seeking written comments **within the proposed tight timeframe**. However, these documents are fully formed drafts that are based on a number of assumptions and make very specific suggestions on how to move forward.

- **Not open ended:-**

    - Such **documents are not open-ended and seem already invested with ministerial backing.** This makes it difficult to critique the fundamental premise in them.

- **No accountability :-**

    - The call for public comments in the present form **creates an illusion that anyone with access to these documents can become a part of reforming environment law and policy**. But there is no obligation on the part of the government to tell citizens how their comments were dealt with.

- This **has a negative effect on public participation itself in the long run** as fewer and fewer citizens find such processes a worthwhile exercise.

- When government wanted public opinion to discuss new education policy , **the website limited comments to 500 characters and to an already provided list of issues**. This partly censored opinion generation could at best generate only fragmented and disparate views, and contradictory recommendations from the public.

- The problem is that **leading questions and pre-decided themes limit the possibilities of an in-depth and fair discussion.**

Public participation is necessary because:-

- Deliberative discussions on the main issues, gaps or problems would **allow greater public engagement and generate a wider set of perspectives that would be otherwise unavailable to the government**.

    - For example, the 2011 CRZ notification was drafted, following a series of public meetings to discuss various aspects of coastal governance.

- Advantage of these processes is that there is **greater acceptability of the final outcomes.**

- Participatory processes also **involve accountability** of those who have engaged in it.

- Public participation is a **sign of a healthy democracy**. It means going beyond the events of elections to genuinely collaborate on policymaking and governance.

- **Pre-legislative scrutiny enhances democratic governance**. It has been done in a number of other countries well accustomed to transparent legislative processes.

- **People who are potentially affected by a proposed legislation whether adversely or favourably should be able to have a say** in the law-making process at an early stage.

Negatives:-

- Too much public participation will delay the decision making process leading to confusion.

- Also the quality of discussion is significant when India is still struggling with literacy there are high chances that most of the citizens are not aware about the topic .

Way forward:-

- India has seen some good examples including the Right to Information Act, often the only forum for inputs for legislation is behind the closed doors of a parliamentary committee.

- **Follow Kerala model:-**

    - The mode of consultation must be made well-known, and the instruments for consultation will have to go beyond the Internet and electronic media.

    - A robust model of pre-legislative consultation might resemble that carried out by Kerala in relation to police legislation. In 2011, the State government went all out to ensure true public participation in drafting its police law where inclusive approach was followed with district and town wide hall meetings.

    - Notices were placed in leading newspapers publicising the committee, its visit and its mandate.

    - Many of public suggestions were accepted and passed

Q) Centre's draft scheme to monitor Cauvery water sharing is insufficient to ensure equitable distribution of water. Examine while suggesting alternative paradigms for river water management. (250 words)

Why this question

The submission of the draft scheme is another step in the never ending saga of inter state river water disputes and needs to be prepared.

Key demand of the question

Following points are required in the answer

- *The details of the scheme*

- *The pros and cons of the draft scheme and the impact of creation of overseeing body*

- *Alternatives to resolving this intractable dispute*

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. Centre's draft scheme brought out recently is to be examined here.

Structure of the answer

Introduction – *mention in brief about the long history of the dispute and explain what prompted the centre to come out with this scheme*

Body

- *Mention the details of the scheme, compare and contrast it with the tribunal's recommendation*

- *Highlight the pros and cons of the body in terms of its effectiveness and efficiency in monitoring the implementation of the award. Talk about the composition, mandate, decision making etc*

- *Explore some alternatives like decentralization committee, community participation etc which would help resolve this dispute in a better manner (take ideas from the down to earth article)*

Conclusion – *Mention the need of urgently resolving this long pending issue and paint a picture of how this body can help in resolution of this long pending issue.*

Background:-

- Inter-state river water disputes are a symptom of poor water management practices. India is a water stressed country with per capita water availability reducing from 1,820 to 1,545 cubic metres between 2001 and 2011.

- Supreme Court recently approved the Centre's draft Cauvery Management Scheme for smooth distribution of water among the four southern riparian states/UT viz. Karnataka, Tamil Nadu, Kerala and Puducherry. It ordered Central Government to notify the scheme before the monsoons.

Centre draft scheme to monitor Cauvery water sharing:

- **Authority that implements :-**

  - It will be a two-tier structure, with an apex body charged with the **power to ensure compliance with the final award**

  - It will also have a regulation committee that will monitor the field situation and water flow.

  - The powers and functions of the authority are fairly comprehensive. Its powers would extend to apportionment, regulation and control of Cauvery waters, supervision of operations of reservoirs and regulation of water releases.

- - The draft makes the authority's decisions final and binding.
- **Only three clauses have been added in the draft scheme.**
  - They refer to the proposed mechanism, which the draft scheme calls "authority,"
  - Maintaining an account of cropping pattern, area cropped and area irrigated
  - The provision for the authority to seek the Centre's help in the event of non-cooperation by any State and the authority having to abide by "directions" of the Central government.
- Court finds draft scheme in conformity with Section 6A of Inter-State River Water Disputes Act.

Issues with this approach:-

- There is an ambiguous clause:-
- if the authority finds that any one of the States is not cooperative, it can seek the Centre's help, and the **Centre's decision will be final and binding**.
- The draft scheme **has included secretaries of Water Resources Departments of each constituent of the basin at the cost of chief engineers from the respective States and the Union Territory** who were suggested by the Tribunal
- Already **rampant ground water extraction** has direct impact on the flow and pace the river. Thus the water reservoir will have less water to store with the passing year failing to meet the future demands . The **scheme seems less aware about such serious distress.**
- Another point to notice is that the **draft only focuses on the conflict and the administration deviating from the real problem .**it may fail to prove the ground of equitable distribution as very less water availability will be there.
- The scheme **doesn't talk about constituting a single tribunal** providing a single way to every state .

Suggestions for river water management:-

- **International examples give lessons to focus on decentralisation:-**
  - The Good Water Neighbors Project involving Israelis, Jordanians, and Palestinians is an example of how political differences can be ironed out by bilateral cooperation. The larger objective was to **convince local decision makers and public that such cooperation, especially pertaining to shared resources, is in their interests.**
  - Similarly in the **Nile Basin Initiative** the focus was on developing the Nile Basin water resources in an equitable way to ensure prosperity and peace in the region
  - All these initiatives indicate that **water solutions cannot be long-lasting if it is not adapted locally**. This is precisely why water experts have been advocating for decentralisation of powers: involving districts, blocks, municipalities, panchayats, and **gram sabhas and making them the owners of water resources, rather than vesting all powers with the Centre or a state.**
- It is important for the states to reduce industrial uses of water and focus more on water harvesting and use the water intellectually.
- **Indian states intiitatives:-**
  - **Mission Kakatiya of Telangana – Restoring tanks:-**
    - Desilting and restoring village tanks. It also uses remote sensing satellites for geo-database and dedicated website for transparency.
  - **Haritam Kerala – for greener and cleaner Kerala:**
    - Intends to clean and remove waste from all the water bodies. It also envisage removal of waste by people's participation and also literary water conservation awareness.
  - **River basin commissions**, which work in a cooperative manner to manage trans-boundary conflicts, might offer a more workable solution.

- National data gathering agency proposed under the Inter-State Water Disputes Tribunal bill 2017 has its task cut out.

  - **It should take surface and groundwater into consideration. Besides improving data on water availability, it is also necessary to align demand for water with what rivers can bear.**

- Agriculture, the largest consumer, is unfortunately characterised by wasteful usage on account of agricultural and electricity subsidy policies that refuse to account for declining water availability. **These must change to incentivise prudent usage.**

  - Governments also need to **handhold farmers to facilitate introduction of superior micro-irrigation methods such as drip irrigation.**

Conclusion:-

- Centre's proposal to set up a single, permanent tribunal, subsuming all existing ad hoc tribunals, to adjudicate on inter-state river water disputes could be a major step towards streamlining the dispute redressal mechanism.

- But it alone will not be able to address the different kinds of problems legal, administrative, constitutional and political that plague the overall framework. Institutional mechanisms should be backed by the political will to make them work.

Q) Anti Sterlite protests in Thoothukkudi is the signal of civil society's anger against our policy apathy towards environmental issues. Critically analyse. (250 words)

Indian express

Why this question

Civil society protests in India have had a history of agitation for environmental causes such as in the case of Chipko movement. The current protest is also indicative of the rising anger against increasing urban pollution, poor implementation of policies related to pollution control in factories etc. In this light analyzing this protest would give us an idea of how the environmental regulations in India work and whether they should be improved. Hence this question.

Key demand of the question

The question data that the civil society protests in TN are on account of the poor regulatory architecture

Background:-

- Environmental governance in India is becoming increasingly contentious. Environmental quality is declining sharply on indicators such as air, water and forest cover. At the same time, there are calls for regulatory flexibility to enable pursuit of a "development agenda".

Anti sterlite protests :-

- Protests against the establishment of the plant due to its potential to cause damage to the environment, and affect the lives of people, as early as the mid-1990s.

Civil society's anger against policy apathy towards environment:-

- **Sterlite plant:-**

  - **The agitation has continued all these years, even as the smelter went on to supply half of India's copper needs**. The fact that copper smelters are among the worst polluting industries, that emit a number of toxic and corrosive chemicals, has been proven right time and again by agitators and activists. However, **the plant continued to remain operational, despite the occasional legal setbacks and roadblocks.**

- **D**espite a series of objections, closures and reprimands from various quarters including a Rs 100 crore penalty imposed by the Supreme Court for polluting the environment it remained operational.

- Protesters have alleged that the smelter was polluting ground water in their area. An activist group has accused pollution board of allowing the company to operate its smelter with shorter chimney stacks than permitted which helped the company reduce costs but harmed the environment.

- Despite policy initiatives like forest policies India has still not adequately increased its forest cover and moving towards neglection of forest rights act.

- There are instances of ground water exploitation, water scarcity , pollution triggering deaths all over India but policy apathy is largely visible.

- The river rejuvenation programmes like Namami Ganga have failed in upholding their objectives.

- Extreme weather events like dust storms, erratic monsoons, heat waves etc have increased their intensity and government's efforts are negligible.

- **Environment Protection Act, 1986 needs to be amended to incorporate all stakeholders.** Especially the people getting affected by degradation of soil, air or water need to be involved in decision making.

- Strategic Resource efficiency needs to be adopted, newer technology needs to be incorporated.

- **No proper EIA is being done**. EIA needs to be mandatory for all big projects

- One of the underlying reasons for the failure of environmental regulation has been the **adhocism of the State**; the persistent search for quick fixes to complicated problems and difficult trade-offs.

- **Some of the major concerns in Indian environmental governance, such as the declining quality of the environment:-**

  - Piecemeal legislation and ad hoc decision-making

  - Rent-seeking propensity of the government

  - Lack of faith in the executive

  - The dominant role played by the judiciary

  - The complete failure of monitoring and enforcement mechanisms under the various environmental laws

- There have been reports that government is **diverting unspent funds, no questions were raised about why the funds were lying unspent**

  - For instance, India did vie for more funding at the climate change negotiations, but the problem is not of insufficient funds but of the fact that India have not prioritised its environmental imperatives.

- **Violations:-**

  - Extensive violations of rules by thermal plants, in terms of sulphur and nitrogen oxide emissions, excessive water consumption and impermissible levels of particulate matter. No progress was made in retrofitting existing power plants to new standards

- **Not formulating regulations for industries and power plants,** which emit majority of sulphur and nitrogen oxides in the air, has also contributed to air pollution in Delhi, which earned India wide disrepute.

  - Pro-active initiatives to phase out coal and other polluting substances have been missing.

Conclusion:-

- In addition, systematic data collection and developing of public archives on the compliance of projects over time, sectors and regions can go a long way in reframing the knowledge and regulatory structures for environmental governance.

Q) Implementation of RERA leaves a lot to be desired. Critically analyze. (250 words)

Why this question

RERA was introduced with much fanfare and was expected to transform the real estate sector dealings. Implementation of RERA however raises a lot of question and need to be examined in detail.

Key demand of the question

The question basically expects us to provide whether the implementation of RERA has resolved the problems of real estate dealings. Or else, we are expected to get into depth of the challenges in the implementation of RERA that need to be tackled.

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. You need to conclude with a fair judgement, after analyzing the nature of each component part and interrelationship between them.

Structure of the answer

Introduction – *Explain in brief about RERA.*

Body

- *Mention some of the key provisions of RERA*

- *Talk about the status quo of implementation and examine the reasons for delay.*

- *Analyze how can we quicken the entire process*

- *Talk about the benefits that will accrue if RERA is properly implemented*

Conclusion – *Present your view on the implementation of RERA and the way forward.*

Background:-

- Real Estate (Regulation and Development) Act, 2016 (RERA) is an Act passed by the Indian Parliament. The RERA seeks to protect the interests of home buyers and also boost investments in the real estate sector.

Provisions of RERA:-

- The RERA will give the Indian real estate industry its first regulator. The Real Estate Act makes it mandatory for each state and union territory, to form its own regulator and frame the rules that will govern the functioning of the regulator.

- **Reserve account:**

  - One of the primary reasons for delay of projects was that funds collected from one project, would invariably be diverted to fund new, different projects. **To prevent such a diversion, promoters are now required to park 70% of all project receivables into a separate reserve account.** The proceeds of such account can only be used towards land and construction expenses and will be required to be certified by a professional.

- **Continual disclosures by promoters:**

  - After the implementation of the Act, home buyers will be able to monitor the progress of the project on the RERA website since promoters will be required to make periodic submissions to the regulator regarding the progress of the project.

- **Title representation:**

  - Promoters are now required to make a positive warranty on his right title and interest on the land, which can be used later against him by the home buyer, should any title defect be discovered.

- Additionally, they are required to obtain insurance against the title and construction of the projects, proceeds of which shall go to the allottee upon execution of the agreement of sale.

- **Standardisation of sale agreement:**

  - The Act prescribes a standard model sale agreement to be entered into between promoters and homebuyers. Typically, promoters insert punitive clauses against home buyers which penalised them for any default while similar defaults by the promoter attracted negligible or no penalty. Such penal clauses could well be a thing of the past and home buyers can look forward to more balanced agreements in the future.

- **Penalty:**

  - To ensure that violation of the Act is not taken lightly, stiff monetary penalty (up to 10% of the project cost) and imprisonment has been prescribed against violators.

Implementation issues:-

- Only **20 of the 28 States (the Act is not applicable in Jammu and Kashmir) have framed the rules stipulated under RERA** to carry out its legal mandate.

- In some States such as Uttar Pradesh, **the Act's provisions have been watered down in favour of builders** by altering the definition of "on-going projects" which need registration under RERA.

- There is also a **dilution on the penalties for non-compliance.**

- **The speedy dispute redress mechanism envisaged by the Act is yet to take shape**.

  - Apart from Maharashtra, only Punjab and Madhya Pradesh have appointed a permanent regulatory authority (to be established within a period of a year).

  - To ease the transition, RERA allows State governments to designate an existing body as the regulatory authority until a permanent one is established. This has resulted in 13 States working with only a designated regulatory authority.

- Additionally, **only six States have set up the online portal contemplated by the Act**.

- In the North eastern States, **RERA has been challenged on certain constitutional grounds** of land belonging to the community and autonomous councils.

- **Urban concentration:-**

  - In U.P., a large number of new projects are concentrated in Ghaziabad or Gautam Budh Nagar/Noida.

  - However, even though the Act provides for State governments to establish more than one regulatory authority, the interim regulator designated in U.P. is located in Lucknow. This has led **to consumers being inconvenienced as they need to travel to Lucknow to file their complaints**.

- There also appears to be a potential **conflict developing between the Insolvency bankruptcy code and RERA** which needs to be checked as it would be against consumer interests

- **So far only 14 out of the 20 states, which notified RERA, have a functional website**

- **Lack of awareness:-**

  - A huge 74% of potential homebuyers said they did not know how to check the RERA status of their project. This does point towards a gap existing in the Act's implementation and consumer seeding.

Benefits if properly implemented:-

- **Experiences of states which implemented:-**

  - Maharashtra, which has established both the regulatory authority and the appellate tribunal, has shown that with earnest action, the Act and the establishment of the permanent regulator can have a positive impact in reassuring real estate purchasers.

  - MahaRERA's online portal has led to builders registering projects and a high degree of compliance in terms of registration by real estate agents.

- This along with fast track adjudication of consumer complaints has made the MahaRERA an example of how other States need to implement the Act.

- For long, home buyers have complained that real estate transactions were lopsided and heavily in favour of the developers. **RERA and the government's model code, aim to create a more equitable and fair transaction between the seller and the buyer of properties, especially in the primary market.**

- RERA will make real estate purchase simpler, by bringing in better accountability and transparency, provided that states do not dilute the provisions and the spirit of the central act.

- The most positive aspect of this Act is that it provides a unified legal regime for the purchase of flats; apartments, etc., **and seeks to standardise the practice across the**

- Has brought much needed transparency in the industry along with a boost to buyer sentiment.

- Due to stringent provisions of RERA, non-serious developers are finding it difficult to sustain and will eventually move out. This **consolidation will not only bring in more professionalism** but will also boost consumer confidence as buyers start dealing with organised entities that see a longer stake in the business

- Consumer complaints are now being heard and addressed

Q) Discuss the challenges that data collection in India faces? Examine whether the draft National Policy on official statistics addresses these challenges? (250 words)

The hindu

Why this question

The draft National Policy on Official Statistics is much required due to the declining truth in the numbers in a post truth world. We need to analyze the provisions of the draft policy to understand it's hits and misses.

Key demand of the question

The question expects us to incorporate the following points in our answer

- *Provisions of the policy – issues faced in data collection correctly*

- *It's hits and misses – how it addresses the challenges*

- *The impact this will have*

- *Any changes required*

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 fact that in a post truth world, ensuring that the numbers are beyond doubt is important and thus this policy becomes important too*

Body

- *Highlight the issues that the present data collection processes face – lack of interdisciplinary approach, questions not framed properly etc*

- *Highlight the provisions of the policy and how it addresses these issues*

- *Highlight those areas where the policies fall short*

- *Discuss the impact that this policy is likely to have*

Conclusion – *Your view on the policy along with changes required.*

Background:-

▪ With the growing demand for statistics and increasingly challenging data collection environment, the move by Ministry of Statistics and Programme Implementation (MOSPI) towards developing a National Policy on Official Statistics is most welcome.

Challenges faced with data collection in India :-

▪ **Ethics:-**

  ▪ Data collection is increasingly being done by contractual employees and for-profit organisations. Supervising them and ensuring their honesty remains challenging.

▪ A report in The Guardianin 2017 noted declining trust in official statistics around the world and argued that it damages democracy by jeopardising public knowledge and public argument.

▪ **Employment:-**

  ▪ Absence of data on district-level employment for decentralised planning, data on circular migrant workers; the working and living conditions of women labour.

▪ **Official data and post-truth politics**

  ▪ According to some political analysts and scholars, post 2014, in the age of post-truth politics there has been instances of manipulating and distorting data by the government. Post truth politics is evoking public emotions and deviation from facts and details of policy.

▪ **Faulty sampling frames**

  ▪ Identifying respondents and sample selection is poor

  ▪ Survey designs, questionnaires are inappropriate in many instances

  ▪ For instance The RBI adopts inflation targeting approach to maintain price level-monetary policy. This approach is based on data on inflations expectations of individuals The reliability and validity of the data is a big question as ASER reports highlights extremely low mathematical skills of Indians.

▪ **Delay/ Sporadic nature of Release of Data:**

  ▪ There is no strict process of monitoring for release of data.

  ▪ Delay in publishing data is a persisting problem. However, there has been improvement in recent years

▪ **Discrepancy in data:**

  ▪ Lack of uniformity in data across government agencies is a major concern

  ▪ For instance there is data contradiction on jobs as recently EPFO estimated that 3.68 million jobs were generated till November of fiscal year 2018- much higher estimation than that of other agencies

▪ Quality/ Accuracy of data is another concern

  ▪ In 2011, commerce secretary admitted that India's export figures for the April–October period were inflated by US$9.4 billion due to a misclassification of certain items and data entry errors.

  ▪ There has also been question over the accuracy of the Index of Industrial Production

  ▪ Allegations that NSS systematically underestimated household consumption

▪ **Infringement of privacy** by the government's data-collection machinery.

Draft national policy on official statistics:-

▪ The United Nations Fundamental Principles of Official Statistics was adopted by India in 2016. The government had also committed to bring out a National Policy on Official Statistics(NPOS)

▪ To give furtherance to the principles, recently the GOI has placed the Draft National Policy on Official Statistics, 2018 in public domain

- **Key provisions:**
  - Dichotomise statistical products in the official statistical system into core statistics (which are of national importance and critical to the economy)and other official statistics
  - Amendment in the Constitution to bring in censuses on subjects other than population census and statistics declared by Parliament by law to be of national importance in the Union List.
  - Production of official statistics should continue with the Government, whereas the related regulatory and advisory functions should be kept outside the Government
  - Coordination between agencies
  - Registered society under MOSPI to be set up- for all government data collection and analysis
  - Identification of statistical products through committees
  - **Quality assurance:**
    - Apply National Quality Assurance Framework (NQAF) to each product of official statistics
    - evolve specific Quality Assurance Framework for the product consistent with NQAF
    - Promote compliance to NQAF through appropriate incentives/ awards
    - conduct statistical audit periodically through independent agencies on all the major statistical products
  - **To assure confidentiality:**
    - Setting up standards for protecting confidentiality
    - Releasing Official Statistics in accordance with a pre-specified publication calendar
    - Declaring Data Production and Management Policy for each agency responsible for producing official statistics
    - Implementation of the Code of Statistical Practice is made mandatory
  - Publishing details of sharable and non-sharable official statistical datasets from time to time along with reasons
  - Collaboration with other countries and UN and other international agencies on statistical matters
  - It notes increasing data needs, lays down the groundwork for ethical data collection, highlights the importance of data quality and addresses the need for documentation and durable data storage.

Criticism:-

- It chooses to follow the report of the C. Rangarajan-led National Statistical Commission (NSC) submitted in 2001 and focusses largely on coordination within different ministries at the Centre and between State governments and the Centre. **A tendency to centralise authority and decision-making within well-defined structures such as the NSC forms the core of the policy statement.**

- It also recommends that a registered society under the oversight of MOSPI be set up with 2,000 crore endowment that will be tasked with all government data collection and statistical analyses. **This tendency towards centralisation** may well isolate official statistical systems.

- **The collaboration between academics and the NSS has weakened substantially in recent years.** The proposed move would lead to even further alienation of official statistical systems from the academic and research infrastructure of the nation.

Way forward:-

- **Harness diverse energies from academic and research institutions** such as the ISI, the Indian Agricultural Statistics Research Institute etc.

- **Include private sector as well:-**
  - **Smaller, technology-savvy private sector organisations may also make important contributions in technology-driven data collection**.

- Around the world, in diverse countries such as China, South Africa, Brazil, the U.K. and the U.S., statistical ecosystems consist of universities, research institutions and government agencies working synergistically.

- **Creative thinking about building synergies with diverse communities such as academic and research institutions** would strengthen it and reduce the burden on the NSC, leaving it free to devote greater attention to developing quality control parameters and to play an oversight and coordination role.

  - Scholars from different disciplines should be incorporated for framing samples and questionnaires
  - Include takeaways from experiments designed by cognitive anthropologists, and survey design specialists

- Robust survey management structure to ensure quality and honesty in data collection

Conclusion:-

- The draft National Policy on Official Statistics offers a great start for fostering trust in statistics but enhancing its inclusiveness will go a long way towards encouraging competence, reliability and honesty in public statistics.

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) Critically examine the implications of providing energy-dense, factory-made nutrient packets as take-home ration under Anganwadi Services Scheme. (250 words)

The Hindu

The Hindu

Why this question

Child nutrition is one of the key development parameter as well as an asset, which translates into human resource. Recently, the idea of providing readymade food under Anganwadi Services Scheme was forwarded by the minister of Women and Child Development. The idea was however opposed by the top officials from the same ministry. The question is related to GS-2 syllabus under the following heading-

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.

Key demand of the question.

The question wants us to bring forth the implications, both positive as well as negative arising out of providing energy-dense, factory-made nutrient packets as take-home ration under Anganwadi Services Scheme (ASS).

Directive word

Critically examine- we have to get into the details and find out what will be the result of providing readymade food under ASS. After bringing out all the pros and cons of such a measure, we have to form and present our opinion on the issue.

Structure of the answer

- *Introduction- write about the National Food Security Act, 2013,Schedule II and the*

  Supplementary Nutrition (Integrated Child Development Services Scheme) Rules, 2017. Mention that they aim to raise nutritional standards of the food provided. Earlier there were no legal provisions.

- *Body- divide the body into two main parts.*

  Discuss in points, the benefits of providing energy dense readymade food under ASS. e.g uniformity of standards, easy monitoring, economy of scale, flexible and able to cater to specific needs etc.

> *Discuss in points, the cons. E.g risk of commercialization of a critical social responsibility, more prone to corruption, nutritious but not healthy way of eating, undermines the role of other factors which impact our health etc.*

- *Conclusion– give your unbiased, objective and fair opinion on the ultimate acceptability of readymade food under ASS; and then suggest briefly in 1-2 lines, the way forward.*

Background:-

- National Family Health Survey-4 shows a drop in underweight and stunted children under five years of age compared to the previous survey. An estimated 35.7% children are underweight and 38.4% are stunted in that age group.

- These figures cause alarm that even after a long period of robust economic growth, India has not achieved a transformation.

- The National Food Security Act, 2013, Schedule II and the Supplementary Nutrition (Integrated Child Development Services Scheme) Rules, 2017 aim to raise nutritional standards of the food provided.

Proposal :-

- There was a proposal that energy-dense, factory-made nutrient packets will be take-home ration for pregnant women and lactating mothers as well as children between the age of six months and three years

- **Ready to use therapeutic foods**

  - RUTF, also referred to as energy dense nutritious food (EDNF), consists of a paste of peanuts, oil, sugar, vitamins, milk powder and mineral supplements.

Positives:-

- Each state can **make its own mash with local ingredients**. These can be in powdered form and mixed with regular meals. This will be a good initiative

- The **take-home ration given today is mostly a non-nutritious mix** which can be rectified by the energy dense foods.

- **Energy dense foods are already commonly used in Africa** where the United Nations Children's Fund (UNICEF) supports community-based provision of RUTF.

  - A small scale study in Mumbai put RUTF's efficacy at 65-70 per cent.

  - In 2013, a UNICEF report observed that if properly used, RUTF is safe, cost-effective, and has saved hundreds of thousands of children's lives.

- Packed Food is **flexible in Nature** as it can be changed according to the needs of the society.

- As post office is supposedly to be involved in **delivery monitoring and inspection** can be easier.

Negatives :-

- **Commercialisation:-**

  - Attempts to substitute meals or rations with factory-made nutrients will inject commercialisation into a key mission, and upset the nutritional basis of the scheme.

  - It is a move towards centralisation and corporatisation of anganwadi food.

  - Packaged food would also mark a shift to centralised control by private contractors, which has been banned by the Supreme Court

- **NFSA act ,2013:-**

  - There is a need for continuance of the existing practice of hot cooked meals for children (3-6 years) age group and take-home ration (THR) for children (6 months-3 years) and pregnant women and lactating mothers as decided by the State governments in **conformity with the National Foods Security Act, 2013, and the Supplementary Nutrition Rules, 2017**. **The view was endorsed unanimously by the national nutrition Council.**

- It **does not emphasise the importance of empowering anganwadi workers** to ensure proper delivery of services as well as engaging local self-help groups to ensure region-location based recipe and dietary diversification.

- **National nutrition council:-**

  - The decision of the council emphasised the need to ensure that children and women get nutritious food through ICDS and **warned against the move to go for processed foods, which have been linked to rise in non-communicable diseases**

- **Problems with energy dense foods:-**

  - **Use of RUTF may replace family foods** that children should normally be eating.

  - Enough evidence is not available for the use of RUTF vis-à-vis other interventions for the management of Severe acute malnutrition

  - Caretakers thought that their job was done by giving children RUTF, and **hence children were not cared for properly**.

  - RUTF may not benefit the common household in developing appropriate food habits for children as against home augmented food.

  - Cost is a major concern.

    - Given that well over a third of all children aged under five years are stunted or underweight, the implementation of an RUTF regime will impose a massive financial burden on the government.

  - A small study showed that children who were given RUTF found it too heavy to eat anything else afterward. Also, **once RUTF was stopped, children often slipped back into malnutrition.**

- **Corruption:-**

  - Such centralised commercial production and distribution is prone to corruption and poor quality.

  - Unholy nexus between the contractors and politicians/bureaucrats might result in central contracts worth hundreds of crores for supply of food to ICDS.

  - The quality of food supplied to the centres is compromised while companies make profits from the meagre allocation on supplementary nutrition .**This will only be complicated if the proposal is accepted.**

- **Dietary diversity:-**

  - Introduction of nutrient packets will be against the objective of moving towards dietary diversity.

- **Local awareness :-**

  - **The provision of nutritious, cooked meals at the Anganwadi is a form of nutrition education as it helps to convey what a nutritious meal looks like**, and to spread the notion that children require a regular and balanced intake of various nutrients.

  - It provides the opportunity to create employment for local women as well as demand for local product such as vegetables, eggs, etc. **All of this is possible only when the food is produced and distributed in a decentralised manner which is not possible in this scenario**

- **Intervention to replace locally made food compromises decentralised autonomy and community control**. They also detract from local livelihoods and take away the option of using local foods and recipes many of which have good nutritional value.

Way forward:-

- If the ICDS scheme, now called the Anganwadi Services Scheme, is to achieve better outcomes, it must **focus on the provision of physical infrastructure and funding, besides closer monitoring of the nutrition mission.**

- To accelerate the pace of progress, P**OSHAN Abhiyaan should rigorously measure levels of access and quality of nutrition, and publish the data periodically.**

- Management of children with Severe acute malnutrition requires a **comprehensive family-centric approach involving caregivers, instead of a food-centric approach**

- The civil society groups also called for a system that provides training and support to local groups to deliver nutritious and hygienic food.

- **A more holistic solution is needed**, which includes counselling on breastfeeding and family planning to ensure low birth weight babies are not born, and proper functioning of anganwadis so that at least regular meals are provided to children.

Q) The benefits accrued on account of Saubhagya scheme should be utilised to address the issue of clean cooking fuel once and for all. Examine. (250 words)

Financial express

Why this question

India is catching up on providing access to basic services like clean water, electricity to all sections of population which would help alleviate poverty as defined under MPI. Access to clean cooking fuel is a major service whose access so far has been limited in India. Hence this issue needs examination.

Key demand of the question

The question expects us to bring out the following issues

- *What are the benefits accrued on account of Saubhagya scheme*

- *What are issues related to access to clean cooking fuel*

- *What steps are being taken to provide access to clean cooking fuel*

- *How can benefits accrued through Saubhagya scheme help*

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 . You are required to discuss the main points discussed above.

Structure of the answer

Introduction *– Mention the criticality of providing access to clean cooking fuel and also explain Saubhagya scheme in brief.*

Body

- *Benefits of Saubhagya scheme*

- *Access to electricity*

- *Latest figures*

Issues faced due to lack of access to cooking fuel

- *Health*

- *Pollution*

- *Gender issue*

- *Etc*

Steps taken by government so far

- *Ujjwala scheme*

- *Issues with this step*

- *How can Saubhagya scheme help – take ideas from the article*

Conclusion *– Mention the need of solving this issue by highlighting its impacts . End with a way forward.*

Background:-

▪ India has been gradually succeeding in the provision of basic needs to its citizens from safe drinking water, to food security, to schooling. Access to electricity for all is now nearing completion, with about 1,25,000 villages and over 50 crore people having gotten access over the last decade. All remaining households in the country are expected to get electricity by 2020.

Saubhagya scheme:-

▪ **Pradhan Mantri Sahaj Bijli Har Ghar Yojana –"Saubhagya" aim is** to ensure electrification of all willing households in the country in rural as well as urban areas here.

▪ Under the scheme, government will provide free electricity to all households identified under Socio-Economic and Caste Census (SECC) data 2011.

▪ **The one of the expected outcomes of the Scheme is as follows:**

▪ Environmental upgradation by substitution of Kerosene for lighting purposes

Benefits accrued on account of Saubhagya scheme:-

▪ Saubhagya does not envisage any subsidy for electricity consumption. **That is, consumers will have to pay the bill as per their utilisation.**

▪ The government said that the scheme will ensure a substitute to kerosene. **By substituting kerosene use in rural areas it would save import expenditure.**

Stepa taken to provide access of clean cooking fuel and issue s:-

▪ According to some estimates, **there are about 5 lakh avoidable deaths every year as a result in India.** In addition, there is the impact on overall air pollution, which affects the health of all.

▪ Most of the indoor pollution impact is on women so clean cooking fuel is essential for them .

▪ **Pradhan Mantri Ujjwala Yojana:-**

  ▪ The below poverty line (BPL) rural households are being given a cooking gas connection and a cylinder for free.

  ▪ **Issues with Ujjwala yojana:-**

    ▪ Unlike urban areas where there usually is home delivery of the gas cylinder to the consumer, in rural areas the consumer is required to go to the dealer to collect the gas cylinder, **and this needs at least half a day, which is a real additional cost.**

    ▪ The related issue is the **one of affordability.** The refill rate, according to some sources, is only two to four cylinders in a year, against the estimated needs of nine refills in a year.

    ▪ Further, **the creation of a distribution network to cover all the rural households is a gigantic task**, with petroleum companies having drawn up investment plans of Rs 30,000 crore to develop the needed infrastructure.

Benefits accrued on account of Saubhagya scheme should be utilised to address the issue of clean cooking fuel in the following ways :-

▪ It is an **alternative, immediate and cheaper option to that of extending LPG cooking gas supply** to cover all the rural households.

▪ The electricity network has already been expanded to cover all the villages, and all the remaining households are being electrified with additional central financial assistance under the Saubhagya scheme.

  ▪ **These electrified rural households can be encouraged to use electricity for cooking** which is already the case in many developed countries.

▪ **Electric induction stove is cheaper than a gas stove.** Bulk procurement by EESL (Energy Efficiency Services Limited) should drive down prices significantly, going by the past experience.

▪ **The required investment in improving the electricity distribution infrastructure would be lower and can be done faster than for LPG.**

- **The actual cost of using electricity for cooking is similar to that of gas**.

- Whereas the cost of electricity is relatively stable, the cost of LPG goes up with the rise in oil prices as well as with the depreciation of the rupee.

- With increased capacity utilisation from the existing plants and generation from the new plants in the pipeline, the additional demand for cooking could be met without much difficulty.

- **The state governments could choose between a mix of cross-subsidy and direct subsidy**. This is both manageable as well as affordable.

Conclusion:-

- From a gender perspective, this deserves the highest priority due to the transformation in the health and the quality of life of rural women that would be brought about as a result of this step.

Q) Critically analyze whether the 'Transformation of Aspirational Districts' initiative would help India India address the growing inter state and inter district disparities? (250 words)

Reference

Reference

Why this question

The rising inequality in India makes it imperative for us to ensure regional parity in development. Transformation of aspirational district initiative is a key focus area of the government as evident by the focus accorded by Niti Ayog and PMO. Hence learning about the strategy, impacts etc of the initiative becomes important.

Key demand of the question

The focus of the answer should be on bringing out the following points

- *Bring out the problem of inter region inequality in India and the need of addressing this issue*

- *Details of the initiative. What is the initiative about etc*

- *Strategy of the initiative. How the initiative plans to achieve its objective of reducing inequality and achieving prosperity in districts*

- *Highlight the strengths and weakness of the initiative and provide your opinion on the same*

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. You need to conclude with a fair judgement, after analyzing the nature of each component part and interrelationship between them.

Structure of the answer

Introduction – Highlight the problem of glaring inter regional inequality in India and how the said initiative aims to change the status quo.

Body

- *Facts and figures to prove that inter regional inequality is an issue that requires intense focus*

- *Details of transformation of aspirational districts – what is the initiative, how it plans to achieve its aims , areas where it aims to make an impact etc*

- *Analyze whether the areas chosen for the projects would help achieve a transformational change. Analyze whether the baseline ranking methodology and the focus on data collection and monitoring would ho achieve development in these regions. Etc*

Conclusion – *Based on your arguments above, mention your stand.*

Background:-

▪ India will not be able to sustain robust growth without focusing on all states and regions. Ensuring progress in areas facing the most severe challenges and improving conditions in remote and rural regions are prerequisites for India to reach the next stage of its economic and human development.

▪ **Through its massive scale and innovative use of data, the aspirational districts programme (ADP) will help India move towards its goals.**

Aspirational district programme :-

▪ The Aspirational Districts Programme (ADP) is a radical departure from the country's previous development strategies in its scale, scope and ownership.

▪ The 115 districts were chosen by the Union government in consultation with State officials on the basis of a composite index of the following:

▪ **Education, health and nutrition, financial inclusion, agriculture, skill development and basic infrastructure.**

▪ A minimum of one district was chosen from every State.

▪ The largest concentration of districts is in the States which have historically under-performed such as Uttar Pradesh and Bihar, or which are afflicted by left-wing extremism such as Jharkhand and Chhattisgarh.

▪ These 115 districts account for more than 20% of the country's population and cover over 8,600 gram panchayats.

How it would help in resolving Inter state and Inter district disparities:-

▪ The programme shifts the focus away from output and draws **attention to socio-economic outcomes.** Through its large-scale efforts to collect, distil and disseminate data, the programme is **grounded thoroughly in evidence**.

▪ The programme is informed by the failures of the past and therefore has a more contemporary vision of how public services are best delivered to those who need them most.

▪ **Sensitive approach:-**

  ▪ Deliberately, the districts have been described as **aspirational rather than backward** so that they are viewed as islands of opportunity and hope rather than areas of distress and hopelessness.

▪ **Utilization of resources:-**

  ▪ There is no financial package or large allocation of funds to this programme. **The intent is to leverage the resources of the several government programmes that already exist but are not always used efficiently.**

▪ **Competitive federalism:-**

  ▪ This programme takes the principle of competitive federalism down to district administrations. Each district will be ranked on the focus areas which are disaggregated into easily quantifiable target areas. **So as not to bias the rankings on historical achievements or lack of them, the rankings will be based on deltas or improvements. The rankings will be publicly available.**

▪ With continuously updated data dashboards, those running the programme on the ground can alter strategies after accurate feedback.

▪ **Up-to-date statistics on health, education and other dimensions of development lend the programme a rigour that an observational approach could not**. Through ADP, data is advancing policymaking in three important ways: strengthening analysis and monitoring, enhancing accountability and transparency, and taking into account the heterogeneity across districts and states.

  ▪ Data from these districts will help government and other organisations grasp the complexities of a given district better **.They will help assess outcomes and monitor progress**.

  ▪ They also facilitate rankings, spurring competition between districts.

  ▪ The programme is pioneering the democratisation of development data in India.

  ▪ **Till date, no other developing country has undertaken a data-driven programme of this massive scale to advance the holistic development of one-fifth of its population**.

- **Cooperative federalism:-**

    - The composite district-level data allows government to take into account the huge variation within India. With districts as diverse as Dantewada and Bastar in Chhattisgarh that are affected by leftwing extremism and Baksa in Assam where access to education is a challenge, **a one-size-fits-all strategy will not work.**

    - The ADP brings together all levels of government, from central and state officers driving operations, to the district collectors implementing innovative measures on the ground. It also tracks progress through real-time data collection. A critical aspect of the programme's approach is its focus on district-specific strengths.

    - **The ADP echoes the government's belief that states and districts should have a greater voice in their development**.

    - It truly embodies India's shift toward cooperative federalism. The local, state and central governments work together to design, implement and monitor measures to drive development in the districts.

    - The strong belief that underlies this strategy is that each district's advantages and challenges are different.

- **The ADP has opened its door to civil society and leveraged the tool of corporate social responsibility to form partnerships** which will bring new ideas and fresh energy with boots on the ground from non-government institutions to join the official efforts. The force multiplier on outcomes from such participation is potentially massive.

    - For example, NITI Aayog is working with Piramal Foundation to strengthen public systems particularly in health and education.

Challenges:-

- **Local government is in a unique position to understand the complexities of the districts**. They can experiment with different measures to enhance socio-economic development on the ground. Panchayats are neglected.

- Some of the states (West Bengal, Kerala and Odisha) **have already opted out of the scheme,** reducing the total number of identified backward districts from 115 to 102. This further **reduces any limited benefit that ranking of districts may offer.**

    - **The three states have objected to the criteria set up by the centre for identifying backward districts without taking states into confidence.**

- Orissa **also objected appointment of 'prabhari officers'** citing the move would infringe country's federal structure.

- **State government in its conditions has also demanded allocation of more funds** for the most backward districts.

- Data collection and analysis on monthly basis is a **very hectic process** which needs resources and efficient workforce.

- The districts which are backward **need to compete with the best performing so quick transformation might be difficult and be flawed as well.**

- Also there might be **conflicts between centre and states**. Work might be affected during elections etc

Way forward:-

- For the programme to succeed there is a need for effective monitoring which can be done by **social auditing**

- **Increase the awareness amongst the people** and even some of them can be given work as volunteers.

- With lack of digital literacy and infrastructure at local level compiling the enormous data and updating it is a humongous task.

- Seeking rapid transformation of these districts on specific parameters such as health, education and nutrition need to happen alongside unlocking of their development potential.

    - In this context, recognising development trajectory of each district, relentlessly tracking district's progress on its chosen interventions and indicators is probably a better approach.

Conclusion:-

- Without improving human development and strengthening the economic situation of these regions, India as a whole cannot achieve significant progress. So this programme is moving in the right direction.

Q) Mere construction of toilets to achieve ODF status will not lead to improvement in access to basic sanitation for Indians. Critically Examine. (250 words)

Reference

Why this question

Under the transformation of aspirational districts initiative, government is pushing for fulfillment of target of toilet construction under SBM. Whether or not this will help in achieving improvement in SDG targets etc needs to be analyzed in greater depth, now that 2019 is near. Status of toilet construction, other shortcomings in sanitation etc needs to be analyzed in greater depth.

Key demand of the question

Following points have to be incorporated in the answer

- *Details about SBM, the status of toilet construction and what it is trying to achieve*

- *Examine why construction of toilets is not going to be sufficient – associated issues of maintenance etc, related issues of improving sanitation that includes solid and liquid waste management, clean water availability, behaviour change etc needs to be brought about*

- *Also analyze the penchant of government to implement policies by a target based approach which shifts the focus away from the broader problem and instead makes us myopic in our vision*

- *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 – Discuss about the ODF target of the government under SBM and the current focus on achieving numbers prior to 2019 through transformation of aspirational districts initiative. Also mention what the government is trying to achieve – improvement in sanitation

Body

- *Mention how far India has come in construction of toilets – mention the benefits that will accrue through this step*

- *Probe deeper to bring out the issues linked to improving sanitation that is being ignored – solid and liquid waste management, behavioural change etc.*

- *Discuss why these issues are critical in improving India's ranking in SDG and improving the sanitation situation in rural India*

- *Discuss the shortcoming of adopting a target based policy approach*

- *Summarise your arguments and present your point of view*

Conclusion *– highlight the need for broadening our outlook when it comes to questions of sanitation and discuss way forward.*

Background:-

- As on April 2018, the number of households not having toilets is just 27.8 million. By March 2019, all these households will have toilets, if the current pace of construction sustains.

Focusing on constructing toilets will not lead to improvement in sanitation:-

- The rate of construction in Bihar, Uttar Pradesh and Odisha in the last 10 months was approximately 15 toilets, 12 toilets and four toilets per minute, respectively.

    - Such construction spree makes one wonder whether the whole idea of SBM is just about having toilet in every household.

- **Unable to reach target:-**

    - **Access to free toilets has not helped resolve open defecation in India.** The programme is unlikely to succeed in its primary task of eliminating open defecation by October 2019.

- **The rate of open defecation is not decreasing much:-**

    - India has far higher levels of open defecation than other countries of the same GDP per capita. For example, India has a higher GDP per capita than Bangladesh, but in Bangladesh only 8.4% households defecate in the open, compared to 55% in India.

- **Purity and pollution:-**

    - The **key reason for this is that basic latrines that need to be emptied out manually or pumped by simple machines are unacceptable to higher caste Hindus**.

    - It is considered polluting to the individual and the home, and historically associated with untouchability. So people rather defecate in open than having a toilet at home.

    - It is not just a matter of access but a problem of perceptions of pollution, ritual purity, and caste.

    - Even if the government builds free toilets without any leakage or corruption, India will at best have 80 million new toilets that a large proportion of Indians do not want to use.

- By 2015, India had missed the target of reducing number of people without sustainable access to basic sanitation by 50 per cent under Millennium Development Goal (MDG) No 7 by a wide margin

- **States are yet to spend on solid liquid waste management (SLWM), which is a major part of safe sanitation.**

Way forward:-

- Deeply entrenched cultural contexts must be taken into account for successful policy outcomes. India needs to change perceptions of ritual purity through education and awareness in rural areas. This can be done by investing in sewage systems.

- **Enabling local governments to construct sewage systems will solve the purity issue :-**

    - A toilet that flushes away human waste into the sewage and waste management system solves the problem. If there is a functional sewage system, it is relatively low cost for households to build a toilet in every home that is connected to the sewage system.

    - Developing proper sewage system in village would also have wider impact with water not stagnating any more, lesser vector borne diseases etc so the wider objective of sanitation will be achieved.

    - Also it would not put stress on manual scavenging and this occupation can slowly fade away giving sense of dignity and equality to the most vulnerable sections.

- **Pursuit of Swachh Bharat also requires strengthening public health services.**

- Services such as good drainage systems, absence of swamps and ponds that are home to stagnant water, and the supply of safe drinking water all of which reduce exposure to and spread of diseases are classic examples of public goods and require effective government intervention.

Why this question

Ayushman Bharat scheme is a recently mooted health scheme that aims to transform the health sector in India. However, without catering to some of the issues plaguing health sector, the scheme will not be successful. The question is related to GS 2 syllabus under the following heading-

Key demand of the question

The question wants us to dig deeper into the issue and find out the problems/ issues with our healthcare system that should be necessarily resolved in order to make Ayushman Bharat scheme a success.

Directive word

Analyse- we have to analyse the present health care system and bring out the important issues which need to be resolved at any cost, in order to achieve the desired aims of the scheme.

Structure of the answer

Introduction– *mention the aim of Ayushman Bharat scheme and highlight the key strategy designated to achieve those aims.*

Body- *Discuss in points, what are the issues faced by present healthcare system and which need to be necessarily resolved.*

e.g perennial shortage of infrastructure and human resources at primary levels, particularly in Northern states of India, lack of dedicated resources (health budget has not been increased), regulation of healthcare sector (need for bringing transparency in pricing, treatment protocols etc.), problem with cashing out of insurance sum etc.

Conclusion-*Bring out a fair, balanced and concise conclusion on the desirability of Ayushman Bharat scheme and highlight the most important reforms which need to be implemented for making the scheme a success.*

Background:-

▪ India is concerned with many health issues be it malnutrition, infant mortality, rising non communicable diseases, growing number of deaths due to cancer etc. The national health protection scheme or the Ayushman Bharat health insurance scheme is the step in the right direction which can give impetus to healthcare in India.

Ayushman Bharat scheme:-

▪ Aims to roll out comprehensive **primary health care with Health and Wellness Centres (HWCs**) serving as the people-centric nuclei. A nationwide network of 1.5 lakh HWCs will be created by transforming the existing sub-centres and primary health-care centres by 2022. This will constitute the very foundation of New India's health care system. **HWCs will help unleash a people's movement for a healthy India.**

▪ **The scheme has two components:**

  ▪ Upgrading the 150,000 sub-centres (for a 5,000 population level) into wellness clinics that provide 12 sets of services

  ▪ Providing health security to 40% of India's population requiring hospitalisation for up to a sum assured of 5 lakh per year per family

Problems with Indian healthcare system:-

▪ **Massive shortages in the supply of services** (human resources, hospitals and diagnostic centres in the private/public sector) which are made worse by grossly inequitable availability between and within States.

  ▪ For example, even a well-placed State such as Tamil Nadu has an over 30% shortage of medical and non-medical professionals in government facilities.

- **Health budget:-**

  - The health budget has neither increased nor is there any policy to strengthen the public/private sector in deficit areas.

  - While the NHPS provides portability, one must not forget that it will take time for hospitals to be established in deficit areas. **This in turn could cause patients to gravitate toward the southern States that have a comparatively better health infrastructure than the rest of India**.

- **Infrastructure constraints:-**

  - There are doubts on the capacity of this infrastructure to take on the additional load of such insured patients from other States, growing medical tourism (foreign tourists/patients) as a policy being promoted by the government, and also domestic patients, both insured and uninsured.

- **In the absence of market intelligence, arbitrary pricing and unethical methods cannot be ruled out:-**

  - Aarogyasri scheme has only package rates, a procedure that all States have since followed as a model. Package rates are not a substitute for arriving at actuarial rating.

  - More importantly, there is **no way the government or the payer has an idea of the shifts in the price of components within the package.** This knowledge is essential to regulate/negotiate prices to contain costs. This also explains why there is no dent in the exorbitant health expenditures being faced in India despite government-sponsored schemes.

- **Absence of primary care:-**

  - In the northern States there are hardly any sub-centres and primary health centres are practically non-existent.

  - The wellness clinic component is a step towards bridging that lacuna but funding constraints are here too.

- **Out of pocket expenditure high:-**

  - Even the poor are forced to opt for private healthcare, and, hence, pay from their own pockets. Resultantly, an estimated 63 million people fall into poverty due to health expenditure, annually.

- **Inequities in the health sector exist** due to many factors like geography, socio-economic status and income groups among others. Compared with countries like Sri Lanka, Thailand and China, which started at almost similar levels, India lags behind peers on healthcare outcomes.

- **The Government has launched many policies and health programmes but success has been partial at best.**

  - The National Health Policy(NHP) 2002 proposed to increase Government spending on health by two to three per cent of the gross domestic product (GDP) by 2010 which has not happened yet. Now, the NHP 2017, has proposed to take it to 2.5 per cent of the GDP by 2025.

- **Healthcare does not have holistic approach:-**

  - There are a lot of determinants for better health like improved drinking water supply and sanitation; better nutritional outcomes, health and education for women and girls; improved air quality and safer roads which are outside the purview of the health Ministry.

  - These issues are increasingly being recognised with emerging challenges such as Anti-microbial resistance, air pollution, and non-communicable diseases (NCDs).

- **While private sector healthcare providers play an important role in the overall delivery of health services, any engagement of Government hospitals with private sector is seen with suspicion.**

- **A number of health institutions, established since independence, seem to have outlived their utility** for instance institutions solely focus on family welfare.

- **Finally, universal health coverage (UHC) is a widely accepted and agreed health goal at the global level and has been included in the broader Sustainable Development Goals (SDGs) agenda as well**. In India, the momentum seems to have been lost. The inclusion and articulation of core principles of UHC as central aim of NHP 2017, is a sign of hope.

- Rural medical practitioners (RMPs), who provide 80% of outpatient care, **have no formal qualifications for it.**

- Given low salaries, colleges face serious difficulties in filling the positions. T**he result has been extremely slow expansion of capacity in many states.**

- **Pricing of medical equipment :-**
    - **Private hospitals are charging exorbitant prices for these and poor suffer the most and there is no price capping yet.**

Way forward:-

- **There is a need for multi-sectoral planning and 'health in all policies' approach,** where initiative of different departments and Ministries is developed and planned coordination, accountability assigned and progress monitored jointly. It has to be coordinated at the level of Prime Minister or the Chief Minister's office, as the case may be.

- **PPP in India needs a nuanced approach and systematic mechanisms, including** legislation and regulatory aspects. The process requires wider stakeholder engagement and deliberations and oversight from top leadership.

- **There is a need to reform and re-design institutions to broader health system goals to contribute achieve sustainable development goals**.

- **Policy proposals**, such as setting up of Indian Medical Service, establishing public health cadre as well as mid-level healthcare providers and exploring lateral entry of technical experts in academic and health policy institutions, including in the health Ministry (up to the levels Joint Secretary and Additional Secretary levels) should be deliberated and given due priority.

- **A competitive price must be charged for services provided at public facilities as well.** The government should invest in public facilities only in hard to reach regions where private providers may not emerge.

- **The government must introduce up to one-year long training courses for practitioners engaged in treating routine illnesses**. This would be in line with the National Health Policy 2002, which envisages a role for paramedics along the lines of nurse practitioners in the United States.

- **There is urgent need for accelerating the growth of MBBS graduates to replace unqualified "doctors"** who operate in both urban and rural areas.

- The government needs to provide adequate funding to improve the quality of services as well.

- In a federal polity with multiple political parties sharing governance, an all-India alignment around the NHPS requires a high level of cooperative federalism, both to make the scheme viable and to ensure portability of coverage as people cross State borders.

Conclusion:-

- Good health is part of 'social contract' between the Government and the people and essential for sustaining economic growth of the country. Seventy years of independence is an opportune time to revisit priorities and place health higher on policy and development agenda.

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

Q) Discuss how the recently proposed Higher Education Evaluation and Regulation Authority aims to transform the higher education in India. (250 words)

Economic times

Why this question

The incumbent government recently suggested its plan to reform higher education in India by forming a common higher education authority, Higher Education Evaluation and Regulation Authority. The draft guidelines define the aims and functioning of the authority. The proposed

changes in higher education will bring sweeping reforms. The issue is related to GS-2 syllabus under the following heading-

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

Key demand of the question.

The question wants us to discuss the powers and functioning of the newly proposed Higher Education Evaluation and Regulation Authority and discuss in detail how it will transform the higher education sector in India.

Directive word

Discuss- we have to write in detail about all the key aspects of the Higher Education Evaluation and Regulation Authority which enable it to act as an engine of transformation in India's higher education sector.

Structure of the answer

Introduction- mention the committees which suggested forming an authority on the lines of Higher Education Evaluation and Regulation Authority. E.g Yashpal committee, National Knowledge Commission.

Body– discuss in points the structure, functioning and powers of the Higher Education Evaluation and Regulation Authority. Compare them with the present authorities viz. UGC, AICTE etc wherever required. The attached article would help in collecting those points, but organize them into following heads- structure, functioning and powers.

Conclusion- briefly discuss the need of reforms in higher education in India and to what extent the Higher Education Evaluation and Regulation Authority will solve the problem.

Background:-

- Policy analysts and experts have been advocating replacement of AICTE and UGC with a more efficient regime for a long time.

- The National Knowledge Commission (NKC) found that there was a multiplicity of regulators prescribing standards and minimum norms for higher education institutions. **Accordingly, NKC recommended creation of an Independent Regulatory Authority for Higher Education (IRAHE),** which would function at an arm's length from all concerned stakeholders

The Backstory

If implemented, this could be the single biggest reform under the Modi regime which can change the face of higher education

Several committees including the Prof Yash Pal committee and the National Knowledge Commission of the UPA era and the Hari Gautam panel in the Modi regime have recommended the same, but it didn't take off

It would eliminate all existing overlaps in jurisdiction of different regulatory authorities, and do away with regulatory provisions that may no longer be relevant to the changed scenario

UPA-II's HRD minister Kapil Sibal had tried to introduce a legislation for a similar National Council on Higher Education & Research, but it hit roadblocks as well

The decision to go ahead with the idea was taken after a meeting on education chaired by the PM on March 10, 2017

Budget 2017 had also announced an overhaul of the UGC and AICTE, starting off a train of reform measures

Higher Education Evaluation and Regulation Authority:-

- HEERA Bill says **that the new authority will focus on setting quality standards for institutions, specify learning outcomes**, lay down standards of teaching assessment and research and evaluate the yearly academic performance of the institutes on clearly laid criteria.

- **New regulator will mentor institutes, besides defining academic standards.**

- While it won't have grant giving powers, HEERA will be armed with zero tolerance mechanisms for violations, including provisions to terminate the affiliation of an institute.

- Once the new regulator is created, existing regulatory authorities such as the University Grants Commission (**UGC**), **All India Council for Technical Education** (**AICTE**) and the **National Council for Technical Education**(NCTE) will be scrapped.

- **The jurisdiction of AICTE and UGC often tends to overlap:-**

    - Given that UGC governs universities and prescribes minimum standards for higher education, and AICTE performs similar functions for the stream of 'technical education', there are many cases where institutions fall under the domain of both UGC and AICTE

    - For example, a college affiliated to a university which is recognised by the UGC may also be called upon by AICTE to obtain its approval. **This is where the problem of multiplicity arises leading to lack of clarity over which regulations to conform to.**

    - It appears that **often the idea of conforming to two sets of norms set out by both regulatory bodies can be a huge barrier for setting up of nascent institutions**.

    - The multiple sets of rules and sub-regulations prescribed by UGC and AICTE, unfortunately, seem to have acted as a deterrent to the development of premier educational institutions

    - **UGC has also on many occasions impeded institutional autonomy at top notch universities and institutions for instance, its handling of the Delhi University's four-year undergraduate programmes (FYUP).**

- **Functions:-**

    - **HEERA may provide expert advice to any institution or its departments for promoting excellence.**

    - If any university is found to grant affiliation to a course in contravention of regulations of the HEERA, **it may be faced with a penalty, fine, withdrawal of degree granting powers and in dire cases, even a direction to cease all operations**.

    - A three year imprisonment has been proposed for those that fail to comply with the penalty imposed.

    - HEERA, like UGC, will specify and notify degrees and their nomenclature, have the right to bring a variety of regulations for maintenance of standards at varsities. It will come under CAG's scanner and will also take directions from the Centre on policy matters.

How will it transform higher education:-

- The multiple sets of rules and sub-regulations prescribed by UGC and AICTE, unfortunately, seem to have acted as a deterrent to the development of premier educational institutions would be done away with by setting up of a single body.

- Unlike the UGC Act, the new single education regulator will be **backed by more teeth.**

    - It will be able to bar an institute from admitting new students in a particular course if it is established that it has violated the quality benchmarks.

    - It will also be able to terminate affiliation of such an institute and provide for measures to safeguard interest of the enrolled students.

- **The introduction of a unified regulator would minimise administrative delays and remove jurisdictional ambiguity.**

    - Sponsoring bodies of institutes of higher education would no longer be required to approach multiple authorities for clearances, which is likely to promote ease of development of institutions of higher learning.

- Furthermore, HEERA is expected to have sharper teeth than the extant AICTE and UGC: the **HEERA Law is likely to empower HEERA to take strict penal action against defaulting institutions.**

- **HEERA is expected to eliminate the overlaps in the jurisdiction and remove irrelevant regulatory provisions**.

  - Having a single statutory body for higher education will simplify and consolidate the mass of regulations and compliances that currently operate in the sector.

- It will **bring the regulation of both technical and non-technical higher education institutions under one umbrella.**

- The way UGC and AICTE have been roundly criticised for their poor handling of higher education so far, **HEERA is likely to be structured in a manner that addresses these deficiencies.**

- The introduction of a unified regulator for both UGC and AICTE would **do away with regulatory provisions that may no longer be relevant.**

Way forward:-

- **International example:-**

  - In the US, for instance, regulation is based on a system of self-reporting by institutions and monitoring by regional accreditors. **Accreditors evaluate institutions based on the latter's assessment of themselves which means a one-size-fits-all approach is shunned.** Institutions failing to earn accreditation are not given support for research, infrastructure and other needs.

Q) NHPS is a critical step in improving the status of healthcare in India, however, the way ahead is fraught with challenges. Examine the challenges and suggest measures to tackle them. (250 words)

Financial express

Livemint

Why this question

NHPS is a critical step in achieving the vision of universal healthcare in India. In light of the challenges associated with poor healthcare, out of pocket expenditure etc, the idea of health insurance to deal with these issues is a long debated one. Now that we are moving ahead on this, it becomes imperative to be aware of the challenges and discuss a way forward.

Key demand of the question

The question expects us to discuss the following issues

- *Details of NHPS and what advantages it will bring*

- *The challenges in the implementation of the scheme and the impacts it is likely to have in the effectiveness of NHPS*

- *Learn from global experiences, experiences of states like TN etc, reports etc in writing a 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 .

In the case of above question on challenges in implementation of NHPS, we have to examine different aspects like finances , regulations, capacity building etc and the impact those challenges are likely to have on the future of NHPS.

Suggest measures – Suggestions should be based on reports, opinion pieces, global and state's experiences.

Structure of the answer

Introduction – Write details about NHPS and how implementation of such a scheme is fraught with challenges.

Body

- *Discuss why NHPS is important*

- *Universal healthcare*

- *Out of pocket expenditure*

- *Improving hdi etc*

- *Examine the challenges. Discuss challenges under broadheads like*

- *Financing*

- *Regulatory architecture*

- *Infrastructural shortcomings particularly at primary and secondary level*

- *Capacity building*

- *Etc*

- *Also mention the impact that these challenges would have on the future of NHPS , if left unresolved*

- *Suggest way forward based on experiences of South East Asian countries in providing healthcare, quote from the opinions expressed in the articles , along with your own views*

Conclusion – *Give the issue a larger context by linking it to question of socio economic justice and the role of government in providing a better life to the citizens to establish that the issue deserves utmost importance.*

Background:-

- India is concerned with many health issues be it malnutrition, infant mortality, rising non communicable diseases, growing number of deaths due to cancer etc. The national health protection scheme or the Ayushman Bharat health insurance scheme is the step in the right direction which can give impetus to healthcare in India.

Features:-

- The scheme seeks to provide health cover to 10 crore economically vulnerable families.

- Every family will be provided Rs. 5 lakhs annually for secondary and tertiary health care.

- 2000 crore are allocated for the scheme in the budget 2018.

- The overall investment required for the scheme is estimated to be around Rs. 10,000 crores to Rs. 12,000 crores.

- The Premium for every household is expected to be Rs.1000 to Rs. 1200 annually.

- The scheme is acentrally sponsored scheme. The centre intends to bear 60 percent of the cost. Remaining 40 percent will be borne by the states.

- The scheme will replace Rashtriya Swasthya Bima Yojana under which, the government provided Rs.30,000 annually for healthcare. Under NHPS, Rs.30,000 is increased to Rs. 5 lakhs.

- The centre will face an annual burden of around Rs. 5000- 6000 crores towards premium. The rest will be come from state governments.

- NITI Aayog expects that at least 50% of the beneficiaries will use the scheme in the first year.

It is a very critical scheme because:-

- The NHPS will be financially viable, despite a high coverage offered to the few who fall sick in any year, because the rest in the large pool do not need it that year.

- Will bring healthcare system closer to the homes of people.

- It can achieve its goal as only 40 per cent of India's population will be covered under this insurance scheme. If the National Health Protection Scheme is properly implemented and monitored we would have taken an important step in creating a Swasth Bharat.

- State governments have the main responsibility of health service delivery and also need to bear the major share of the public expenditure on health. **The National Health Policy (NHP) asks the States to raise their allocation for health to over 8% of the total State budget by 2020, requiring many States to double their health spending.**

Challenges remain:-

- The amount of Rs 5 lakh per family is a massive and unexpected hike from the existing fund of Rs 1 lakh per family. This amount is 17 times bigger than the RSBY scheme and will cover 40% of India's population.

- Though it improved access to health care, **it did not reduce out-of-pocket expenditure (OOPE), catastrophic health expenditure or health payment-induced poverty.**

- The NHPS addresses those concerns by sharply raising the coverage cap, but shares with the RSBY the weakness of **not covering outpatient care which accounts for the largest fraction of OOPE.**

- **The NHPS too remains disconnected from primary care.**

- **Universal health insurance through private hospitals has not worked for the poor anywhere.**Biggest beneficia ries are the private hospitals and insurance companies. **There is no substitute for public health care.**

- The government's proposals do little to prevent poor health in the first place. India is plagued by increasing levels of water and air pollution, some of it worsened by pro-business policies. Malnutrition, poor sanitation and lack of proper housing also remain major problems.

- **Earlier programme failures cast new doubts:-**

  - In its final iteration in 2016-2017, the RSBY also targeted 5.9 crore families, and managed to enroll 3.6 crore families. **Thus the government's announcement today of reaching ten crore families is also vastly ambitious**

  - There is evidence to show that despite efforts towards pushing for increased insurance coverage, neither have the poorest been reached out to nor has there been efficient financial protection.

- In real terms and as a percentage of GDP, **there is a decline in the health budget this year**.

- It would take six more months to finalise the scheme and then perhaps a few more months to contract insurance agencies and providers. **So it is uncertain if the scheme will be fully implemented this year**

- **Challenges with states:-**

  - Questions arise when centre has not raised its public expenditure on health will the states be inspired to raise their allocation for health to over 8%

  - The NHPS needs a buy-in from the States, which have to contribute 40% of the funding. Even with the low cost coverage of the RSBY, several States opted out. Some decided to fund their own State-specific health insurance programmes.

  - The southern states have vibrant and mature insurance schemes with Andhra Pradesh, Telangana, Tamil Nadu and Karnataka virtually racing towards universal health coverage. **The scheme may enable them to avail of financial assistance from the central government and use the resultant savings for other health needs in the primary healthcare segment to avert disease and keep costs low**.

Way forward:-

- Universal health coverage is widely practised in the world. So India needs to accept it too.

- Also the public healthcare needs to be strengthened especially in rural areas.

- The government needs to provide adequate funding to improve the quality of services as well.

- In a federal polity with multiple political parties sharing governance, an all-India alignment around the NHPS requires a high level of cooperative federalism, both to make the scheme viable and to ensure portability of coverage as people cross State borders.

- The government should purchase healthcare services from the private players, wherever the government doesn't have the wherewithal to cater to the demand.

- **International examples:-**

  - Government needs to increase the overall spending on the healthcare sector.

  - Important for the government to increase the spending on primary and preventive healthcare

  - Among the developing countries, Brazil and Thailand have achieved close to universal health coverage. In Thailand, the government health expenditure, as a percentage of total healthcare expenditure, stands at 78%

Q) The crisis in India's higher education system has only deepened with time. Analyse in the light of various ills plaguing our higher education system. (250 words)

Reference

Why this question

Education is a critical indicator of human development and an important issue for policymakers and academics alike. Indian education including the higher education is in poor form as can be assessed from our performance in world rankings. There are demands for various reforms and the government has taken several initiatives to address the issue, including the present decision to provide more autonomy to more than 60 institutions of eminence. However the malaise affecting the higher education in India is much worse than to be solved by band-aid solutions. The issue is related to GS-2 syllabus under the following heading-

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

Key demand of the question.

the question wants us to highlight and briefly describe all the major problems affecting India's higher education. We have to trace the historical evolution of India's higher education sector and analyse how the problem has worsened with time despite many attempts to reform it.

Directive word

Analyse- we have to look into the key aspects of the question (crisis has deepened with time and ills plaguing India's higher education) and discuss in detail about them. We have to provide justifications and examples wherever required.

Structure of the answer

introduction- Mention the change in higher education sought before independence, and the priorities and vision of the newly independent India.

Body- Discuss in points about the various problems plaguing India's higher education (e.g Lack of quality, adhocism, erosion of autonomy, unnecessary bureaucratization and politicisation, stress on exam process, grading, rot learning, employability etc.) and highlight how the problem has worsened over time (dilution of aims and values of higher education, over-regulation with time, adhocism, budget cuts, erosion of vital institutes or their autonomy, wrong direction of reform like rating universities/ institutes among themselves and ignoring the larger problem).

Conclusion- based on the above discussion, form a clear, fair and balanced opinion and present it as your conclusion. Also highlight the need for major reforms in India's higher education

Background:-

- Since independence one of the priorities that has been given by the Indian state is to provide free and compulsory education to all the citizens of the country as a part of its normative understanding of the idea of well-being.

- Although education as a right, came as late as in 2009, **the essence of focusing on human capital development was always in the blood stream of the policies that surrounded and operated at the peripheries of development related policies.**

- **India since independence understood the need for education, and the responsibility to provide it was taken up by the central government**. It was realized that, in order to have an enlightened citizenry the country had to have an educated population, specially the youth. The education of adult became imperative as ninety percent citizens were not educated.

They have worsened over a period of time:-

- The issues range from quality to accountability from lack of widespread innovation to marketing quality of Indian schools globally Since Independence

- Fairly quickly after independence, higher education governance came to be exercised in different ways between the centre and the states.

  - **Control over the system's governance was to later become an arena of contest between the national (central) government and the provinces (states), leading to disagreements on strategies, such as on funding and regulation**.

  - In later phases, particularly in the third phase that began in 1984 and continues to the present, the disagreements intensified because educational priorities started changing due to the changes in the relative influence of stakeholder groups and new forces such as globalization.

What is ailing Indian higher education system :-

- **India's focus on expanding the higher education sector to provide access has led to a situation where research and scholarship have been neglected.**

- **Funding issues:-**

  - **The Central government's slant toward premier institutions has continued ever since the Eleventh Five Year Plan where in spite of a nine-fold increase in Budget allocation State institutions have been left to fend for themselves with funding mainly directed towards starting more** premier institutes.

  - Investment by State governments has been also dwindling each year as higher education is a low-priority area. The University Grant Commission's system of direct releases to State institutions which bypasses State governments also **leads to their sense of alienation.**

  - There has been a demand to take spending on education to 6% of gross domestic product for decades.

- **Low enrolment:-**

  - The gross enrolment ratio (GER) in higher education is 24.5 meaning out of every 100 youths eligible for higher education, less than 25 are pursuing tertiary education.

- **Desired levels of research and internationalization of Indian campuses remain weak points**

- It follows a largely linear model with **very little focus on specialization**. Both experts and academics feel Indian **higher education is tilted towards social sciences**.

  - Only 1.7% colleges run Ph.D programmes and a mere 33% colleges run postgraduate-level programmes.

- **Regulatory issues:-**

  - The country has a poor record with both the University Grants Commission (UGC) and All India Council for Technical Education (AICTE) being seen more as controllers of education than facilitators.

  - As a regulator of India's higher education, coordinator of vastly different kinds of institutions, and custodian of standards, the UGC had begun to look ill-equipped.

- Regulatory bodies with licensing powers hurt the autonomy of professional higher education, leading to serious imbalance in the diarchy they were under, and partitioning general from professional higher education in several crucial areas of knowledge.

- Privately set-up institutions in medicine, engineering, and other fields created the ground conditions in which strict regulation acquired justification. The power to license led to corruption.

- The existing model is based on deep and pervasive distrust among regulators over the possibility of universities doing things on their own, and doing it well. The current framework that require universities to be constantly regulated by laws, rules, regulations, guidelines and policies set by the government and the regulatory bodies have not produced the best results.

- **Lack of autonomy:-**

  - All aspects of academic life, including admission norms, syllabus design, and examination were controlled by the affiliating university.

  - In colleges set up and run by the government, recruitment of faculty was the state government's prerogative.

  - When certain state governments stopped fresh recruitment altogether and moved over to the practice of hiring contractual or ad hoc teachers, no college could practise autonomy to alleviate its suffering.

  - Autonomy to function through their own structures of governance first began to diminish in many provincial or state universities in the sphere of appointment of vice chancellors. State universities could not resist the imposition by those with political power of poorly qualified and unsuitable individuals as vice chancellors.

- The vacancy crisis **broke the sense of professional community among teachers and their organisations.** Even **teacher quality was abysmal**

- **Ranking systems:-**

  - Additional autonomy granted on the basis of NAAC rating and status in NIRF begs questions about these systems of evaluation. **They are neither authentic nor valid. The reason they lack authenticity lies in the processes through which they are derived.**

  - The NAAC is based on an inspectorial process. Its reliability suffers from both ends involved in any inspectorial system in our ethos.

  - NIRF's need arose from India's poor performance in global ranking systems but the question is if Indian institutions of higher learning were found to be generally too poor to be noticed globally, how would they get any better if ranked among themselves

- **Roots of Vulnerability**

  - Currently there is a dominant **ideology of commercialisation of knowledge and teaching.**

  - Higher education is not leading to graduates entering the work sector as the education is not in sync with the needs of the companies.

Way forward:-

- Role needs to **significantly change from the existing model to a more progressive approach where universities are allowed to take greater responsibility on their**

  - **There is a need to develop a framework of Earned Autonomy for universities where new forms of regulatory models are created.** This model can have a system in which universities could be identified on the basis of indicators and assessment criteria so that a number of them, public and private, could be allowed to function more autonomously than others.

- The regulatory framework ought to make an important distinction between the role of colleges in promoting access to higher education on the one hand and the larger focus of universities in India, which should be to create knowledge and promote research and scholarship leading to publications.

- **A systematic, coherent, and transparent approach is needed to determine the suitability of universities to pursue objectives of excellence.**

- Government can help define standards for universities via its ranking frameworks and accreditation surveys, or students can decide based on cut-offs, as is done in the case of Common Admission Test (CAT) for management courses.

- A more robust and transparent admission system would not only lend credibility to the selection process, but it would also ensure quality.

- HEERA needs to established soon

Q) Critically examine whether making healthcare affordable through capping of prices would solve the problem of Out of Pocket Expenditure in health in India? (250 words)

Financial express

Why this question

Capping or prices is a usual policy recourse of the government in trying to make healthcare more affordable. However, such quick fixes raises more questions than the answers it provide. Thus it is best to analyze whether this penchant of the government to cap prices helps in improving healthcare delivery and affordability.

Key demand of the question

The question expects us to incorporate the following points in our answer

- *Highlight the instances where price capping has been used as a tool*

- *Debate on the principles of such a move – whether capping of price is a well intentioned move which will make healthcare more affordable or whether it creates issues of quality, private sector apathy etc*

- *Conclude with your view*

Directive word

Critically examine – Here we have to get into the depth of price capping method of the government, examine its pros and cons, causes and impacts, views of all stakeholders and come to a fair and balanced stand.

Structure of the answer

Introduction – discuss some recent move by the government introduction price controls in healthcare and the debates that it raises.

Body

- *Highlight some of the instances of price capping – stents, medicines (NLEM) etc . Bring out the impacts of such a move*

- *Flowing from that discuss about the pros and cons of instituting price controls*

- *Discuss why the government goes for such a move and the impact it has on delivery of healthcare*

- *Identify some other steps that can be taken to ensure healthcare becomes more affordable*

Conclusion – *provide your view on the usefulness of price controls and the way forward.*

Background:-

- Health sector saw major initiatives to bring down and cap prices of essential medicines through price control, coupled with moves to expand a network of cheaper drug dispensaries in the recent years.

Capping of prices will reduce out of pocket expenditure:-

- **Price control played a major role in enhancing savings on medicines,** which constitute at least 40% of an household's expenditure on health.

- Apart from price capping, the government also worked on opening AMRIT and Jan Aushadhi stores to make generic drugs available at a discounted price.

- Government has also brought stents under price control, providing a major relief to patients suffering from heart disorders.

No, capping of prices is not the solution:-

- In a country where two-thirds of the population is denied access to quality healthcare today, it is **important to quickly guarantee universal health coverage.**

- A large part of the **population is denied access due to poor availability of hospitalisation, specialists and drugs.**

- In **the absence of a fully functioning public health system**, it is the private sector that people must depend upon.

- **If capping of prices is done through government-ordered arbitrary price fixing, it could only result in drug firms pulling out products** and, thereby, stocks will run dry.

- If hospitalisation costs are capped, **patients will suffer long waiting periods and other hidden costs.**

- **Criticism to government's stand on pricing of stents and other medical implants:-**

  - Stent price capping has resulted in eliminating the choice of stents Furthermore, there have been multiple reports that hospitals have cited no significant increase in the number of angioplasty procedures performed, after the move on stent price control.

- Despite price control reducing costs, **overall medical bills remain a challenge as procedure costs continue to be high and insurance coverage is low**

Way forward:-

- **Centralised drug procuremen**t has been effectively used in states like Tamil Nadu to bring down costs. Rest of the states can emulate that.

- A **well-functioning generics market** is required to give the poor access to inexpensive drugs.

- **Primary health centres must be well-staffed**, public health improved and supply chains should be made functional.

- The **state must first realise that primary healthcare** and public health are the government's responsibility and must be guaranteed to all. The private sector can, at best, supplement this effort.

- **Drug firms must be incentivised to innovate** and invest in research and development. India needs to increase GDP being spent by the government on healthcare.

- Only way to decrease out-of-pocket expenses on health by the average Indian is to hold true to the **promise of universal, affordable, and accessible healthcare in a welfare state.**

Q) Discuss how Ayushman Bharat is an improvement over RSBY? Examine the challenges that lie ahead in fulfilling the mandate of Ayushman Bharat? (250 words)

Financial express

Reference

Why this question

Ayushman Bharat is a flagship scheme in healthcare which has to be prepared in detail.

Key demand of the question

The first part of the question requires us to compare the provisions of Ayushman Bharat with RSBY in which detailed comparison of the provisions of the two scheme is to be written. The second part of the question demands us to delve deeper into the challenges that might be faced in the implementation of the scheme.

Background:-

- India is concerned with many health issues be it malnutrition, infant mortality, rising non communicable diseases, growing number of deaths due to cancer etc. The national health protection scheme or the Ayushman Bharat health insurance scheme is the step in the right direction which can give impetus to healthcare in India.

Ayushman Bharat:-

- Ayushman Bharat is National Health Protection Scheme, which will cover over 10 crore poor and vulnerable families (approximately 50 crore beneficiaries) providing coverage upto 5 lakh rupees per family per year for secondary and tertiary care hospitalization.

- Ayushman Bharat – National Health Protection Mission will subsume the on-going centrally sponsored schemes – Rashtriya Swasthya Bima Yojana (RSBY) and the Senior Citizen Health Insurance Scheme (SCHIS).

- Benefits of the scheme are portable across the country and a beneficiary covered under the scheme will be allowed to take cashless benefits from any public/private empanelled hospitals across the country.

How is it improvement over RSBY :-

- Each individual gets an annual allocation of Rs 5 lakh for secondary and tertiary hospitalisation. **The move is expected to benefit as many as 500 million people, going much beyond a total of 36 million families who have been enrolled so far under RSBY.**

- The scheme will replace Rashtriya Swasthya Bima Yojana under which, the government provided Rs.30,000 annually for healthcare. **Under NHPS, Rs.30,000 is increased to Rs. 5 lakhs.**

- **Priority is being given to strengthening primary healthcare with 70% of allocated funds being spent on it**, which means a better basic healthcare package for the people. It is envisioned that health centres will be upgraded to 1.5 lakh health and wellness centres.

- **T**he new focus aims to take primary health centres from providing only limited services that represent less than 10% of all morbidities, as in the past, to **comprehensive healthcare close to the community.**

- Will have **major impact on reduction of Out of Pocket (OOP) expenditure on ground of:**

  - Increased benefit cover to nearly 40% of the population, (the poorest & the vulnerable)

  - Covering almost all secondary and many tertiary hospitalizations. (except a negative list)

- **Will bring healthcare system closer to the homes of people:-**

  - This will lead to increased access to quality health and medication.

- This will lead to timely treatments, improvements in health outcomes, patient satisfaction, improvement in productivity and efficiency, job creation thus leading to improvement in quality of life.

- This mission **enables increased access to in-patient health care for the poor and lower middle class**. The access to health care is cashless and nationally portable.

- It **spurs increased investment in health and generate lakhs of jobs, especially for women**, and will be a driver of development and growth. It is a turning point for the health sector.

- The new program would be a vast expansion of health coverage, allowing people to **visit the country's many private hospitals for needs as varied as cancer treatment and knee replacements**.

- The scheme involves **engagement with the state governments** because the scheme will be delivered by the states. The states are the custodians and the implementers of the scheme.

Challenges:-

- Challenge is in **equipping the centres with trained health personnel** for not only providing diagnostic and treatment services for communicable and non-communicable diseases, but also for promoting disease prevention and community-based health facilities

- **Attracting and retaining human resources in rural and remote areas**, and within public services.

- The amount of Rs 5 lakh per family is a massive and unexpected hike from the existing fund of Rs 1 lakh per family. **This amount is 17 times bigger than the RSBY scheme and will cover 40% of India's population.**

- Though it improved access to health care, **it did not reduce out-of-pocket expenditure (OOPE), catastrophic health expenditure or health payment-induced poverty.**

- The NHPS addresses those concerns by sharply raising the coverage cap, but shares with the RSBY the weakness of **not covering outpatient care which accounts for the largest fraction of OOPE.**

- **Universal health insurance through private hospitals has not worked for the poor anywhere.** Biggest beneficia ries are the private hospitals and insurance companies. **There is no substitute for public health care.**

- **The government's proposals do little to prevent poor health in the first place.** India is plagued by increasing levels of water and air pollution, some of it worsened by pro-business policies. Malnutrition, poor sanitation and lack of proper housing also remain major problems.

- **Earlier programme failures cast new doubts:-**

  - In its final iteration in 2016-2017, the RSBY also targeted 5.9 crore families, and managed to enroll 3.6 crore families. **Thus the government's announcement today of reaching ten crore families is also vastly ambitious**

  - There is evidence to show that despite efforts towards pushing for increased insurance coverage, neither have the poorest been reached out to nor has there been efficient financial protection.

Way forward:-

- The **public healthcare needs to be strengthened** especially in rural areas.

- **The government needs to provide adequate funding** to improve the quality of services as well.

- In a federal polity with multiple political parties sharing governance, an all-India alignment around the NHPS requires a high level of cooperative federalism, both to make the scheme viable and to ensure portability of coverage as people cross State borders.

- **India needs a powerful human resource strategy:-**

  - One way is to have regular appointments at medical personnel home districts, with attractive incentives that are enforced and delivered, and not have contractual employment or leniency in making these posts mandatory for a certain term.

  - This has worked in some of the Asian countries and there seems to be no reason why it should not in India.

- **There is strong requirement for regulating the private healthcare market** as universal health coverage will bring a neat nexus between public and private healthcare institutions.

- The relevance of **technology and digitisation** is imperative as we look at newer ways of healthcare delivery services. So while the potential is immense, the government now needs to put in strong emphasis on the adoption of technology by the entire healthcare ecosystem to provide accessible and affordable patient care to the last mile of the country.

Q) Examine whether WHO's essential diagnostic list would help India in better rolling out of its free diagnostic services. Discuss how diagnostic services help improve primary healthcare? (250 words)

Hindustantimes

Why this question

The release of the first ever WHO's Essential diagnostic list (EDL) will enable India to incorporate the learnings in its own efforts at rolling out free diagnostic service. Understanding what diagnostic service is, how is it related to primary healthcare are all issues that need discussion

Key demand of the question

Following points are to be emphasized on in your answer

- *What is essential diagnostic service*

- *Contents of WHO's first ever EDL*

- *What are the aims and objectives of India's attempts at rolling out free diagnostic service*

- *How will EDL help the country implement it*

- *The impact that EDL will have on improving primary healthcare*

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 .

Discuss – Here the impact of improvement in diagnostic services on the delivery of primary health care is to be explained

Background :-

- Technological advancements has led to the diagnostic sector growing and evolving very rapidly. India must grab the opportunity to use this resource to its advantage and strengthen the diagnostics component in the health care system and make it available at affordable prices to improve outcomes.

WHO essential diagnostic list :-

- WHO published its first Essential Diagnostics List which is a catalogue of the tests needed to diagnose the most common conditions as well as a number of global priority diseases

- Essential diagnostics are defined as diagnostics that satisfy the priority health-care needs of the population and are selected keeping in mind the disease burden and public health relevance, evidence of efficacy and accuracy and comparative cost-effectiveness.

- The first EDL, compiled by a WHO expert advisory group on in-vitro diagnostics, contains 113 tests of which 58 are basic tests (haemoglobin, blood glucose, complete blood count, urine dipstick etc). The remaining 55 tests are designed for the detection, diagnosis and monitoring of "priority" infections such as HIV, TB, malaria, hepatitis B and C, human papillomavirus (HPV) and syphilis.

- India must boost its laboratory infrastructure to offer comprehensive diagnostic services that cover a wider range of conditions, including antimicrobial resistance and non-communicable diseases to help the country move away from a syndrome-based approach to targeted therapy approach.

- National efforts with ICMR in the lead are being initiated to develop an India-specific essential diagnostics list in the foreseeable future.

How will it help India in rolling out its free diagnostic services :-

- Essential Diagnostics List is intended to serve as a reference for countries to update or develop their own list of essential diagnostics.

- In order to truly benefit patients, national governments will need to ensure appropriate and quality-assured supplies, training of health care workers and safe use. To that end, WHO will provide support to countries as they adapt the list to the local context.

- WHO will update list on regular basis and will also issue call for applications to add categories to next edition. It is expected to expand significantly over next few years to **incorporate other important areas including emerging pathogens, neglected tropical diseases, antimicrobial resistance and additional non-communicable diseases.**

- Essential Diagnostics List **will provide uniform tool that can be useful to all countries, not only to test and treat health complications better but also to use health funds more efficiently by concentrating on the truly essential tests**.

- It also provides an essential package that can form the basis for screening and management of patients. It is similar to **WHO's essential medicines list, which** serves as reference for countries to update or develop their own list of essential diagnostics.

- Limited affordability and access to quality medical services are among the major challenges contributing to delayed or inappropriate responses to disease control and patient management. Diagnostics, at 15.56%, make up the second largest component on hospital bills. With EDL diagnosis would become easier.

- **Concerns:-**

  - Inspired by WHO list Indian government is moving towards making a list of essential diagnostics, quite like the National List of Essential Medicines (NLEM). Similar to the NLEM, the government is considering the possibility that the diagnostics on this list would also be subject to price-capping. **However industry bodies are likely to push-back on the government on this.**

  - Cost of diagnostics cannot currently be regulated by bodies like the NPPA or the central government. Only individual states can take the initiative, if they adopt laws like the Clinical Establishments Act, 2010, which prescribes transparency in costing.

  - The use of the word essential can invoke various precedents in Indian law on the right to life (Article 21 of the Indian constitution).

How diagnostic services help improve primary healthcare :-

- An accurate diagnosis is the first step to getting effective treatment. Diagnostics provide information needed by service providers **to make informed decisions about patient care and public health actions.**

- Today, many people are unable to get tested for diseases because they cannot access diagnostic services. Many are **incorrectly diagnosed.** As a result, they do not receive the treatment they need and, in some cases, may actually receive the wrong treatment.

  - For example, an estimated 46% of adults with Type 2 diabetes worldwide are undiagnosed, risking serious health complications and higher health costs. Late diagnosis of infectious diseases such as HIV and tuberculosis increases the risk of spread and makes them more difficult to treat.

- **Some of the tests are particularly suitable for primary health care facilities, where laboratory services are often poorly resourced and sometimes non-existent**.

- Essential diagnostics list could improve patient care, help detect outbreaks, increase affordability of tests, reduce antibiotic abuse, improve regulation and quality of diagnostic tests, strengthen accreditation and quality of laboratories, improve the supply chain and inspire new research.

- An EDL should help amplify the impact of the EML. After all, patients need access to both diagnosis and treatment.

  - Access to critical medicines is important for patients, care providers, and health systems. It is a key component of Universal Health Coverage (UHC), and included in Goal 3 of the Sustainable Development Goals.

- Without diagnosis, good medicines can be wasted, misused or simply not used.

- **Diagnosis has important implications for prognosis**. Member States and countries might seek advice about which technologies to prioritize, how to shift from one technology to another, and which technologies should accompany essential medicines since they are strongly interconnected.

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.

Q) What do you understand by social audit? Discuss the impediments to institutionalizing social audits in India. Also, highlight the recent steps being taken by the legislative and the judiciary in this direction. (250 words)

The Hindu

The Hindu

Wikipedia

Why this question

Social audit has a special origin and huge impact on the governance of a society. Social audit can dramatically improve quality of service delivery and decision making. It increases accountability like none other. It has been promoted by institutions ranging from CAG to Supreme Court of India. The issue is related to GS-2 syllabus under the following heading-

Important aspects of governance, transparency and accountability, e-governance- application, models, successes, limitations, and potential; citizens charters, transparency & accountability and institutional and other measures.

Key demand of the question.

The question wants us to describe social audit and discuss its implementation in India and identify the major problems arising in its implementation. Then it wants us to highlight the legislative and judicial initiatives taken in this regard.

Directive word

Discuss- we have to write in detail about the meaning and history of social audit and then all the impediments to implementing social auditing in India- identify the challenges involved.

Highlight- we have to briefly describe the recent legislative and judicial measures undertaken in this direction.

Structure of the answer

Introduction- define social audit and discuss its origin and link with India. Try to mention names of places associated with the origin.

Body-

Discuss in points, about all the impediments faced in institutionalizing social audits in India. E.g opposition by political parties, government officials, and other vested interests, lack of required skills and knowledge among the people, need for a legal mandate, problems like delays in getting justice delivered etc.

Discuss in points about the recent steps taken by the government in this direction. E.g mention SC directions and CAGs role in development social audit standards- for the first time in world history etc.)

Conclusion- form a concise and fair evaluation of scope of social auditing in India and provide some suggestions for institutionalizing the same.

Social audit :-

- Social auditing is a process by which an organization / government accounts for its social performance to its stakeholders and seeks to improve its future social performance.

- A social audit helps to narrow gaps between vision/goal and reality; and between efficiency and effectiveness. It allows us to measure, verify, report on and to improve the social performance of any government effort or organization.

Impediments to institutionalising social audits in India :-

- **Lack of support from government machineries has side-lined social audits:-**

  - The lack of adequate administrative and political will in institutionalising social audit to deter corruption has meant that **social audits in many parts of the country are not independent from the influence of implementing agencies.**

  - Social audit units, including village social audit facilitators, continue to face resistance and intimidation and find it difficult to even access primary records for verification.

  - Most Indian states have delayed conducting social audits, despite these being in place since 2006. **They are held back by a lack of political will and entrenched vested interests.**

- There has been **no delivery on legal accountability frameworks such as the Lokpal Bill and the Whistle Blowers Protection Bill**

- **Lack of any legal proceedings for not following social audit principles:-**

  - Unless there is a stringent penalty on authorities for not implementing social audit, they will not give up control because it reduces their kickbacks and authority

- **Lack of education among the common masses:-**

  - Since common people are not that educated, they do not know their rights.

- **Untimely transfer of functionaries** makes it difficult to have appropriate responsibility fixation

- **Lack of people participation**

  - Most of the people still think themselves as being ruled by the politicians, while politicians think that they are the rulers. Due to this reason, common people do not get involved in the developmental activities

- **Timely meetings are not held**

- **No follow up:-**

  - The analysis of administrative data on social audit findings in Andhra Pradesh suggests that follow-up and enforcement of punishments was weak

- **Corruption has not reduced:-**

  - It hasn't led to reduced corruption and improved MGNREGA delivery

  - Analysis of data from official audit reports of almost 100 mandals during 2006-10, however, shows that repeated social audits of MGNREGA projects did not reduce the number of corruption-related labour complaints, while there was a substantive rise in material-related complaints.

  - The impact of audits on other programme outcomes like employment generation, targeting of the SC/ST population was absent.

- **Failure of the social audit process to deter leakage of programme fund**

- Systematic and regular audits with beneficiary participation have not taken off in other parts of the country.

- Problem of difference in work culture

Recent steps by legislature and judiciary :-

Legislature:-

- **Right to information Act, 2005**: This is also a key pillar of support for Social Audit system in India. This was enacted by Parliament of India to provide for setting out the practical regime of the right to information for citizens.

- **National Rural Employment Guarantee Act, 2005 (NREGA)**: Section 17 of this Act provides for regular "Social Audits" so as to ensure transparency and accountability in the scheme.

- Meghalaya became first state in country to operationalize The Meghalaya Community Participation and Public Services Social Audit Act, 2017, a law that makes social audit of government programmes and schemes a part of government practice.

- Institutionalised social audits have begun to make real progress only recently, with the interest and support of the office of the Comptroller and Auditor General (CAG), and the orders of the Supreme Court.

  - Office of the CAG developed social audit rules for the MGNREGA in 2011, conducted a performance audit in 2015, and finally a year later formulated social audit standards in consultation with the Ministry of Rural Development the first time in the world.

  - If these are followed, it can be ensured that the social audit process is viable, credible and true to first principles of social accountability.

- The recent report of a joint task force on social audit has made unanimous recommendations that have opened the possibilities of social audit becoming a vibrant, independent and citizen-based monitoring system

Judiciary:-

  - **The Supreme Court has recently passed a series of orders to give social audits the robust infrastructural framework they need**.

  - Citing the statutory requirements in the MGNREGA and the National Food Security Act, the **court has ordered that the CAG-formulated Social Audit Standards be applied to set up truly independent state-supported State Social Audit units**.

  - It has also ordered that social audits be conducted of Building and other Construction Workers Cess, and the implementation of the Juvenile Justice Act.

- Social audits, if properly implemented, will help address the impunity of the system in delivery and implementation.

Way forward:-

- The system of social audits needs synergetic endorsement and a push by multiple authorities to establish an institutionalised framework which cannot be undermined by any vested interests. C**itizens groups need a campaign to strengthen social audits, and make real progress in holding the political executive and implementing agencies to account.**

- Organization of a mass campaign to increase public awareness about the meaning, scope, purpose and objectives of social audit.

- Establishment of a team of social audit experts in each district who are responsible for training social audit committee members (stakeholders).

- Implementation of training programmes on social auditing methods conducting and preparing social audit reports, and presentation at Gram Sabha.

Conclusion:-

- In an age where phrases such as open data and open government are used in any conversation around governance, social audits should serve as a critical point of reference.

- An open and transparent system involves the presence of real platforms for people to be informed by official statements and records, with an opportunity to compare that with ground realities.

> Q) Aadhar poses several privacy concerns, which need to be allayed, so that it's benefits can be harnessed in the best possible way. Analyse. (250 words)

Indian Express

Why this question

Recently Bill Gates made a public statement saying that Aadhar does not pose any privacy concerns. However, Aadhar raises several issues related to privacy of an individual. The act of denying the problem is akin to an ostrich burying its head in the sand. Although Aadhar offers immense opportunities for improving public service delivery and governance, it is vital to allay the critical concerns attached with it. The question is related to GS-2 syllabus under the following heading-

Important aspects of governance, transparency and accountability, e-governance- applications, models, successes, limitations, and potential; citizens charters, transparency & accountability and institutional and other measures.

Key demand of the question

The question wants us to highlight the benefits associated with the Aadhar and bring out the privacy concerns surrounding it.

Directive word

Analyse- we have to identify the key aspects of the question- privacy concerns with Aadhar and benefits associated with it, and then discuss these aspects in detail. We have to bring out reasons in support of the statement that, Aadhar poses several privacy concerns. Also we have to bring out the benefits of Aadhar.

Structure of the answer

Introduction- briefly discuss the importance of privacy and data protection in modern world.

Body-

- *Discuss in points, what are the privacy concerns posed by Aadhar- e.g security of data, sharing of data with third parties, large discretionary powers of UIDAI and least accountability, leakage of information, surveillance etc.*

- *Briefly mention the benefits of Aadhar- efficient PDS, better targeting for social sector schemes, antiterrorism, detection economic frauds and offenders etc.*

Conclusion- *mention the importance and scope of Aadhar in better governance and more efficient service delivery. Also mention the need to protect and guard personal data collected under Aadhar act. You can also mention need for accountability of UIDAI and creation of an overseeing body for UIDAI which would be responsible for checking any irregularities and misconceived regulations.*

Background:

- Aadhaar was another identification document for people to pilferage and duplication of subsidies and rations for government .Slowly it has given way to banks, telecom companies, mutual funds, insurance companies, railways, airports, schools, hospitals, and workplaces linked for Aadhaar.

- However recently many concerns have been raised regarding the security mechanism of biometric database.

Several privacy concerns :-

- **Cyber attacks:-**

  - **RBI report**points out that an enormous integrated database where everything is linked to Aadhaar opens up **the country to incalculable loss**, whereby Indian businesses and administration could be crippled, through cyber warfare

  - Aadhaar data also offers valuable intelligence, which can be harvested by penetrating Aadhaar-enabled applications

- India deals with frequent cyber attacks from China and Pakistan. **Hacking the Aadhaar database would be an easy way for other countries to create disruption within India**.

- **Privacy issues:-**

    - Apart from **foreign hackers**, domestic criminals would also have a golden target of opportunity even as **citizens privacy and security are endangered.**

- **Invasive power to the state:-**

    - The first concerns whether the state can at all compel a person to part with his or her biometric information without securing the person's informed consent

    - The second involves questions over the surveillance apparatus that the Aadhaar Act creates

    - The third raises questions over the level of exclusion caused by the use of Aadhaar, for example, concerns over the extent to which the programme meets its purported objectives

    - The fourth questions the degree of protection offered to the data that the UIDAI collects, stores and operates.

- **Freedom:-**

    - The **essence of individual freedom, of the right to life that Article 21 of the Constitution guarantees, i**s that every person has a basic entitlement to bodily integrity, to decide for themselves how they want to lead their lives. But this is compromised by Aadhar.

- **Supreme court :-**

    - The Supreme Court reaffirmed an earlier ruling from 2013, stating that **Aadhaar can only be a voluntary decision of the individual and that as long as a person is eligible to avail benefits and subsidies, the government cannot deny them those benefits and subsidies because on the basis that they do not have an Aadhaar card.** Despite this ruling, the federal government decided to push through with these moves.

- **The sheer size of the Aadhaar database wherein its issues lie :-**

    - Aadhaar system doesn't have the strongest track records when it comes to the deliverance of subsidies and benefits.

    - **For instance, according to a report in the Economic and Political Weekly based on data made released by the Unique Identification Authority of India (UIDAI) itself, the probability of the identities of two different people matching was 1/112 for India's 1.3 billion population.**

- A survey conducted by Andhra Pradesh's government itself saw **48 per cent respondents citing Aadhaar issues as a reason for them missing out on subsidies and benefits.**

- Pervasive Aadhaarisation brings together systems and platforms in a digital ecosystem **without interoperable standards for security.**

- **Aadhaar database has not been defined as "critical infrastructure" by the Indian government.**

- Even Google and Apple have been wary about taking to Aadhaar due to security concerns.

- **There is the question of whether or not the government's bureaucracy is equipped to handle the Aadhaar database**.

    - Internet users reported how easy it was to access Aadhaar card information from government websites.

- **There is the issue of the legal framework and privacy when it comes to Aadhaar cards**.

    - Critics have argued that safeguards in place in the Aadhaar Act itself do not go as far as they should to ensure the protection of privacy of citizens.

- **Confidentiality of Aadhaar numbers:**

    - Aadhaar numbers are not supposed to be "displayed or posted publicly" (Aadhaar Act, Section 29(4)). However, this has happened many times, and keeps happening. When Aadhaar numbers are displayed along with other sensitive information such as bank account numbers, it makes the **victims vulnerable to various types of fraud.**

- **Huge number of players involved in the Aadhaar system:-**

  - The outsourcing of enrolment centres by the UIDAI, which was put on hold in June 2017 following reports of illegalities, is one such example.

  - This case reveals the lack of impressing upon third parties and private parties of the importance of maintaining the confidentiality of the data and of the consequences of not doing so.

If harnessed properly there are huge benefits:-

- The Aadhaar system's positives will not only be limited to the government, but spread to the private business sector too as **with an Aadhaar backed identity, banks will be more confident in giving out loans and businesses, both big and small more secure in knowing who they're working with.**

- **Aadhaar biometrics being unique has ensured the 50% plus levels of theft in PDS rations has all but been eliminated**. In the case of LPG, similarly, using the Aadhaar de-duplication software helped eliminate those with more than one LPG connection.

- There are a very large number of fake PAN numbers. When the PAN are fake, the taxman does not get the data. **Mandating the linking of PAN with Aadhaar was the logical thing to do.**

- Given the fact that terrorists and other criminals use mobile phones as the SIMs are bought using fake Ids **it makes perfect sense to ensure the owner can be traced by using Aadhaar that cannot be faked since,** when the purchase is made, a biometric check is performed.

- The Aadhar system ensures privacy through design, as it uses a **federated architecture**. In other words, **the biometric data is never shared by UIDAI**

  - The **core bio-metric information** cannot be shared with any person even with the consent of the Aadhaar card holder. Even, the general information cannot be unlawfully shared.

- With a flourishing population and varying demographics, this system allows the state to **maintain a central database keeping track of its nationals**. Unlike the passport or any other identification document, the **Aadhaar card also supplements the running of national welfare schemes by identifying those who need them the most.**

Way forward:-

- If the Indian government sees Aadhaar as a gateway to its services or entitlement schemes, **it should move immediately to designate UID as critical infrastructure and set up a dedicated Computer Emergency Response Team to monitor attacks or intrusions on the database**.

- Crafting an encryption policy that specifically addresses encryption for Aadhaar-enabled apps

- Security testing of all Aadhaar-enabled applications

- Encouraging device-level encryption for mobile phones and laptop computers

- Creating a Computer Emergency Response Team to monitor attacks on Aadhaar

- Working with the private sector at forums like the International Electronic and Electrical Engineers (IEEE) and the Internet Engineering Task Force to create interoperable security standards for platforms relying on national identity databases.

Conclusion:-

- There is little doubt that India needs to streamline the way it delivers benefits, and to **empower citizens** with a basic identification document. But this cannot be done without ensuring the **strictest protection of privacy**

Q) Critically analyse the reasons behind the rise in importance of All India Services vis a vis other Group A services. (250 words)

The hindu

Why this question

This question is related to GS 2 syllabus under the following heading-

Role of civil services in a democracy.

Key demand of the question

The question wants us to put forth the reasons behind rise in importance of AIS vis a vis other similar services. We have to probe deeper into the issue and present our personal opinion.

Directive word

Critically analyse- we have to identify the key reasons behind the above situation and ,discuss their worthiness and present our personal opinion on the issue.

Structure of the answer

Introduction– *Mention the reappearing of candidates from other services, for AIS.*

Body-

- *Discuss the reasons behind the trend. e.g hierarchy of civil services with respect to seniority and empanelment rules, more social recognition and public interaction in AIS etc.*

- *Discuss the veracity/ worthiness and implications of the factors responsible for the rise in importance of All India Services vis a vis other Group A services. e.g veracity- it denotes concentration of power with respect to a common man, growing incomes, awareness and role of technology will dilute the significance of all the services and larger public demand will infuse more transparency and accountability in them etc.*

Conclusion– *form a fair, balanced and concise opinion on the above issue and suggest a way forward (e.g limiting attempt limits, facilitating lateral entries and movement etc*

Background:-

- Article 312 provides for the creation of All India Services. All India Services, by their very nature, are instruments of national integration and national unity. They ensure the maintenance of common standards all over the country in certain vital fields of administration. India has created a number of Central Services as well but All India services have dominated.

Reasons behind rise in importance of All India services vis Vis other group A services:-

- **Because of people's perception that the real "power" lies in these All India services.**

  - These services will be part of high political and bureaucratic circles so people believe so they have enormous power

- Many young Indians feel that joining the IAS, IPS or IFoS **provides them the best opportunity to serve the country**

- There is wider interaction with the common man in these posts so there are greater opportunities to make an impact.

- Indian society considers the people in these jobs with status, respect etc

- In these services mostly there is an opportunity to work in multiple domains and not be confined to a single subject.

- The attractiveness to the uniformed service like IPS is a sense of pride to people.

Implications of the factors responsible for the rise in importance of All India Services vis a vis other Group A services:-

▪ **Positive:-**

▪ Larger public demand will infuse more transparency and accountability in them

▪ These services create a sense of responsibility to act in public interest and ensure country moves in a forward direction

▪ **Negative:-**

▪ **It denotes concentration of power with respect to a common man**

▪ Role of technology can dilute the significance of all the services

▪ There are many instances of corrupted officers who misuse their positions

▪ There is need for wider knowledge but the ministries at the centre are mostly dominated by All India services.

Way forward:-

▪ 7th Pay Commission has recommended **parity between IAS and other services** when it comes to empanelment under central staffing schemes.

▪ **Lateral entry into the higher civil services should be welcomed but with some caveats.**

▪ **Credit performance**:-

▪ If someone is not found suitable in the IAS/IRS/IPS/IFS after about 15 years, i.e. at the Joint Secretary level, shift them out to non-crucial posts.

▪ **Technology:-**

▪ Infuse more and more technology into every touch point where a citizen interacts with the government.

▪ Today with the rise of artificial intelligence (AI), global technology leaders such as IPsoft use **virtual assistants to deliver citizens services in the U.K. and U.S**.

▪ In the context of government service delivery, cognitive intelligence can deliver it with greater superiority, accuracy, consistency and at lower cost than humans can.

▪ **Specific clauses under All India Services** and Central Services Conduct Rules need to be invoked to sack officers on grounds of incompetence and/or corruption.

▪ **Limiting attempt limits.**

Q) Although civil services examination conducted by UPSC needs several reforms, including the performance during the Foundation Course (FC) for service allocation is fraught with many dangers. Comment. (250 words)

Indian express

Why this question

The idea of including performance of the candidate during Foundation course (FC) for allocation of service in civil services exam conducted by UPSC is not new. The government has shown its keenness to implement such arrangement. However, the civil services exam conducted by UPSC needs other reforms as well. And this suggestion of including FC, has been criticized on various fronts. The issue is related to GS 2 syllabus under the following heading-

Role of civil services in a democracy.

Key demand of the question

The question wants us to express our opinion on -what are the reforms required in civil services exam and – what are the dangers/ pitfalls involved in including performance in FC in deciding service and cadre allocation.

Background:-

- The civil services are seen as the backbone of governance for the Indian state. Over time, and with changes in technology, economy and society, the quality requirements for selection of civil servants have changed.

Why the examination needs reforms:-

- The current civil services examinations need to be thoroughly overhauled if it were to serve as an effective instrument for selecting suitable candidates for the country's premier civil services.

- **Nearly one-year long process**, comprising preliminary screening test followed by mains and interview for shortlisted candidates, leaves unsuccessful candidates little time to devote to anything else or to take any break and they find themselves immersed again into another year devoted solely to preparations for the exam

- **Colossal waste of human capital** in the case of those who unfortunately are not able to crack the exams.

- **Raising age limit has resulted in candidates taking multiple attempts** without doing anything else and wasting prime years of their youth.

- Considering that most of higher education institutions are funded or subsidised by the Government, such **non-utilisation of the technical degree for the intended professional purposes amounts to tremendous wastage of Government funds**.

- It is also a loss of opportunity for someone else who might have utilised the professional education and degree better by contributing to the much-needed growth of manufacturing sector and economic development of the country.

- A big problem with the present structure of the civil services exam is that **it requires extensive preparations leaving someone pursuing a regular or even part-time job severely disadvantaged,** which explains why candidates either give up their jobs or decide not to take up any jobs while attempting the civil services exams.

- Long descriptive answers required to be given in the answer-**sheets encourage rote learning of selected questions and not in-depth understanding** and comprehension of the subject matter.

Several reforms needed are:-

- **ARC report observed that most of the optional subjects had no relevance to the problems that a civil servant may need to address**. Even the Alagh Committee on Civil Services Exam Review in 2001 noted that re-examining the candidates in their own subjects appears to be of doubtful utility.

- Most aspirants feel it would be a game-changer as there is a huge difference in the award of marks in the optionals, while some subjects have innate advantages

- **Government must take immediate steps to simplify the civil services exam structure and to shorten the whole process** to ensure that unduly strenuous preparatory work is not required to succeed and degree of subjectivity is reduced to the barest minimum.

- If this were done, one would be justified in reducing maximum age limit and the number of attempts.

Changes proposed recently:-

- Prime Minister's Office **wants to alter that process and allot services and cadres to candidates only after taking into account how they fare in the Foundation Course.**

Implications of this move:-

- Could give rise to a trend where **high-ranking candidates will no longer get services of their choice.**

- **Will destroy the purpose for which officers go through the Foundation Course** as probationers will compete for every mark so that they get the service of their choice.

- **Service recruitment rules will have to be amended** to accommodate the new idea.

- Using a probationer's performance in the foundation course to decide his or her service **will ruin whatever objectivity the UPSC examination provides** and put pressure on probationers to appeal to the subjective assessments of their examiners.

- **Technical issues**

    - The proposal raises a whole lot of technical questions that cannot be easily resolved given the current system of service allocation and training.

    - The first question is about what the foundation course will consist of.

- **Constraints with academies:-**

    - Pliant academies with extraordinary powers will open the doors of sought-after **services to people whose ideological outlook suits the government**, creating a loyal or committed bureaucracy over the long haul.

    - Also the manpower in these academies is not trained to allot service and cadre to probationers.

- This move of deciding service after the foundation course would lead to **large-scale litigation by bureaucrats right at the beginning of their careers**.

- No probationer will ask questions during the foundation course for **fear of getting a poor assessment and a service they do not want.**

- In the present system, the moment their cadre is allotted, probationers start developing a loyalty to that state, start learning its language and history and interacting with people of that state. **All of this will now get upended.**

Conclusion:-

- Any decision needs to be taken only after dialogue and discussion involving multiple stakeholders especially aspirants as well whose life is at stake.

Q) Grassroot bureaucracy in India suffers from several flaws and merits reform. Examine. (250 words)

The hindu

Why this question

Implementation challenge is indeed a recurrent theme in Indian administration and understanding the reasons behind such challenge becomes critical. This is how we can suggest related reforms to enable alleviation of these issues. Hence this question.

Grassroots bureaucracy:-

- The apex unit of field administration is the district

- The district is governed through three streams.

  1. State government departments have their separate offices at various levels to implement departmental programmes.

  2. The district collector, responsible for the whole district, is the overall administrative authority and coordinator. The collector is appointed by the State government but has close contact with the people and grassroots officials, and consequently responds to pressures from the top as well as below.

  3. Democratically elected local governments are expected to be autonomous and act as per local interests.

Several flaws in grass root bureaucracy:-

- **Structure of administration:-**

  - Structure of administration that is created through the relative powers of these three streams of authority **promotes fragmentation, centralisation, and non-responsiveness to local needs.**

  - The **district offices are controlled tightly by the State departments**, which stipulate programmes and activities, make most decisions about the personnel, issue detailed directives, and inspect field offices. **This promotes centralisation**, with orders from the top taking priority over needs from the ground.

- **Role of collector is constrained:-**

  - The district collector has some capacity to coordinate. But his/her **authority over the district departmental offices is much less than that of the state departments**.

  - The collector has **limited authority over personnel** and **little say in programmes for socio-economic development.**

- The collector's authority varies a great deal across departments.

  - **Consequently, at the district level, sustained, coordinated action for socio-economic development is difficult**.

- **Coordinated action is very difficult at local level:-**

  - Departments have offices at different geographic units, and there is no accepted coordinator at all. **This further reduces the capacity of coordinated action and responsiveness to local needs.**

- **Lack of proper role and capacity building:-**

  - Local elected representatives are usually keenly aware of the needs and problems on the ground, and motivated to address them. But **the potential of local governments to address local needs is not realised**, as they are disempowered.

  - As per law, local governments are responsible for socio-economic development, but they exercise little actual authority, and State governments keep changing their powers.

  - **Role of local governments tends to be unclear,** resulting in conflict between political representatives and officials, which leads to further disempowerment.

  - The Indian bureaucracy is structured so that the **least skilled and lowest paid personnel actually implement government programmes.** However, to deliver on the ground, a very high order of skills is often required. Success is unlikely if the person undertaking this task has poor understanding and skills.

- **Shortage of personnel:-**

  - At the field level, **there is an acute shortage of personnel**. The availability of technical personnel is very patchy.

- **Focus on output and not on outcomes:-**

  - Rigid departmental programmes frame all activities and officials define their roles in terms of implementing programmes rather than goals such as reducing malnutrition.

- **Failure of technology:-**

  - Technology has also added to centralisation by strengthening links between the State departments and the field offices, rather than links between the field officials and the community.

  - State government officials are able to monitor district officials more closely, but because of the very limited penetration of technologies such as the internet in rural areas, the community-government links have not been enhanced significantly.

  - The basic flaws of excessive centralisation and authoritarianism have only been strengthened.

- These **problems are exacerbated by widespread corruption**, which further reduces professionalism.

- In recent years, several measures have been taken to enhance accountability to the community, such as the Right to Information Act, social audits, and public service guarantee acts in various States. But **no significant change in the administrative capacity or ethos has been visible**, because structural and capacity constraints and unproductive working processes that bog field-administration remain unaddressed.

Way forward:-

- **Second ARC report recommendation :-**

  - **There must be a single elected District Council with representatives from all rural and urban areas,** that will function as a true local government for the entire district. In such a scheme, the District Council should be responsible for all the local functions, including those listed for them in the Eleventh and Twelfth Schedules.

  - The District Collector- cum-the Chief Officer would have dual responsibility and would be fully accountable to the elected District Government on all local matters, and to the State Government on all regulatory matters not delegated to the District Government."

  - The following steps should be taken to modernize the local level bureaucracy:-

- Management Information System (MIS) should be set-up in the office of the Collector for effective monitoring and evaluation of programmes/ projects under his direct control.
- A computerized District Grievance Cell should also be set up in the Collectorate.

- Social audits need to be strengthened by educating and make people aware.

- During policy formation and implementation both civil society members should be consulted so that the measures should be taken properly.

Topic –India and its neighborhood- relations. Bilateral, regional and global groupings and agreements involving India and/or affecting India's interests Effect of policies and politics of developed and developing countries on India's interests, Indian diaspora.

Q) India should not be a party to Hague Convention on the Civil Aspects of International Child Abduction. Examine. (250 words)

Reference

Hindustantimes

Why this question

The centre had set up a committee to prepare a report on the issue of inter-country parental child abduction. In its report, it has questioned one of the basic principles of the Hague Convention on the Civil Aspects of International Child Abduction. The issue is related to GS-1 syllabus under the following heading-

India and its neighborhood- relations. Bilateral, regional and global groupings and agreements involving India and/or affecting India's interests Effect of policies and politics of developed and developing countries on India's interests, Indian diaspora.

Key demand of the question.

The question wants us to bring out the reasons why India should and should not sign the Hague Convention and support our answer with necessary justifications.

Directive word

Examine- We have to to dig deep into the question and find out the implications of not signing the Hague Convention. We have to justify it with proper arguments/ facts/ examples.

Structure of the answer

Introduction- Give a brief introduction of Hague Convention, its year of coming into force, vision etc.

Body-

Take a stand on the above issue- why India should not formally accede to Hague Convention in its present form. Briefly discuss the reasons/ arguments in points.

E.g mention statistics about Indian diaspora- intercountry marriages, data about cases of parental abduction- who is generally the victim, judicial remedies available and how they affect the rights of the women (mother), misuse of the law by the husbands in alimony cases etc.

Conclusion- *mention the Japan experiment and mention the need for a similar law in India.*

Background:-

- Over three crore Indians living abroad have cross-border marriages. When such a diverse family unit breaks down, children suffer as they are dragged into an international legal battle between their parents. India has not signed the Hague treaty yet.

Hague convention:-

- The Hague Convention on the Civil Aspects of International Child Abduction is an international treaty that establishes procedures that provide for the prompt return of children wrongfully retained or removed from their habitual residence.

- According to the treaty, a child will be said to have been wrongly removed when the move is in violation of the rights of custody attributed to someone by the authorities of the country where the child has been living.

Reasons why India should not sign this convention:-

- The Convention deals with what has come to be known as **"international child abduction". The word "abduction"** when used by a parent is misplaced as no parent can 'abduct' her own child.

- **Indian law does not automatically recognise foreign judgments.** Now by signing the Hague Convention, India will be compelled to recognise a foreign judgment regardless of the justness of the decision on custody under Indian law or whether was delivered ex-parte.

- **Gender issue:-**

  - India's original reason for not signing the treaty was because the **government felt that most cases of child removal are committed by women trying to escape a bad or abusive marriage in another country.**

  - Criminalising the act and forcing her to return to the country of habitual residence would therefore add to her problems.

  - **The convention would amount to victimising women escaping a bad marriage.**

  - **The convention shows no recognition of the role domestic violence plays in compelling a mother to go back to her country of origin.** If India adheres to the provisions of the convention, the woman, just to be with her children, will be forced to go back to a violent relationship.

  - If India's proposed move to sign the Hague Convention goes through she will not only become a child abductor but will also be denied the protection of the Indian courts which she now has.

- **Normally, as per the framework of the Hague Convention, the Requested state is expected to adhere to or comply with such requests from the Requesting State, irrespective of its own laws regarding child abduction.**

  - If India were to sign the Hague Convention and thereafter were to receive requests from another Contracting State for return of an abducted child, **the Indian Courts would be requested to comply with such requests** notwithstanding the fact that as per existing Indian law.

- **In effect, signing the Hague Convention would mean bowing down to foreign pressure and accepting a foreign interpretation of law which is contrary to law as interpreted in India.** This would also amount to an attack on the very sovereignty of India as an independent democratic nation.

- **It would even nullify Section 13 of the Code of Civil Procedure**, in so far as foreign decrees/orders in child abduction cases from Contracting Parties are concerned.

- **Children will not benefit:-**

  - **India becoming a signatory to the Hague Convention would never prove to be beneficial for the interests of persons and children of Indian origin or to citizens of India**, because there are very few instances of Indian children being taken away from India to a foreign country by either one of the child's parents.

  - Even if such incident were to occur, the question of India making such requests of return of such Indian children from a Contracting Party to which the said children have been so removed, would never arise.

  - The signing of the Hague Convention on International Child Abduction will enable the government to force children away from their mothers and immediate family, and be sent to a foreign country **without considering whether this is in the 'best interest of the child'.**

- **Indian judiciary:-**

  - The Indian Supreme Court is already empowered to provide recourse and remedies to aggrieved parents in such cases

India should consider being part of the convention:-

- **Present status is very complicated:-**

  - **India is not only not a signatory of the Convention, but also does not yet recognise removal of child by a parent as an offence.** Thus the only legal route open to the left-behind parent is to initiate legal proceedings in the country of habitual residence and then armed with the order from that court, come to India and file a case of Habeas Corpus in India. Once the child is produced in court, the case turns into a custody battle.

- **Foreign pressure:-**

  - According to US government data, there were more than 80 cases of parental child abduction cases from the US to India.

  - Besides the law commission, there was also pressure from the US, which reported maximum cases of child abduction, mostly by mothers, for India to join the treaty.

- **There has been a steady rise in parental abductions as more and more Indians go abroad to work or study**. Children often bear the brunt of their parents marital disputes and are often forced to return to India by one of the quarelling parents.

- **Signing the treaty will ensure that the child is sent back to his/her country of residence with the parent**, who would be tried for abduction in the country he or she fled from.

- **Over the years, the number of Indians marrying and staying abroad and giving birth to children abroad have increased.** Therefore, India should be forward-looking and should change itself and sign the Hague Convention on the Civil Aspects of International Child Abduction.

- If India becomes a signatory to the Convention, it will help in the return of those Indian children who have been abducted and taken abroad.

- The argument in favour of signing the convention has been that it will benefit mothers as well when fathers abduct children

Way forward:-

- Before India becomes party to the Hague Convention, India has to put in place a strong mechanism with built-in checks and balances. Creating a central authority, with a judge to head it, which will receive all applications on parental child abduction and removal and facilitate return and exchange is in the interest of India.

- To be a signatory to the Hague Convention, a country needs to have a domestic law on wrongful removal and retention of a child. In 2016 the Ministry of Women and Child Development drafted a Bill against parental child abduction. The Bill is available on the department's website. **But it is yet to be passed. The Law Commission of India has also advised that India become a signatory of the Hague Convention.**

- **Japan has shown awareness of domestic violence** while signing the convention through the Act on Implementation of Convention on the Civil Aspects of International Child Abduction. India can follow this approach.

Q) India's China policy is inadequate and suffers from the baggages of history. Analyze and discuss the changes required in our China policy. (250 words)

Financial express

Indian express

Why this question

With the recent conclusion of Wuhan Summit, India China relationship has progressed from the nadir it found itself in the recent past. Going forward, it becomes important to take stock of our existing China policy and examine whether our antagonistic stance is principled or clouded by history.

Key demand of the question

The question asks us to discuss the following issues

- *Evaluation of India's current China policy and examine whether it is in line with our national interest or whether it is on account of trepidation of history. Here we will have to analyze the policy from all possible angles and evaluate its pros and cons*

- *Thereafter, we need to discuss the changes we think are required. Here , if we feel that no change is required, one can justify that stand while explaining why changes would be bad. Similarly in the other case.*

Directive word

Analyze – When asked to analyze, you have to examine methodically the structure or nature of India China relations by separating it into component parts and present them as a whole in a summary. When you are asked to analyze, you have to examine each part of the problem. It is a broader term than 'Examine'.

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

- *Analysing India's China policy*

- *Geostrategic – power imbalance, border infrastructure etc. Discuss that despite a war in the past, Doklam issue etc India's border preparedness is low*

- *Geopolitical – whether our policy is principled equidistance or whether it wouldn't make sense to not side with China. Discuss the violation of trust by Chinese in 1962*

- *Economic – discuss that trade imbalance issue not addressed*

- *Etc*

- *Discuss whether India's China policy ignores present reality because it is clouded by history*

- *Discuss what changes are required. Examine what will be the advantages from those changes and the losses of status quo prevails. Eg opposition to BRI. Whether it should change or whether our stance to oppose CPEC is correct. Discuss whether India should use its leverage as a swing state to ensure it is heard by China. Etc*

Conclusion *– provide a summary of the discussion above*

India's China policy and why changes are needed in it:-

- Several factors have led to a questioning whether India's policy is adequate, beginning with the baggage of history a post-1962 policy that focused on placing **the territorial dispute at the centre with trade and people-to-people contacts at the periphery.** India's China policy was tactical in intent and may have well-suited the times and climes so far.

- But, a **long-term strategy and vision is needed to guide India's engagement with China**.

- **India's China policy is no longer adequate to address China's key power status** cemented by its dramatic rise and emergence as the world's second most important player.

- **Neighbours moving away from India :-**

  - **Nepal:-**

    - **The** China-Nepal bus service along the 736-km Kodari Highway was started .Recently China- Nepal are considering multiple areas of cooperation be it trade, projects etc.

- China's dominance in Pakistan, Srilanka, Maldives is a concern to India.

- China's relationship with Pakistan has been a major source of concern in India. Its role in strengthening Pakistan's conventional, missile and nuclear capabilities is especially **highlighted**. India also disapproves of China's assistance to Pakistan in developing projects and infrastructure in area disputed between India and Pakistan.

- **Border infrastructure still abysmal:-**

  - China is becoming more aggressive as is already seen in the disputes in the South China Sea. The Doklam crisis only confirmed that but yet Indian approach towards border management has not improved.

- **Differences are not restricted to the boundary dispute**. **Tibet remains a key source of tension between the two countries though the two countries have found a way to manage their differences on the issue for now.**

- **Water is the resource that has become the subject of tension** specifically Chinese dam construction on its side of the Brahmaputra River.

- **Technological:-**

  - Indian companies also privately express concerns about cyber-espionage. Overall, reports of cyber-attacks on Indian government and military networks allegedly emanating from China have done nothing to decrease distrust that persists, especially among the public.

- **The lack of trust in China and its intentions:-**

  - The legacy of history remains a problem. Every time there is a border incident it reinforces the narrative that has prevailed in many quarters in India since the 1962 China-India war that China cannot be trusted.

  - This problem is made worse by limited connectivity and communications, and little knowledge about the other country even though these have improved.

- **Economic:-**

  - There's much concern about the trade imbalance

India's china policy has become practical in the recent years:-

- Based on some reports, **India is not inviting Australia to the Malabar naval exercises this year so the next logical step in crystallising the quad process has been stalled for the time being.**

- While India has not changed its stand on the Chinese Belt Road Initiative (BRI), **the report of a joint India-China development project in Afghanistan does soften the Indian opposition**.

- Both the **countries are taking some visible steps to energise their economic and commercial relationship**, given the threat of rising protectionism from the US.

- In the Wuhan consensus **joint commitment to maintain peace and tranquillity over the entire India-China border is stated** and the direction is given by the leaders to their respective militaries to observe restraint, scrupulously implement Confidence Building Measures and strengthen communication links at all levels.

  - The avoidance of provocative behaviour by both militaries deployed at the border is critical to maintaining the overall relationship on an even keel. **This understanding augurs well for the future.**

- There is a **reversion to the policy of abjuring any official relationship with Dalai Lama and the Tibetan government-in-exile.**

- In spite of the Doklam stand-off, differences over issues like the China Pakistan Economic Corridor (CPEC), China's continuous blocking of efforts to declare JeM leader Masood Azhar as a global terrorist at the UN, **trade between the two countries went up to reach $84.44 billion USD in 2017 (an 18 per cent rise from the previous year).**

What changes are needed:-

- India-China relations must be managed through a mix of **competitive and cooperative policies and regular leadership-level interaction.**

- The only effective instrument for managing India-China relations will be a significant, sustained and rapid development of India's economic and security capabilities, **thus narrowing the power gap between the two Asian giants.**

- The two sides **need to build mutual strategic trust based on the fact** that their common understanding and shared interests are greater than their divergences.

- The two countries should realize that they offer each other opportunities without posing any threat, and that peaceful co-existence and win-win cooperation are the right choice for them.

- The two countries should prudently and discreetly deal with sensitive issues, **including the border dispute, and should not allow such issues to restrain the further development of bilateral ties**.

- There are several areas, apart from trade and investment, in which the two sides can strengthen cooperation, such as infrastructure construction, urbanization, food security and climate change.

- The two countries militaries **should maintain regular high-level and non-confrontational dialogues,** in order to reduce strategic miscalculations and enhance strategic trust.

- **The two sides should also build a communication and coordination mechanism to manage their overseas interests, and organize dialogues at academic, media and cultural levels,** as well as exchanges between NGOs as a way to improve bilateral ties.

Conclusion:-

- China and India are two bodies, one spirit. So long as the two sides deepen their exchanges and reduce suspicion the strategic value of cooperation would be evident and people would be confident of China-India relations.

Q) India should not join China's OBOR initiative, until the issues regarding CPEC are resolved. Critically analyse. (250 words)

The Hindu

Why this question

Despite recent hints (like Wuhan Summit) from both India and China for greater cooperation in their mutual interest, OBOR remains the key issue of contention between the two countries. The main reason behind India's opposition of the project is CPEC. The question is related to GS-2 syllabus under the following heading-

India and its neighborhood- relations. Bilateral, regional and global groupings and agreements involving India and/or affecting India's interests Effect of policies and politics of developed and developing countries on India's interests, Indian diaspora.

Key demand of the question.

The question wants us to bring forward reasons, why India should not join OBOR until the issue of CPEC is resolved. It also demands us to talk about the disadvantages of not joining CPEC and OBOR.

Directive word

Critically analyse- we have to dig deep into the question and identify the key issues involved. We have to justify why India should not join OBOR unless concerns around CPEC are allayed. And it wants us to discuss the repercussions of not joining OBOR, CPEC.

Structure of the answer

Introduction- Briefly describe CPEC project and relate it to the broader OBOR initiative.

Body–

- *Discuss the key issues involved in CPEC-*

  E.g sovereignty and territorial integrity issues, investment issues etc.

- *Discuss the cons of not joining CPEC and OBOR*

  E.g development of J and K could be better by joining CPEC, development in PoK will legitimise Pakistan's stand, furtherance of China-India rivalry and Pak-China friendship, pressure from other countries joining OBOR etc.

Conclusion– give a clear, justified and balanced opinion on India's joining of CPEC and mention India's initiatives like Sagarmala project etc.

<u>**Background:**</u>

▪ The Belt and Road Initiative (BRI) is China's ambitious project for increasing connectivity and economic cooperation within Eurasia. OBOR strategy is often reported as China's ambitious push to take a bigger role in global affairs and expand its friend circle

<u>**India's present stand on OBOR:**</u>

▪ Its principal objection was that CPEC passed through Pakistan-occupied Kashmir (PoK)

▪ The '**China-Pakistan Economic Corridor' violates India's sovereignty and territorial integrity.**

<u>**Why India should not join OBOR:-**</u>

▪ **OBOR seems to be primarily driven by broad geostrategic and geopolitical aim.**

  ▪ CPEC will provide China **strategic access to the Arabian Sea** and enhance its presence in the region.

  ▪ It would enable China to wield much more powerful influence in the Indian Ocean.

  ▪ **Kashmir:-**

    ▪ Once completed, CPEC project would mean that the Chinese presence in entire Pakistan including Pakistan Occupied Kashmir becomes all pervasive and powerful**.**

    ▪ **The route of CPEC passes through POK and makes China an indirect stakeholder in Kashmir conflict between India and Pakistan.**

  ▪ OBOR is a unilateral ideational of China and **there is a lack of transparency in its working. The process is not participatory and collaborative in nature**.

  ▪ **String of pearls:-**

    ▪ **Under Maritime Silk Route (MSR) China is developing ports in Bangladesh, Sri Lanka, and Pakistan and is trying to enlarge its influence using its economic might in the Bay of Bengal and the Arabian Sea**.

    ▪ Thus MSR is nothing but an economic disguise to the "Strings of Pearls" Theory. China is investing a huge amount of money in India's immediate neighbourhood and these countries tend to use the China card against India.

  ▪ 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.

Why India should join :-

- India will not be able to stop China in carrying on this initiative nor can it stop its neighbours from joining this initiative. **So whether India joins this initiative or not, the project will take place and not join may harm India's interests.**

- **India may become isolated in this region** since all of its neighbours (except Bhutan) have joined One Belt One Road. Leaving any regional platform may hamper India's credentials and may hasten the end of its regional hegemony.

- Some analysts say that **this initiative will be a win-win situation for India since it will increase the connectivity of the region**. There may emerge mutually beneficial swap where India protecting Chinese interests in the Indian Ocean and China securing India's essential undertakings in their part of the waters.

- **Regional transport, energy security, and blue economy are key to OBOR initiative which will be helpful for India**.

- Some analysts feel that **countries like Russia and others in SCO would want Indian participation in OBOR as a counterweight to Chinese influence.**

- Regardless of economic interests**, India cannot ignore the symbolic significance as it was along the Silk Route that Indian trade and philosophy (Buddhism) travelled to the rest of Asia.** Thus, China may gain cultural hegemony in the region which may prove counter-productive to India.

- China has the financial capital, technology to accelerate the development of other countries and **India also need resources and funds for its own development**.

- The initiative could be seen as viable, particularly given that many of the projects envisaged under the BCIM (Bangladesh China India Myanmar) corridor and the Asian Highway project would dovetail into OBOR

- **Trade:**

    - The OBOR project will open more links of trade between India and other countries. Further, India does not enjoy much leverage to guide ocean trade markets despite having proximity to the sea and a strong navy.

    - **Through OBOR project India will get access to more business in an environment which promote friendly reforms.**

Way forward:-

- **India need to come up with a concrete plan on PoK.**

- **Japan and India can build rail and road connectivity** across the Eurasian landmass running parallel to OBOR.

- **Project mausam, chabahar ports projects need to be implemented effectively.**

- India **now needs to match ambition with commensurate augmentation of its capacities** that allows it to be a net security provider in the Indian Ocean region

- Chinese railways, highways, ports and other **capacities can serve as catalysts and platforms for sustained Indian double-digit growth**

- Therefore, for the time being, it may be worthwhile to carefully evaluate those components of the BRI which may, in fact, improve India's own connectivity to major markets and resource supplies and become participants in them just as we have chosen to do with the AIIB and the NDB.

Q) The "Paris-Delhi-Canberra axis" should become an established regional structure, reflecting an Indo-Pacific "geo-strategic reality in the making". Discuss. (250 words)

Indian Express

Why this question

Indo-pacific is one of the most important trade zone with immense strategic significance. The area becomes more important given India's proximity to the region, huge trade activity and China's assertiveness in the region. The issue is related to GS- 2 syllabus under the following heading-

India and its neighborhood- relations. Bilateral, regional and global groupings and agreements involving India and/or affecting India's interests Effect of policies and politics of developed and developing countries on India's interests, Indian diaspora.

Key demand of the question

The question wants us to deliberate upon the potential, scope and feasibility of a trilateral cooperation framework involving India, Australia and France, in the Indo-pacific region.

Directive word

Discuss- we have to write in detail about the issue- need for such cooperation, its scope and potential and also plausibility of such an arrangement.

Structure of the answer

Introduction- give a brief mention of the importance of Indo-pacific region, especially for India.

Body-

- *Discuss in points (and separately for each country) about the stakes, capacities and interests of the three countries and bring out a convergence of the individual priorities and ambitions- take the help of the article attached with the question.*

  e.g French territory and population in Indo-Pacific, its maritime capacity, sharing of common values among the three nations, scope of sharing of data etc.

- *Discuss the related activities already being undertaken by the three countries and discuss how these efforts can be better put/ directed by a trilateral cooperation.*

Conclusion– *form a balanced, fair and clear conclusion on the need and prospects of a trilateral organisation catering to the needs and aspirations of all.*

Background :-

- In multipolar international order there is a need for alliances in the form of bilateral and trilateral relations with like minded countries to play a greater role in the international arena. In this light there is a need to explore opportunities in the relationship of France, India and Australia.

Why it should become an established regional structure :-

- **Convergence of security interests:-**

  - India, France and Australia have a striking convergence of security interests, defence capabilities and maritime geography.

  - Three countries are ideally placed to share data to form a common operating picture of the Indian Ocean, watching for environmental stresses, illegal fishing and other and maritime crimes. This could build on existing cooperation between France and Australia in the Pacific.

  - In time, they could formalise three-way information sharing on seaborne traffic of all kinds. Between their island territories France's Reunion and Mayotte, Australia's Cocos and Christmas islands and India's Andaman and Nicobar islands they possess a triangle of some of the most strategic maritime surveillance real estate in the Indian Ocean.

- **Political interest:-**

  - These three democracies are also drawn together by values. All three respect a rules-based order informed by the sovereign equality of nations and the need to guard against coercion and interference, whether from states or from terrorism.

  - France is thus the European country most engaged and most capable of contributing to a balanced and layered diplomatic architecture to reduce tensions in this most global of regions.

  - It can do so as a leader in the European Union, a compelling voice in the liberal democratic order globally, and an enduring strategic power in its own right.

- **India-france:-**

  - **Political:-**

    - Over the last two decades, the partnership has steadily grown no major political differences have darkened the sky between Paris and New Delhi.

  - **International:-**

    - France has been constantly supportive of India, particularly so for a permanent seat for India in the UN Security Council, and has shown comprehension for India's nuclear policy.

    - **International Solar Alliance (ISA):-**

      - Launched at the UN Climate Change Conference in 2015, ISA wants to create a coalition of solar resource-rich countries and address each participant's special energy needs

    - **Defence:-**

      - Even in defence the relations are strong with Rafale .

    - France, a long-standing military ally of the United States, is also looking beyond **NATO** to forge security partnerships with Asian democracies like India.

- **Geopolitical:-**

  - France has substantial equities in the Indian Ocean, with territory and force presence. The bilateral military logistic cooperation agreement signed during French President's recent visit to India is a sign of how rapidly a partnership can evolve when there is will.

- **Shared maritime vision**

  - It seeks to uphold the law of the sea in the Indian Ocean

  - Prevent the kind of military unilateralism that has come to grip the Western Pacific

  - Secure the sea lines of communication

  - Respond to humanitarian disasters

  - Promote sustainable **blue economy**

- **Indo pacific:-**

    - France is not only an Indian Ocean player: It has an appreciation of the wider Indo-Pacific as the global centre of gravity. France has territory in the Pacific and a naval role in both oceans.

    - It has 85 per cent of its huge maritime economic exclusive zone in the Indo-Pacific, along with 8,000 defence personnel and 1.6 million citizens.

    - The Indo-Pacific is crucial to the future of all powers. It is made for multipolarity: Too vast for hegemony to be sustained or successful.

- **China factor:-**

    - China is extending its interests and influence across the Indian Ocean and also now in the South Pacific. The geoeconomic overlay of its Belt and Road infrastructure will bring naval access and military presence. That raises great anxieties.

- **India-Australia:-**

    - India and Australia bilateral relations have fundamentally improved over the past decade, allowing them to collaborate at the core of emerging middle power coalitions.

    - New opportunity is posed by their parallel ties with France. **This involves deep technology cooperation, such as Australia's historic deal with France to build 12 next-generation submarines**. But much more can be done, in capability, defence exercises and managing environmental risks.

    - **Economic:-**

        - **India is Australia's ninth largest trading partner, with boundless potential for growth.**

        - The Asian Infrastructure Investment Bank which Australia and India joined as founding members has a role to play in funding infrastructure.

        - Australia's strategic orientation has been clarified by a series of defence white papers, the uranium ban has been lifted

        - Australia's position as a major exporter of liquefied natural gas is underappreciated

    - **Cultural:-**

        - Indian-origin residents are the fourth largest group of overseas-born Australians, representing close to 2% of our total population.

        - **Building on our historic ties, cultural links and extensive people-to-people connections, our bilateral relationship is strengthening.**

    - **Security and maritime:-**

        - Strong naval ties when the Australia-India Exercise (AUSINDEX) was conducted

        - Australia and India share converging interests and similar outlooks on the strategic changes taking place in the Indo-Pacific region and globally.

        - Australia's naval investments, particularly in submarines, give it significant maritime reach in the Indian Ocean, where the entirety of its submarine fleet is based.

    - **Political:-**

        - As democracies, Australia and India have systems of government where leaders are accountable and the rights of citizens are respected.

        - Australia remains a preferred destination for Indian university students looking to go overseas.

Challenges:-

- **India –Australia:-**

    - Identifying areas beyond natural resources and education where Australia can play an oversized role in India's development remains a challenge.

- On the strategic side, the challenge involves jointly finding ways to engage and cooperate in the Indian Ocean to mutual benefit.

- However, existing multilateral mechanisms such as the Indian Ocean Rim Association (IORA) and ASEAN-based entities are unwieldy and inadequate. **Instead, smaller groupings that can help ensure shared objectives in the Indian Ocean region** may be necessary.

Way forward:-

- The prospective Quadrilateral (Quad) alliance among the United States, India, Japan and Australia to counter China's military assertiveness in the Indo-Pacific space could be extended to France and Britain

- India and Australia need to increase our bilateral cooperation and our collective efforts with other like-minded countries.

Q) India's neighborhood policy should include Pakistan as well. Discuss, in the light of recent improvement in relations between India and its neighbours. (250 words)

The Hindu

Why this question

India has shown a recalibration in its foreign policy as can be deduced from the recent Wuhan summit and the Nepal PM visit to India. This was a much needed reform given the spiralling down of the relationship with these countries, which was yielding no results and stifling mutual progress. However, the relationship with Pakistan has deteriorated which is also hampering our several diplomatic and developmental efforts. The issue is related to GS-2 syllabus under the following heading-

India and its neighborhood- relations. Bilateral, regional and global groupings and agreements involving India and/or affecting India's interests Effect of policies and politics of developed and developing countries on India's interests, Indian diaspora.

Key demand of the question

The question wants us to deliberate upon the recent events which show a change in approach of our foreign policy towards our neighbours like Nepal and China and then discuss why it is also necessary to ease our relationship with Pakistan.

Directive word

Discuss- we have to write in detail about the given issue i.e recent events which testify betterment of relations between India and its neighbours. We have to connect this part of the answer with India's relationship with Pakistan and discuss the need for accommodating it.

Structure of the answer

Introduction- Briefly discuss the economic and political reality of South Asia and China as a whole. e.g GDP, dominance of India and China in the region, low cross border connectivity and trade, terrorism issues, boundary disputes etc.

Body–

Discuss the negative effects of a bad relationship with Pakistan (escalation of terrorism, cross border shelling, kashmir problem, loss of trade and investment opportunities, china-pak nexus strengthened, Afghanistan problem worsened threatening Indian investment etc) while briefly mentioning the reasons behind the current scenario(Pathankot attack, Hafiz Saeed, Kashmir and terrorism support).

Discuss the recent events which depict easing of the relationship between India and its neighbours. e.g China (Wuhan Summit), Nepal (PM visit), Bangladesh (land agreement)etc. And positive implications of these initiatives.

> **Conclusion-** *Briefly discuss the need for peace, greater economic and physical integration, mutual prosperity between India and its neighbours and mention the higher responsibility on part of China and India.*

Background:-

- Issues with Indian neighbours range from lack of connectivity and trade to boundary disputes, terrorism, India China Pakistan rivalry ,hydrological issues, illegal migrants issue, Nepal constitution making issue etc

Present status of relations with Pakistan:-

- Bilateral relations stalled in 2016 following the Pathankot and Uri attacks.

- Firing across the Line of Control (LoC) has intensified leading to higher casualties on both sides, both civilian and military. In September 2016, India launched 'surgical strikes' as retaliation for the Uri attack but this has not reduced infiltration.

- Since Burhan Wani's death, local recruitment by radical groups is also on the rise.

- India has successfully stalled the South Asian Association for Regional Cooperation (SAARC) summit since 2016

- But limits to the policy of isolating Pakistan are also apparent.

Pakistan needs to be included / issues if Pakistan did not included :-

- There was **resumption of the stalled Track II Neemrana Dialogue** which indicates that a shift may be likely.

- **Building good relations can provide insight into issues like terrorism, militancy, Kashmir issue etc.**

- Also **China Pak axis is apparently becoming stronge**r if Pakistan is isolated it would only be detrimental to India due to the CPEC corridor.

- **Without Pakistan the solution to Afghanistan issue** and India's development there would be always insecure.

- It does not make sense for Indian policy makers to start declaring India as a major world power **unless it builds peace in South Asia by resolving its major disputes with its neighbours including Pakistan.** In this regard India should develop tension-free friendly relations with Pakistan as a neighbouring nuclear power.

- **Energy:-**

  - The route for the pipelines through Afghanistan and Pakistan will be the shortest and cheapest as compared to the route through Afghanistan and Iran using Chahbahar seaport and then by pipelines to be constructed under the sea, avoiding exclusive economic zone of Pakistan.

  - The same is true for India regarding importing iron ore and other minerals from Afghanistan where it is investing heavily and also for large scale trading of goods with

  - The trade route through Afghanistan and Pakistan will also be beneficial to India for trading with Russia, western China and even with Turkey and the EU countries in a long-term perspective.

  - Therefore to meet its higher military and economic objectives to become a major world power, India will need to fully open up with Central Asia, Russia, West Asia and the Middle East through land routes for which it will need to improve its relations with Pakistan in a major way in the next 10 to 15 years.

- **Building better relations with Pakistan will also help India in further deepening its relations with the Gulf countries.**

Recent initiatives towards neighbours:-

- The informal summit at Wuhan, China and a visit to Nepal by Indian PM reflect a change aimed at reviving the 'neighbourhood first' policy announced in 2014.

- **China:-**

  - The recent move by India advising officials to stay away from events commemorating 60 years of Dalai Lama's exile in India and declining Australia's suggestion to participate in Malabar naval exercises indicated Indian interest in a reset.

- It is clear that messages have gone out to the Army to improve communications and understanding and prevent the stand-offs that were becoming frequent.
- Both sides have agreed to undertake a joint project in Afghanistan.

- **Nepal:-**
  - Nepal PM in keeping with tradition, made Delhi his first foreign destination after being elected PM.A return visit by India to Nepal within a month indicates that both sides are keen to show positive movement highlighting the historical, cultural and religious ties between the peoples of the two countries.
- The recent **land agreement with the Bangladesh** also shows that India's priorities towards neighbours is a priority

Conclusion:-

- There is a need to embrace an overarching strategic stability regime and to shun aggressive security doctrines to reduce the possibility of a nuclear conflict
- The problems of terrorism and Non-State Actors need to be addressed jointly through institutionalised mechanisms
- Water issues should be resolved through the mechanisms provided by the Indus Basin Treaty and should not be allowed to degenerate into a serious source of conflict.
- Confidence-building measures should be pursued to alleviate the "trust deficit" but should not be used as a substitute for the resolution of disputes.
- Economic co-operation and trade should be facilitated to develop mutuality of interest
- India and Pakistan need to understand each other's legitimate interests in Afghanistan and pursue them without coming into conflict with each other.

Q) Withdrawing from Iran nuclear deal by US is a serious mistake and has many possible ramifications for India. Analyse. (250 words)

The hindu

Why this question

The US recently unilaterally pulled out of the Iran Nuclear deal, formerly known as the Joint Comprehensive Plan of Action (JCPOA). The move will reverse the progress of Iran- US relationship and complemented by economic sanctions it will have serious ramifications for Iran. It will also have several ramifications for India. Questions related to GS 2 syllabus under the following heading-

India and its neighborhood- relations. Bilateral, regional and global groupings and agreements involving India and/or affecting India's interests Effect of policies and politics of developed and developing countries on India's interests, Indian diaspora.

Key demand of the question

The question wants us to bring out the possible implications, particularly the negative ones associated with withdrawing of US from the Iran Nuclear deal. It also wants us to dig deep into the topic and discuss the ramifications of this event on India.

Directive word

Analyse- we have to identify the key aspects of the question- why the withdrawal of US from the Iran Nuclear deal is a serious mistake and what would be the possible ramifications of this act on India.

Structure of the answer

Introduction- briefly describe the JCPOA, its signatories, and status after US withdrawal.

Body-

- *Discuss in points, why the US withdrawal from Iran Nuclear deal is a mistake.*

e.g unilateral nature of action, Iran was complying with the agreement, Iran's capabilities to build nuclear weapons had been severely curtailed, etc.

- *Discuss the possible implications of the US decision on India.*

  e.g oil prices may go up, investment and potential of Chabahar Port may be affected, International North-South Transport corridor may be affected etc.

  Conclusion- *mention the futility, irrational nature and a biased approach of the US in the above issue and need for a fair, effective agreement with Iran and more importantly need to respect the provisions of the agreement and also other international obligations.*

Background:-

- Joint Comprehensive Plan of Action (JCPOA) was meant to stall Iran from developing a nuclear weapon, was finalized in 2015. The deal was concluded between Iran and the P5 (United States, Russia, France, China, and United Kingdom) plus Germany and the European Union.

- Despite United States decision to pull out of the Joint Comprehensive Plan of Action (JCPOA), the nuclear deal itself won't be scrapped as long as Iran and the other signatories: the U.K., France, Russia, China, Germany and the European Union remain committed to it.

US withdrawal from Iran nuclear deal is a mistake:-

- The United States pulling out **does create more than a few uncertainties for regional security, for nonproliferation, and for American credibility more generally.**

- **American credibility lost:-**

  - Decision could undermine the US's credibility on the international stage, former president.

- **Arms race:-**

  - Undermining it despite no clear evidence of Iranian violations could hasten an arms race or outright regional conflict.

- **JCPOA has been successful:-**

  - **JCPOA has worked to halt Iran's progress toward a nuclear weapon**, highlighting its international inspections and noting that some of its provisions were permanent.

  - **The JCPOA is in America's interest** – it has significantly rolled back Iran's nuclear program.

  - The JCPOA does not rely on trust as it is rooted in the most far-reaching inspections and verification regime ever negotiated in an arms control deal. Iran's nuclear facilities are strictly monitored. International monitors also have access to Iran's entire nuclear supply chain, so that we can catch them if they cheat. **Without the JCPOA, this monitoring and inspections regime would go away.**

  - **Iran is complying with the JCPOA.** The United States intelligence community has continued to find that Iran is meeting its responsibilities under the deal, and has reported as much to Congress.

  - **The JCPOA does not expire:-**

    - The prohibition on Iran ever obtaining a nuclear weapon is permanent. Some of the most important and intrusive inspections codified by the JCPOA are permanent.

  - The JCPOA was never intended to solve all of US problems with Iran. Every aspect of Iranian behaviour that is troubling is far more dangerous if their nuclear program is unconstrained. US ability to confront Iran's destabilizing behaviour and to sustain a unity of purpose with its allies is strengthened with the JCPOA, and weakened without it.

  - Without the JCPOA, the United States could eventually be left with a losing choice between a nuclear-armed Iran or another war in the Middle East as it knows dangers of Iran obtaining a nuclear weapon. It could embolden an already dangerous regime pose unacceptable dangers to America's own security and trigger an arms race in the world's most dangerous region.

- **North Korea:-**

- The JCPOA is a model for what diplomacy can accomplish its inspections and verification regime is precisely what the United States should be working to put in place with North Korea. Indeed, at a time when world is rooting for diplomacy with North Korea to succeed, walking away from the JCPOA risks losing a deal that accomplishes with Iran the very outcome that world is pursuing with the North Koreans.

- **S. allies and adversaries that are party to the agreement had urged the US administration not to tear it up.**

  - Britain has appealed to US not to abandon the Iran nuclear deal as a key deadline approaches, saying that while it is not perfect there is no better alternative.

- **Iran:-**

  - Keeping the deal's constraints on Iran's nuclear program will also help counter Tehran's aggressive regional behaviour.

Implications for India :-

- Even though India was not party to the deal, India supported it. India had watched the growing tensions between Iran and the United States before the deal was reached with some trepidation **because a war could have had multiple negative consequences for India, including threats to the very large Indian expatriate population, disruption of oil supplies, and being forced to pick sides between Iran and the United States, to name just a few.**

- **Oil prices:**

  - The impact on world oil prices will be the immediately visible impact of the U.S. decision. Iran is presently India's third biggest supplier (after Iraq and Saudi Arabia), and any increase in prices will hit both inflation levels as well as the Indian rupee, which breached ₹67 to the U.S. dollar this week.

- **Non-oil trade with Iran**, which stood at about $2.69 billion of the total trade figures of $12.89 billion in 2016-**17 may not be impacted as much,** as New Delhi and Tehran have instituted several measures in the past few months, including allowing Indian investment in rupees, and initiating new banking channels, between them.

- **Chabahar:**

  - India's moves over the last few years to develop berths at the Shahid Beheshti port in Chabahar was a key part of its plans to circumvent Pakistan's blocks on trade with Afghanistan, and the new U.S. sanctions could slow or even bring those plans to a halt depending on how strictly they are implemented.

  - S. sanctions could affect this timeline and delay the handing over of the project further.

- **A broader concern is about the general stability of the region**.

  - If the increasing tension in the region should ignite into a full-scale war, India faces a number of challenges. Millions of Indian expatriates live in the Arab states of the Gulf, and they would be in the direct line of fire.

  - Politically, it will become very difficult for India to continue playing the balancing game between Iran on one side and Israel, the Arab states and the United States on the other.

- **Finally, India will also have to balance its other interests with the developments in the Gulf** as this could impact India in a range of areas, including overseas projects, exports, payments for oil, and even international relations.

- **During the era of sanctions, India had major backlogs in terms of payments towards oil imports from Iran**. When the sanctions were lifted, both New Delhi and Tehran heaved a sigh of relief, and payments could be made.

- **China has been considering the induction of Iran into the Shanghai Cooperation Organisation (SCO)** .If Iran is inducted after the re-imposition of US sanctions, India could be seen as being part of an anti-America bloc.

- **INSTC:**

  - Beyond Chabahar, India has been a founder of the International North South Transport Corridor (INSTC) since it was ratified in 2002. Plans for INSTC sped up after the JCPOA was signed in 2015 and sanctions on Iran were lifted.

- New U.S. sanctions will affect these plans immediately, especially if any of the countries along the route or banking and insurance companies dealing with the INSTC plan also decide to adhere to U.S. restrictions on trade with Iran.

- **Rules-based order:**

  - India has long been a proponent of a rules-based order that depends on multilateral consensus and an adherence to commitments made by countries on the international stage.

  - By walking out of the JCPOA the U.S. government has overturned the precept that such international agreements are made by States not just with prevailing governments or regimes. This could also impact all agreements India is negotiating both bilaterally and multilaterally with the U.S.

Q) Pokhran-II and what followed has given India the right to claim the tag of a responsible power — a valuable diplomatic asset. Analyze. (250 words)

Indian express

The hindu

Why this question

After Pokhran-II tests, India declared itself as a full-fledged nuclear weapon state. But it brought adverse reaction from US, Japan, Australia etc. However, India has successfully managed to establish itself as a responsible power and is presently party to three out of four multilateral weapon export control regimes. The question is related to GS 2 syllabus under the following heading-

Key demand of the question

The question wants us to throw light on the Pokhran II tests and analyse the Indian response and how India managed to establish itself as a responsible power.

Direct word

Analyse- we have to dig deep into the question, identify key demands viz. Description of Pokhran II tests, their impact and how India managed to steer itself out of the adverse response of world powers and how it established itself as a responsible power.

Structure of the answer

Introduction- briefly describe the Pokhran II tests- date, type and number of bombs etc.

Body-

- *Briefly discuss the aftermath of the tests- how world powers responded.*

- *Briefly discuss in points, factors which necessitated the development of nuclear weapons by India. e.g conflict with China and Pakistan, declaration of China as a nuclear state etc.*

- *Briefly discuss in points, how India managed to steer itself out of the controversy. e.g India's no first use policy, adherence to the non-proliferation treaty without even being a signatory etc.*

Conclusion– *mention that India is presently a member of 3 out of 4 export control regimes and an established responsible nuclear power.*

Background:-

- Between May 1th – 13th of 1998 India took a leap into the unknown world of nuclear weapon powers with the five tests at Pokhran

How did the world powers respond:-

- The tests shocked the world, particularly because they were done with utmost secrecy and the India-U.S. ties hit rock bottom.

- For nearly two months, the U.S. refused to have any dialogue with India and implemented the Glenn Amendment for the first time.

- Newer sanctions were imposed. The US, China, and the UK were critical of India's nuclear tests, but Russia and France and even Britain were not in favour of sanctions.

India had to move towards nuclear weapons under the following circumstances :-

- Idea of nuclear weapons was **to neutralise conventional Chinese military superiority** .

- **Having them was an enabler and equaliser** .It is a weapon not necessarily intended for use, but the threat of whose use could achieve political and military goals.

- By the late 1990s, India was faced with a situation in which two neighbours with whom it had fought wars, **Pakistan and China**, already had nuclear weapons, and were working together to build their capabilities and proliferate them in Asia. By conducting the tests, India was able to insulate itself from nuclear threats.

- **Maintain peace and Stability in the region.**

India is a responsible power:-

- Indian diplomacy triumphed in turning a grave crisis into an opportunity by **securing legitimacy for its nuclear arsenal and removing obstacles in generating nuclear power.**

- **Nuclear deals** have brought India to the nuclear mainstream and opened up the global nuclear market for development of nuclear power **without signing the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) or the Comprehensive Nuclear-Test Ban Treaty (CTBT).**

- India refused to sign the CTBT, but **declared a moratorium on testing, agreed to join the Fissile Material Cut-off Treaty negotiations** without halting fissile material production

- India **reaffirmed minimum deterrent** without giving any number of warheads and agreed to strengthen export controls.

- Additionally, **India declared no-first-use and commitment to disarmament**:-

  - It would not be the first to use nuclear weapons against other countries. But if nuclear weapons were used against India, it would retaliate, and inflict unacceptable pain on the adversary.

  - This nuclear weapons doctrine has since become the cornerstone of India's diplomatic, military and political policy in the international arena.

- Even though India placed its civilian nuclear facilities under perpetual safeguards, its nuclear assets remained fully insulated against external scrutiny and interference. **India secured rights to receive uninterrupted nuclear fuel supplies as a trade-off against safeguards.**

- **It kept open its right to acquire advanced enrichment and reprocessing technologies**, although it would require bilateral negotiations with the U.S. and others.

- **India's sovereign right to test a nuclear device in the future has remained intact**.

- **India is now a member of three out of four multilateral export control regimes** MTCR, Wassenaar Arrangement, Australia Group and is in the reckoning for membership of the NSG.

- **There is no Evidence of India's involvement in illegal nuclear proliferation.** This has earned India Civil nuclear deals with nations like Japan.

Conclusion:-

- Pokhran-II gave India the strategic space to manoeuvre at the world stage, and to showcase its international behaviour on the rules-based system and what followed has given India the right to claim the tag of a responsible power and a valuable asset in times when powers like the US and China are perceived to be not adhering to international commitments.

Q) Critically analyze whether India needs a modification in its nuclear doctrine to secure national interest? (250 words)

Hindustantimes

Why this question

20 years post Pokhran II, and the prevailing geopolitical and geostrategic flux provides an opportune moment for India to analyze whether its current nuclear doctrine is best suited to secure India's national security.

Key demand of the question

Following points needs to be covered in your answer

- *What is India's nuclear doctrine*
- *How the current doctrine helps India achieve India's national security interests*
- *How the current doctrine falls short*
- *Expert opinion on modifications required in India's nuclear doctrine*
- *Your own view*

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. You need to conclude with a fair judgement, after analyzing the nature of each component part and interrelationship between them.

Structure of the answer

Introduction – Highlight the changes happening in geopolitical and geostrategic status quo which makes it prudent to revise our nuclear doctrine. Also mention that global disarmament is a distant dream and securing national interest is the priority.

Body

- *Discuss India's nuclear doctrine, discuss India's national interest and how the current doctrine helps in fulfilling it.*
- *Discuss how the current doctrine falls short. Examine it from various angles such as as a deterrent, in line with foreign policy objectives , geopolitical status quo, technological advancement such as strategic nuckes etc*
- *Discuss the changes that can be brought in*
- *Summarise your arguments by providing your view*

Conclusion – Highlight the need for constant review of India's nuclear doctrine and the way forward.

Background:-

- Last year the defence minister's statement questioning the need and desirability of the 'no first use' of nuclear weapons policy has spurred a flurry of commentaries reviewing India's nuclear doctrine, even though it does not reflect any change in India's no first use commitment per se

India's nuclear doctrine:-

- India's nuclear doctrine was first enunciated following a Cabinet Committee on Security (CCS) meeting in January 2003.
- **Some of the main features of India's nuclear doctrine are :-**
  - Building and maintaining a credible minimum deterrent

- A "No First Use" posture; nuclear weapons to be used only "in retaliation against a nuclear attack on Indian territory or on Indian forces anywhere

- Nuclear retaliation to a first strike will be "massive" and designed to inflict "unacceptable damage"

- Nuclear retaliatory attacks to be authorized only by civilian political leadership through the Nuclear Command Authority.

- Non use of nuclear weapons against non nuclear weapon states.

- India to retain option of retaliating with nuclear weapons in the event of a major attack against it with biological or chemical weapons;

- Continuance of strict controls on export of nuclear and missile related materials and technologies, participation in FMCT negotiations, continued moratorium on testing;

- Continued commitment to goal of nuclear weapon free world, through global, verifiable and non discriminatory disarmament

No change is necessary:-

- India's current doctrine has helped India secure crucial international deals, such the Nuclear Supplier Group (NSG) waiver as part of the Indo-U.S. nuclear deal in 2008.

  - More recently, India signed a nuclear cooperation agreement with Japan, which is quite surprising as Japan is known for its staunch anti-nuclear stance and India is not a signatory of the Non-Proliferation Treaty (NPT).

  - India is currently also seeking to join the NSG as a permanent member which is a doctrinal shift and is only going to give China more reason to delay India's entry. **This posture would also play into the hands of Pakistan, which has long accused India of duplicity** over its no first use policy and called India's expanding arsenal a threat to the region's stability.

- **No First Use works well:**

  - **It builds stability into deterrence by credibly promising nuclear retaliation in the face of extreme provocation of a nuclear first strike by one's adversary.**

- **Change in stance will create issues:-**

  - All the gains enjoyed by India in the international community by the restraint of India nuclear posture would be frittered away if there is change in stance of nuclear doctrine

  - It would enormously complicate and increase the expenditure incurred by us in regard to our command and control mechanisms which would have to be reconfigured to engage in calibrated nuclear war fighting.

  - It would weaken the possibility of our engaging in conventional warfare insulated from the nuclear overhang.

  - It would encourage the use of tactical nuclear weapons against under the illusion of no massive response.

  - It would facilitate the painting of South Asia as a nuclear flashpoint and thereby encourage foreign meddling.

Change is needed :-

- **No first use :-**

  - Such an approach unnecessarily kept India on the back foot and on the defensive and made it axiomatic that India would have to face the consequences of a first strike before being able to respond. Moreover, it prevented India from keeping a potential adversary off balance.

- **There is increasing evidence of Pakistan's proclivity to use tactical nuclear weapons against India.**

  - Pakistan's acquisition of a TNW such as the Hatf IX missile, with a range of 60 kilometres and capable of carrying a nuclear warhead of an appropriate yield, has attracted widespread attention in various Indian debates on strategic stability.

  - It has been argued that Pakistan's acquisition of TNWs has lowered the deterrence threshold and thereby affected the overall strategic stability in the region.

- Emphasising this change in India's strategic environment, the proponents of doctrinal review argue that India's existing doctrine is ill-suited to deter Pakistan from using TNWs against India

- Advocates of a change in India's NFU policy would like its nuclear doctrine mimic those of most of the established Nuclear Weapon States **which contemplate the use of nuclear weapons even in sub nuclear conflicts.**

Way forward:-

- Periodic statements about the nurturing and upgradation of India's nuclear arsenal and systems including alternate command structure.

- An indication that India's nuclear arsenal will be large enough to take care of all adversaries and will have to be in the mid triple digits.

- Appointment of a Chief of Defence Staff and upgradation of the NTRO as a capable apex techint organization which would in a fool proof manner provide indicators of any attack on us and ensure swift and massive nuclear retaliation inflicting unacceptable damage.

- **Nuclear testing:-**

  - Two things need to be done to configure and laboratory-test sophisticated thermonuclear weapons designs.

  - The laser inertial confinement fusion facility at the Centre for Advanced Technology, Indore, needs to be refurbished on a war-footing, and a dual-axis radiographic hydrodynamic test facility constructed.

Q) In order to make Paris Climate deal successful, it is essential to create a fair and equity based rule book at the earnest. Comment. (250 words)

Reference

Why this question

Paris Climate deal is a historic agreement that aims to address climate change and global rise in ambient temperatures. The rule book under the Paris agreement, which will lay down the rules for operation of the agreement is to be finalised by this year end. The issue is related to GS-2 syllabus under the following heading-

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

Key demand of the question

The question wants us to deliberate on the rule book under the Paris agreement, its significance, key issues involved and present our opinion on the need to finalise it by the year end.

Directive word

Comment- we have to present our opinion on the given issue and put behind a context and a body of arguments in its support.

Structure of the answer

Introduction- Give a brief description of the meaning of rule book under Paris agreement and different subsidiary parties to be formed.

Body–

- *Discuss in points various issues responsible for disagreement and slow progress.*

  e.g issues of Stocktake, accounting, finance, enhanced transparency framework, adaptation communications etc.

- *Opposition by developed countries to launch a process on deciding new quantitative goal for finance by 2025, to provide ex-ante biennial communication under Article 9.5 of the Paris Agreement and to operationalise the Adaptation Conclusion- Mention the overall imperative of*

addressing Climate Change and global warming and need for the developing and developed countries to work together to frame a fair and equity based rule book under the Paris agreement.

Background:-

▪ The recent session of Subsidiaries Bodies concluded in Bonn with very slow progress on formation of rule book for implementation of Paris Agreement.

Paris climate deal:-

▪ The Paris Agreement was adopted in December 2015. After its coming into force a year later, Parties started working on negotiating bodies

▪ Subsidiary Body for Finance (SBI), Subsidiary Body for Scientific and Technical Advice (SBSTA) and Ad-hoc working group on Paris Agreement (APA) under the Paris Agreement Work Programme (PAWP) for detailing the modalities, procedures and guidelines (MPGs) or the 'rule book' of various elements under the climate deal.

▪ The mandate is to create the rule book by the end of this year

Issues regarding disagreement :-

▪ Parties **struggled to have a comprehensive text** which could form the basis of discussions resulting in the rule book.

   ▪ **Discussions took place on different agenda items related to Global Stocktake, Transparency Framework, Information on NDCs (nationally determined contributions), new market mechanisms, adaptation fund and other issues related to Paris Agreement.**

▪ Instead, informal consultations resulted in emergence of informal texts with successive iterations that do not have any legal standing.

▪ **Developed countries vs developing countries divide:-**

   ▪ The same old divide between developed and developing countries continued over the issue of differentiation across a range of issues, **including accounting, finance, enhanced transparency framework, global stocktake, adaptation communications**.

   ▪ Parties also discussed is**sues like common time frames for NDCs, capacity building, and information to be reported in adaptation communication**s that should not be duplicated under transparency framework.

   ▪ **Developed countries, led by the US and EU, opposed constructive outcomes on pre-2020 actions**.

   ▪ **They also opposed to launch a process on deciding new quantitative goal for finance by 2025**, to provide ex-ante biennial communication under Article 9.5 of the Paris Agreement and to operationalise the Adaptation Fund.

   ▪ Regarding **technology transfer**, developing countries underlined the lack of discussion on institutional arrangements domestically.

▪ **Finance is the most significant element for implementation of Paris Agreement**:-

   ▪ Developing countries are pushing for predictable and sustainable finance and developed countries are pushing for increasing donor base.

   ▪ There needs to be clarity on achieving the mandate of US$100 billion by 2020 and discussions need to be initiated for increasing the amount by 2025.

   ▪ **Since finance is cross cutting in nature, its operationalisation in Adaptation Fund and loss and damage gains paramount importance as both adaptation and loss and damage issues suffer for lack of funds.**

Therefore to not discredit the process and follow the mandate that Parties themselves agreed, it is essential to prepare the rule book by 2018 to build trust, identify areas of cooperation and raise ambition

Q) President Trump's JCPOA withdrawal creates new challenge for Indian diplomacy. Analyze. (250 words)

Why this question

Culling of the Iran deal from USA's side puts India in a tough spot again. The nuclear deal and the impact that USA's withdrawal will have to India needs to be analyzed in greater detail.

Key demand of the question

Following points need to be brought out in your answer

- *What is the JCPOA deal*

- *Why is it in news currently*

- *What are the challenges that withdrawal from JCPOA pose for india*

- *How should India deal with those challenges*

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 – *Mention what is JCPOA and why is it news currently*

Body

- *Discuss the challenges that USA's withdrawal from the deal would have on India Iran relations, India USA relations, energy security, regional connectivity etc*

- *Discuss how should India deal with these challenges*

Conclusion – *mention the need for maintaining a policy of principled equidistance and the need for securing national interest. In that respect, Iran's importance in Indian strategic and geopolitical objectives can not be overstated.*

Background:-

- Joint Comprehensive Plan of Action (JCPOA) was meant to stall Iran from developing a nuclear weapon, was finalized in 2015. The deal was concluded between Iran and the P5 (United States, Russia, France, China, and United Kingdom) plus Germany and the European Union.

- Despite United States decision to pull out of the Joint Comprehensive Plan of Action (JCPOA), the nuclear deal itself won't be scrapped as long as Iran and the other signatories: the U.K., France, Russia, China, Germany and the European Union remain committed to it.

Creates new challenges for India:-

- Even though India was not party to the deal, India supported it. India had watched the growing tensions between Iran and the United States before the deal was reached **because a war could have had multiple negative consequences for India, including threats to the very large Indian expatriate population, disruption of oil supplies, and being forced to pick sides between Iran and the United States, to name just a few.**

- **Oil prices:**

  - The impact on world oil prices will be the immediately visible impact of the U.S. decision.

  - Iran is presently India's third biggest supplier and any increase in prices will **hit both inflation levels as well as the Indian rupee,** which breached ₹67 to the U.S. dollar this week.

- Higher inflation might prompt central banks of developed economies, particularly the US, to follow a monetary policy tighter than expected before. **This can have a negative spillover on capital flows into emerging markets, including India.**

- **Chabahar:**

    - India's moves over the last few years to develop berths at the Shahid Beheshti port in Chabahar was a key part of its plans to circumvent Pakistan's blocks on trade with Afghanistan, and **the new U.S. sanctions could slow or even bring those plans to a halt depending on how strictly they are implemented.**

    - Sanctions could affect this timeline and delay the handing over of the project further.

- **A broader concern is about the general stability of the region**.

    - If the increasing tension in the region should ignite into a full-scale war, India faces a number of challenges. **Millions of Indian expatriates live in the Arab states of the Gulf, and they would be in the direct line of fire.**

    - **Politically, it will become very difficult for India to continue playing the balancing game between Iran on one side and Israel**, the Arab states and the United States on the other.

- **Finally, India will also have to balance its other interests with the developments in the Gulf** as this could impact India in a range of areas, including overseas projects, exports, payments for oil, and even international relations.

- **During the era of sanctions, India had major backlogs in terms of payments towards oil imports from Iran**. When the sanctions were lifted, both New Delhi and Tehran heaved a sigh of relief, and payments could be made.

- **China has been considering the induction of Iran into the Shanghai Cooperation Organisation (SCO)**.If Iran is inducted after the re-imposition of US sanctions, India could be seen as being part of an anti-America bloc.

- **INSTC:**

    - Beyond Chabahar, India has been a founder of the International North South Transport Corridor (INSTC) since it was ratified in 2002. Plans for INSTC sped up after the JCPOA was signed in 2015 and sanctions on Iran were lifted.

    - New U.S. sanctions will affect these plans immediately, especially if any of the countries along the route or banking and insurance companies dealing with the INSTC plan also decide to adhere to U.S. restrictions on trade with Iran.

- **Rules-based order:**

    - India has long been a proponent of a rules-based order that depends on multilateral consensus and an adherence to commitments made by countries on the international stage.

    - By walking out of the JCPOA the U.S. government has **overturned the precept that such international agreements are made by States not just with prevailing governments or regimes.** This could also impact all agreements India is negotiating both bilaterally and multilaterally with the U.S.

However impact can be minimal:-

- Trade between India and Iran is unlikely to suffer on account of re-imposition of US sanctions as these have been in place for long and India has maintained good trade relations with Iran. **Re-imposition of the sanctions might actually give India better bargaining power when trading with Iran.**

- **Non-oil trade with Iran** which stood at about $2.69 billion of the total trade figures of $12.89 billion in 2016-**17 may not be impacted as much,** as New Delhi and Tehran have instituted several measures in the past few months, including allowing Indian investment in rupees, and initiating new banking channels, between them.

Way forward:-

- **India needs to have private discussions with U.S. counterparts** for a more effective way of safeguarding its Iran-related interests.

- Oil and fertilisers are key strategic import items, **and India should try to diversify its trading partners to shield itself from any adverse consequences**.

Q) Improving India Nepal relations requires greater focus on implementation and less on optics. Analyze. (250 words)

The hindu

Why this question

The completion of PM Modi's visit to Nepal provides an opportune time to discuss the significance of the visit and chalking out the way forward.

Key demand of the question

The question expects us to focus on following points

Status quo of India Nepal relations

Why optics – religious diplomacy, talk of historical and religious brotherhood etc – will not go a long way in resolving the teething issues in India Nepal relations

How the focus should be on implementation of projects

Way forward

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. When you are asked to analyze, you have to examine each part of the problem. It is a broader term than 'Examine'.

Structure of the answer

Introduction – Mention about our PM's visit to Nepal and the important agreements signed

Body

- *Bring out the status quo in India Nepal relations with more emphasis on bringing out the issues that plague the relationship*

- *Highlight why merely focussing on optics like historical linkage, religious similarity etc will hardly resolve the issues that affect our relationship*

- *Highlight the pending projects in infrastructure, hydro projects etc which needs to be completed soon to ensure meaningful progress of the relationship*

- *Highlight how China is waiting in the wings to fill in the gap that lackadaisical attitude on part of India can create*

Conclusion *– mention that Nepal is crucial for India's foreign policy and mention what should be the way forward.*

Background :-

▪ There have been mutual visits by PM's of both Nepal and India in 2018.With that the relations have gained some positive vibe and the 2018 statement prioritises cooperation in agriculture, inland water-ways, a survey for a railway line from Raxaul to Kathmandu and increasing air connectivity.

Implementation needs to be the focus:-

▪ **Issues with the projects:-**

  ▪ **Only one of the earlier commitments, the 900 MW Arun III hydel project, has progressed**

  ▪ **Of the four planned Integrated Check Posts, one is now functional** after over a decade.

  ▪ India has been Nepal's most significant development partner. Yet the pace of project implementation has been slow, leading to **significant time and cost over-runs**.

- The **idea of four Integrated Check Posts (ICP)** on the India-Nepal border to facilitate movement of goods, vehicles and people was mooted 15 years ago and an MOU signed in 2005.

- While preparation of surveys and project reports moved slowly on the Indian side, acquisition of land by the Nepali authorities got held up leading to delayed construction.

- As a result, only the Raxaul-Birgunj ICP has been completed .During this time, the **cost of the project went up fourfold.**

- **Misperceptions about the unequal agreements relating to the Kosi barrage (1954) and Gandak barrage (1959) have grown over the years** preventing any development in this sector. There are also long-pending hydel projects like Pancheshwar

- **More emphasis on bringing out the issues that plague the relationship**

  - **Political:-**

    - India's openly stated reservations on the new constitution in support of the Madhesi cause fuelled resentment.

  - **Economic:-**

    - Nepal blamed India for imposing an economic blockade which was causing acute shortages of essentials such as petrol, diesel, liquefied petroleum gas and medical supplies.

  - Difficult issues, including a review of the contentious 1950 Treaty, recruitment of Nepali nationals in the Gurkha regiments of the Indian Army, resolving the fallout of the 2016 demonetisation exercise which has left the Nepal Rastra Bank holding a stock of Indian currency, resumption of the SAARC summit process which remains stalled since 2016.

  - Border:-

    - There are border disputes pending between the two countries at Susta, Kalapani and the 'tri-junction' of Lipulekh

  - India has age old unique, time tested ties of friendship with Nepal. The relationship between the two countries is deeply and intricately intertwined by geography, civilisational bonds, and cultural and social enmeshing. Merely focussing on optics like historical linkage, religious similarity etc will hardly resolve the issues that affect the relationship

  - **China factor :-**

  -

  - **Above Kalapani, there is no demarcation (of the boundary) between India and Nepal till China border. This could lead to problems in the coming time**. After Doklam, Bharat is very concerned about Kalapani dispute. **It may provide an opportunity for China to flare up the issue along with a Communist government in Nepal.**

  - **Military:-**

    - **China invested heavily in Nepal's security forces**, particularly in its police and paramilitary forces. It even opened up a police academy to train the APF, the Nepali paramilitary force deployed to guard the Nepal-Tibet border, in order to check the possible infiltration of "Free Tibet" activists into Nepal.

    - **China's activities have been steadily expanding in Nepal after Kathmandu's support for OBOR materialized**

  - **Economic:-**

    - Recently **10 agreements were signed between the two countries**. The one related to trade and transit and the other on connectivity have attracted international attention for their security implication in the South Asian region.

    - As per the transit treaty with China, **Nepal has now secured transit rights for trade with third countries through the Chinese territory**.

- China decided to supply petroleum products to Nepal, apart from building petroleum storage facilities in this country.

Way forward:-

- **Completion of the ongoing process of updating the 1950 Treaty of Peace and Friendship:-**
  - India must recognise that as in all other developing economies, Nepal's aspirational young population is also looking beyond the open Indian border for opportunities, and its desire to turn his "land-locked" country into a "land-linked" country with a merchant navy must be considered positively.

- **People-to-people inter-dependence must lead the relationship** along with civil society and business-commercial level interactions.

- **India's major foray should be in innovation and technology transfe**r, multidisciplinary dialogues, educational and technical institutions, local and global migration management and skills and capacity-building.

- India needs to finish the infrastructure projects on time for instance Pancheswar project has been pending for over 20 years now.

- **Nepal could be the fountainhead of climate change knowledge and connect to India's larger dynamics of the management of the ecology of hills and mountains.**

- **Effective delivery on the pending projects, the remaining ICPs,** the five railway connections, postal road network in the Terai and the petroleum pipeline so that connectivity is enhanced and the idea of 'inclusive development and prosperity' assumes reality.

- **India needs to formulate a comprehensive and long-term Nepal policy.**

Q) New challenges confront India and Russia in their bilateral relationship which requires India to tread cautiously. Examine. (250 words)

Reference

Why this question

With Modi's visit to Sochi coming soon, a time to have a relook at the India Russia bilateral relationship is required. The relationship is passing through tumultuous times on account of the geopolitical changes taking place. It requires India to tread cautiously in how it deals with Russia, who has been a time tested partner of India. This question thus becomes important in preparing for India Russia relationship.

Key demand of the question

The question expects us to bring out the following points

- *What are the new challenges that confront India and Russia in their relationship going forward*

- *What impact would it have on the future of India Russia relationship and India's overall foreign policy.*

- *How should India deal with these new challenges*

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. The issues discussed above need to be brought out.

Structure of the answer

Introduction – The overall trend of India Russia relationship is to be brought out with special emphasis on the fact that India and Russia have been time tested partners so far, and the emerging divergences are a matter of concern.

Body

Discuss the new challenges confronting India and Russia in their bilateral relationship. Discuss it under heads like

- *Geopolitical situation impacts – China factory, Pakistan factor, USA factor*

- *Geostrategic situation impacts – Similarity of interests in central Asia, Indo Pacific and alliances being formed there*

- *Economic challenges – India Russia trade not picking up*

- *Lack of people to people contacts*

- *Also discuss the strong points of the relationship such as nuclear and defence cooperation etc to show that the situation is not entirely bleak*

- *Discuss the impacts that the challenges would have on India Russia partnership going ahead and on India's overall foreign policy*

- *Discuss in brief the need for India to maintain the balancing act.*

Conclusion – *Mention that the situation requires India to maintain relations with various stakeholders and how India should achieve this.*

Background:-

- In 2017, India and Russia started paying more attention to their bilateral relations , reviving a stagnant relationship and recovering some of the momentum that was lost over the past few years

New challenges:-

- **Geopolitical:-**

  - India, of course, has a long standing relationship with Russia but that is undergoing a shift in light of rapidly evolving geopolitical realities.

  - There is a change in how Moscow views its regional priorities in South Asia.

  - Shifting geopolitical dynamics driven by the rise of China

  - International sanctions against the Kremlin, and its never-ending economic stagnation point to imminent changes for India-Russia relations in the coming years.

  - Cold War type rhetoric against Russia is gaining traction in western Europe and there is a **growing consolidation of negative views against Moscow**

- **Russia-China-Pakistan:-**

  - Russia's increasing tilt towards Pakistan as it seeks to favour with China.

  - Russia publicly called on India to join China's Belt and Road initiative .

  - Indian strategists fear a China-Pakistan-Russia axis. For them, Russia's transfer of Mi-35 M attack helicopters to Pakistan in 2017 is a cause of concern.

- **Quad:-**

  - Also slowed displeasure over New Delhi's warming up to the idea of a quadrilateral engagement involving the US, India, Japan and Australia in the Indo-Pacific.

- **Economic:-**

  - Despite augmenting trade volumes, Russia's exports to India are barely 2 percent of India's total imports and in an economic sense, Russia's struggling economy has little to offer to India in the long-term.

- **Defence:-**

  - Russia is still the largest supplier of defence equipment(70%) but its share in overall imports has progressively declined.

- **Afghanistan:-**
  - On the issue of the Afghan crisis, while Russia appreciates India's concerns about Pakistan's intentions in Afghanistan, **it also believes that there cannot be a solution without involving Pakistan and the Taliban.**
  - Russia, unlike India, views Afghanistan through the prism of its rivalry with the US.
- **US- Indian relations:-**
  - The rapidly expanding ties between India and USA after the nuclear deal in 2008.
  - The growing defence relationship between India-US.
    - India's decision to sign the three "foundational" defence Agreements with US has surfaced as a cause of serious concern for Russia.
      - Logistics Support Agreement (LSA)
      - Communications Interoperability and Security Memorandum of Agreement (CISMOA)
      - Basic Exchange and Cooperation Agreement (BECA) for Geo-spatial Cooperation
    - **Russia feels that India is virtually entering into a military alliance with USA,** which will severely restrict Russia's ability to share sophisticated defence technology with it

Strong relations with Russia :-

- **Economic:-**
  - 2017 was a breakthrough in bilateral relations for Moscow and New Delhi. **Both nations experienced impressive 22 percent growth in trade and boosted cooperation in a number of spheres ranging from agriculture to energy to pharmaceuticals.**
  - Earlier, Russia's largest oil producer, Rosneft, closed a $12.9 billion purchase of India's second largest private oil refiner, Essar Oil, which marked one of the biggest foreign investment in India.
  - Once the Arctic trading routes open and the International North South Transport Corridor (INSTC) and the India-Eurasian Economic Union FTA fructify, trade relations could deepen.
- **Military:-**
  - Two countries likewise seek stronger ties in the military sector.
  - Russia keeps its competitive edge and remains the largest supplier of weapons to the Indian market.
  - Both nations signed an inter-governmental agreement for the purchase of the S-400 Triumf advanced Air Defense Systems estimated at $4.5 billion.
  - Moscow and New Delhi also agreed on the import of Kamov Ka 226T light utility helicopters and collaboration in manufacturing of four Admiral Grigorovich–class guided-missile stealth frigates.
- **Close relationship between leaders:-**
  - The personal friendship between premiers of the to countries facilitate an impression of strategic bilateral relations.
- **International:-**
  - Russia played a key role in facilitating New Delhi's membership in the Shanghai Cooperation Organization.
  - There are no fundamental disagreements between Russia and India , unlike their relations with the other major powers.
  - Both countries aspire for a multipolar world, in which they are significant players.
  - On issues of mutual and paramount importance both countries have consistently supported each other.
    - Some recent instances include India's refusal to join the US-led sanctions on Russia and Russia's unwavering support for India's membership into the NSG.
    - Moscow and New Delhi both voted against the US on the Jerusalem resolution at the UN.

- **Both the countries signed the St Petersburg Declaration in June 2017**, envisaging an action plan for deepening relations in all areas, including political and economic development of the two countries and also to ensure that their ties contribute to the establishment of a more peaceful and just world order.

- Both countries strongly **condemned terrorism** in all its forms and manifestations.

    - Both the nations called for early conclusion of negotiations on the Comprehensive Convention on International Terrorism to strengthen the global counter-terrorism normative and legal framework to combat this scourge.

Way forward:-

- **Russia and India need to find new areas of cooperation to preserve their strategic partnership**.

- The two countries need to develop a broader economic relationship through joint development and manufacturing for export particularly of defence equipment to other countries. This would help India develop its defence industrial base and also dovetail into its "Make in India" initiative.

- **Diamond trade is an area where the two countries could improve cooperation**. India has skills in diamond polishing and Russia has resources of diamonds.

- **Nuclear cooperation is yet another area with high potential**.

- **Human resources**:-

    - Russia faces a serious demographic crisis and to diversify and modernise its economy it will need skilled and low-skilled labour.

    - It might be a good for the two countries to think of ways in which Indian labour can contribute to the Russian economy.

- **Introduction of more scholarships** and investment in exhibitions and cultural festivals could benefit both countries.

- Tourism is yet another sector that can be tapped.

- **Both countries should strengthen bilateral ties** in the spheres of strategic, political, security, nuclear energy, hydrocarbons, defence procurement, academia and people to people relations.

Conclusion:-

- India-Russia relations seem to have finally made the transition from a nostalgia-driven relationship to a more transactional one. However, the political leadership in both countries should seize the moment and work towards a more sustainable strategic partnership

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Q) The informal summit at Wuhan has not managed to achieve much in concrete terms. Critically analyze. (250 words)

The Hindu

Why this question

The informal summit at Wuhan was an opportunity for India and China to reset their ties through a novel diplomatic method. A critical analysis of the relationship with an emphasis on understanding it's impact on the future of India China ties and geopolitics of the world is important.

Key demand of the question

The question makes an assertion that there were very few concrete takeaways from India China meet at Wuhan. We have to analyze how true this assertion is. Thus following aspects are important

- *Details of the takeaway from the meet*

- *Whether those promises will help transform India China relationship and help India in managing its power equations with other nation states. We have to bring out both the hits and misses of the meet.*

- *Our own view based on the arguments made above*

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. You need to conclude with a fair judgement, after analyzing the nature of each component part and interrelationship between them.

Structure of the answer

Introduction – *Details of the Wuhan summit will become the introduction.*

Body

The content of the takeaways.

- *Analyze the pros and cons of the takeaway. Take ideas from the article along with other sources.*

- *Provide a fair and balanced opinion based on your arguments made above*

Conclusion – *mention about the need for India to maintain good relations to secure its national aims and objectives. Mention that Wuhan was one single step in a journey of miles.*

Background:-

- With the recent conclusion of Wuhan Summit, India China relationship has progressed from the nadir it found itself in the recent past.

Wuhan summit:-

- India clearly viewed this 'informal summit' as **a trust-building exercise**, hoping to quietly sort out problems that existed between the two countries, including the vexed border issue.

- It reiterated the **need to cooperate on counter-terrorism, and to strengthen the dialogue mechanism to deal with contentious issues and concerns**. Both have agreed on the importance of maintaining peace and tranquillity in all areas of the India-China border.

- The summit appears to have **reinforced the validity of the April 2005 Document** on 'Political Parameters and Guiding Principles for the Settlement of the Boundary Question'.

- In the Wuhan consensus **joint commitment to maintain peace and tranquillity over the entire India-China border is stated** and the direction is given by the leaders to their respective militaries to observe restraint, scrupulously implement Confidence Building Measures and strengthen communication links at all levels.

  - The avoidance of provocative behaviour by both militaries deployed at the border is critical to maintaining the overall relationship on an even keel. **This understanding augurs well for the future.**

- **Agreement between India and China to work together jointly on an economic project in Afghanistan**, with details to be worked out through diplomatic channels.

Criticism:-

- **No manifest concessions appear to have been made by China.** The Doklam issue (which was not discussed at the summit) remains unresolved,

- There are **no indications that China has softened its attitude** vis-à-vis India's position in Arunachal Pradesh, or that it will refrain from accusing India of further transgressions here.

- **China's penetration of India's neighbourhood is set to continue**, with special emphasis on countries such as Nepal and the Maldives.

- China again has not conceded anything with reference to the China-Pakistan Economic Corridor.

Way forward:-

- India-China relations must be managed through a mix of **competitive and cooperative policies and regular leadership-level interaction.**

- The only effective instrument for managing India-China relations will be a significant, sustained and rapid development of India's economic and security capabilities, **thus narrowing the power gap between the two Asian giants.**

- The two sides **need to build mutual strategic trust based on the fact** that their common understanding and shared interests are greater than their divergences.

- The two countries should realize that they offer each other opportunities without posing any threat, and that peaceful co-existence and win-win cooperation are the right choice for them.

- The two countries should prudently and discreetly deal with sensitive issues, **including the border dispute, and should not allow such issues to restrain the further development of bilateral ties**.

- There are several areas, apart from trade and investment, in which the two sides can strengthen cooperation, such as infrastructure construction, urbanization, food security and climate change.

- The two countries militaries **should maintain regular high-level and non-confrontational dialogues,** in order to reduce strategic miscalculations and enhance strategic trust.

- **The two sides should also build a communication and coordination mechanism to manage their overseas interests, and organize dialogues at academic, media and cultural levels,** as well as exchanges between NGOs as a way to improve bilateral ties.

Conclusion:-

- China and India are two bodies, one spirit. So long as the two sides deepen their exchanges and reduce suspicion the strategic value of cooperation would be evident and people would be confident of China-India relations.

Q) Recent strategic decisions indicate a post-normative turn in India's foreign policy. Critically analyse. (250 words)

The hindu

Why this question

India's foreign policy has gone some major changes in the recent years, some of which are in contrast with the norms laid down by our foreign policy in the past. This reshuffle has positive as well as negative repercussions. The issue is related to GS 2 syllabus under the following heading-

India and its neighborhood- relations.

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

Key demand of the question.

The question wants us to provide an account of the major changes witnessed in India's foreign policy and then analyse in detail, the pros as well as cons of such change. We have to form a personal opinion on the issue.

Directive word

Critically analyze- we have to identify the key demand of the question and present our personal opinion on the issue. Here we have to give an account of, and bring out the pros as well as cons of the recent change in the foreign policy of India. Based on that analysis we have to form ou personal opinion on the issue.

Structure of the answer

Introduction– *Briefly discuss the key tenets of India's traditional foreign policy- panchsheel and non-alignment etc.*

Body–

- *Discuss the changes in India's foreign policy- e.g US replacing Russia as major defence partner, increased cooperation with Israel along with shift in stance on Israel-Palestine conflict,*

treatment of Rohingya refugees- in contrast to earlier instances of handling international migration etc.

- *Discuss the pros and necessities of such a change in foreign policy.*

    E.g change in international order and sturdy growth of Indian economy and interests, realpolitik, wish to join the league of developed nations etc.

- *Discuss the cons of such a policy.*

    E.g Logistics Exchange Memorandum of Agreement gives comparatively less advantage to India, fading appeal of SAARC, presence of a politico-ideological narrative in foreign policy could be counter productive for a diverse country like India etc.

Conclusion– *Form a fair and balanced conclusion on the above issue and mention changing national interests and international order which make foreign policy highly dynamic etc.*

Background :-

- There are some **core principles of India's foreign policy** like Panchsheel. It in turn consists of 5 **principles**

    1. Mutual respect for each other's territorial integrity and sovereignty

    2. Mutual non-aggression

    3. Mutual non- interference

    4. Equality and mutual benefit

    5. Peaceful co-existence

Post normative turn in Indian foreign policy :-

- India's evolving foreign policy imagination, the pursuit of power and influence seems to eclipse the country's traditions of normative behaviour and principled positions.

Recent strategic decisions that indicate a post normative turn are :-

- **Rohingya refugee issue:-**

    India's response to the Rohingya crisis is in stark contrast to its long tradition of offering refuge to the region's homeless.

- **India-Israel-Palestine:-**

    1. Through the much-publicised celebration of the India-Israel partnership, the government has made it clear that it seeks to pursue a foreign policy guided by realpolitik.

    2. From being ideological opponents to maintaining a relationship in the closet, India and Israel have come a long way.

    3. Experts feel that India is not paying much heed to accusations of human rights violations against Tel Aviv, its blatant refusal to abide by various UN resolutions, or the manner in which Israel discards the political rights of the Palestinians.

- **Non-alignment** :-

    - Once used to be the cornerstone of India's foreign policy, but now a bit neglected.

- **Relations with US and Russia :-**

    - With the U.S. designating India as a Major Defence Partner, it is one India's closest strategic partners today. In 2016, India had signed the Logistics Exchange Memorandum of Agreement with the U.S. which gives both sides access to designated military facilities for refuelling and replenishment.

    - In 2014, the U.S. replaced Russia as India's largest defence supplier, and the Russians started negotiating arms sales with Pakistan that same year.

Pros of this approach :-

▪ When free from ideological constraints and legacy dilemmas, states can pursue their self-interest with a free hand. There will be lot more flexibility to determine the demands of national interest

▪ India's post-normative approach to external behaviour also is a recognition of the importance of the pursuit of power in the contemporary international system.

▪ In that sense then, the new foreign policy thinking in the country has some merits.

Cons of this approach:-

▪ **The South Asian Association for Regional Cooperation (SAARC)** is seemed to be put aside

▪ **Signing of LEMOA with US** is creating insecurity in Russia and China that India is part of US alliance even though India denies it.

▪ In 2016, only for the second time ever, India's Prime Minister was not present at the Non-Aligned Movement (NAM) summit. **SAARC and NAM, both India-centric institutions, have been sidelined by India's own conscious efforts.**

▪ . **Choosing to exclusively focus on hard power for foreign policy outcomes sidelines rich soft power attributes**

   ▪ New India's foreign policy choices also **indicates the company** it wishes to keep in the comity of nations and what it wants from the international system. It seems to neglect fighting towards an equitable international order and the company of developing nations.

▪ **Post-normative India is also an aggressive India**, and non-violence has become less than routine.

   ▪ **Indian leaders now are** openly threaten neighbours of military strikes, and military leaders display a growing fondness for making domestic political statements.

   ▪ Confrontation seems to have displaced quiet diplomacy as India's favoured tool for conflict resolution

Way forward :-

▪ Pursuit of national interest is a complex affair, and norms, values and soft power should co-exist with the pursuit of hard power.

Q) If the idea of Asia drew Delhi and Jakarta close in the 1950s, it might well be the Indo-Pacific that will provide the framework for long overdue strategic re-engagement. Comment. (250 words)

Indian express

Key demand of the question.

The question wants us to trace the evolution of India-Indonesia relationship- how it started and how it progressed. It then wants us to highlight the present situation which shows the importance/ role of the Indo-pacific in strengthening the relationship.

Directive word

Comment- We have to present our opinion on the key demand of the question. We have to backup our opinion with necessary facts/ arguments/ examples.

Structure of the answer

Introduction- *Mention the common colonial oppression faced by the two countries and their common views on colonialism which ultimately led to Bandung conference, an important step towards Non-Alignment.*

Body–

• *Discuss the issues which led India and Indonesia ignore the relationship.*

> *E.g India-Russia partnership vs Indonesia-US partnership, No shared land border, India's concentration its northern and western borders neglecting seas, Rise of ASEAN etc.*
>
> - *Discuss the factor which demands strengthening of the relationship.*
>
>   *E.g rise in economic and population size, dilution of NAM, growing importance of maritime trade and movement, growing contestation over Indo-Pacific region etc.*
>
> **Conclusion-** *Briefly discuss further the importance of Indo-Pacific region for both the countries.*

Background:-

- Separated by a mere 90 nautical miles in the Indian Ocean, India and Indonesia share a continuity of civilizational relationship that spans over two millennia.

- Whether it is the annual Balijatra celebrated in Odisha or the legends of Ramayana and Mahabharata, which are visible across the entire landscape of Indonesia, these unique cultural threads umbilically bind the peoples of Asia's.

- In the mid 20th century, anti-colonial solidarity and Bandung conference brought them together

Why relationship went bad:-

- A variety of internal, regional and global political developments widened the political gulf between India and Indonesia.

- **Ideology:-**

  - If the domestic threat from Communism drove Jakarta decisively to the right from the late 1960s, India entered into a prolonged alliance with left wing politics and economics.

- **NAM:-**

  - After Bandung, India turned its back on Asia and focused on the non-aligned movement. Indonesia moved towards the minor variant of Asianism in South East Asia.

- **Soviet union:-**

  - India drifted towards a de-facto alliance with the Soviet Union, Indonesia feared Communist Russia and emphasised partnerships with the US and Japan.

- **Little maritime business:-**

  - Although India and Indonesia have a shared sea frontier in the Indian Ocean, there was little maritime business between the two.

- The India-Indonesia relationship has been one of potential rather than realisation.

- Even though both the countries are separated by only 90 nautical miles there is no shared land border which kept the relations at bay

Need to strengthen relationship :-

- **Economic:-**

  - Bilateral trade between India and Indonesia increased 2.5 times in the last ten years. President Joko Widodo's State visit to India in 2016 has made a long-lasting impact on the bilateral relations.

  - **Foreign investment:-**

    - Indian investment in strategically important countries should thus be seen as an arm of its foreign policy. This has not been the case yet.

    - While there is already substantial Indian investment in areas like coal, textiles, steel, and the auto and banking sectors, much more can be done. Particular attention needs to be paid to increasing India's presence in the manufacturing sector.

- **Geopolitical:-**

  - **Indonesia is a latent Asian power. It is the world's largest archipelago, straddling the Indian and Pacific Oceans**.

  - It can potentially control virtually all the straits linking the southern Indian Ocean to the South China Sea

  - **Maritime interests:-**

    - Recently the president of Indonesia said the country as a "maritime axis" requiring a strong naval force to protect its territorial integrity, fishing waters and energy interests, supported and funded by strong economic growth. This shows that the country has a strategic maritime vision for the first time.

    - There is no territorial conflict between the two nations at a moment when maritime disputes have taken centre stage is of much value for the re-engagement.

    - Both these nations can create a "maritime mandala" in the heart of the Indo-Pacific through a number of steps. These include developing shipping links, building new ports, promoting a blue economy in the Andaman Sea, and advancing cooperative security framework for the Malacca Straits and the Bay of Bengal.

  - **Indo pacific:-**

    - India is looking for partners who can play a stabilising role in the Indo-Pacific region as China is showing its naval muscle in the South China Sea and its strategic and commercial reach through the One Belt One Road initiative

    - India could recognise Indonesia's centrality in the Indo-Pacific region and help work towards a future where both countries can be partners for security in the region. **The political basis for such a relationship already exists in the Strategic Partnership agreed to in 2005.**

      - Such a partnership would also be a **hedge against dependence on big powers** outside the region whose commitment to regional security is subject to their own shifting perceptions.

    - Jakarta is looking to complement the centrality of ASEAN with a larger vision of the Indo-Pacific, a geopolitical construct that India too has adopted.

    - Both Delhi and Jakarta are eager to look beyond their immediate neighbourhood and play a larger role in promoting peace and prosperity in the Indo-Pacific.

    - Indonesia unveiled the ambition to turn Indonesia into a "global maritime fulcrum" by taking advantage of its special geographic position as the land bridge and sea link between the Indian and Pacific Oceans.

  - **Cultural:-**

    - **Indonesia and India can also provide complementary models for the coexistence of religious minorities** with majoritarian communities in Asia based on their own traditions of coexistence.

    - In the areas of education, culture, and people-to-people relations, a thrust could be given to Indian Council for Cultural Relations scholarships in Indian universities, increased slots for training under the Indian Technical and Economic Corporation programme, closer academic exchanges, and vocational training by Indian companies in Indonesia.

    - India could also learn lessons on tourism promotion from Indonesia.

  - **Connectivity:-**

    - Of particular interest to India from a connectivity point of view should be the Medan industrial zone in north Sumatra. A shipping service from Chennai or Krishnapatnam to Medan via the Andaman Islands could be used to export Indian goods to offset, at least partly, the large imbalance in India's trade with Indonesia.

- **Self-awareness in Delhi and Jakarta of their growing regional and international weight:-**
  - India and Indonesia are slowly but surely breaking out of the foreign policy mindsets shaped for long by non-alignment.

Q) China's actions threaten the fragile Himalayan ecosystem and makes it imperative for India to act. Examine. (250 words)

Why this question

Himalayan ecosystem is sensitive, and Tibetan plateau is rich in natural resources ranging from minerals to water etc which is being exploited by China. This raises several concerns for India and becomes an issue that is necessary to be dealt with in the context of their bilateral relations.

Key demand of the question

Following points are to be incorporated in your answer

- *How does Chinese actions in Tibet threatens Himalayan ecosystem*
- *How does Chinese inaction threaten Himalayan ecosystem*
- *What has India done to deal with this threat*
- *Other steps that must be taken by India*

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 Chinese unilateralism in its dealings with countries in its neighbourhood causes huge issues – building islands in SCS, dams in Tibet etc

Body

- *Examine Chinese actions in Tibet which threaten the Himalayan ecosystem like building of dams, overdrive to appropriate natural resources in Tibet etc*
- *Examine Chinese inactions which are leading to problems – nom sharing of water data, no intention of signing a water treaty etc*
- *Examine the challenges it poses for India and its neighbourhood*
- *Examine India's past responses to this situation – registered protest in building of a dam etc*
- *Steps that India should take to deal with this challenge*

Conclusion – highlight that off late there have been signs of rapprochement between the two countries courtesy Wuhan etc and India should ensure that it's strategic and environmental interests are respected by China.

Background:-

- Himalayas one of the world's most biodiverse regions, is unique: It has the rarest medicinal plants, the highest-living primates on Earth, and scores of bird, mammal, amphibian, reptile, fish and plant species not found anywhere else. **Through the centuries, the nature-friendly Tibetan way of life helped preserve the Tibetan plateau's pristine environment.**

China's actions threatening Himalayan ecosystem:-

- Extracting minerals:-
  - China's Lhunze "gold rush" is part of its wider efforts in the Himalayas to extract precious metals, rare earths and other resources.

- For example, after geological surveys identified rich copper deposits, copper mines have come up in the region where the Brahmaputra makes a U-turn to enter India. Copper mine tailings are beginning to pollute local waters in this sacred region,
- China is engaged in major mining activity right along the militarised frontier with Arunachal Pradesh
- Tibet is a treasure-trove of minerals, including precious metals and rare earths. It is the world's top lithium producer and has China's biggest reserves of 10 different metals.

- **River pollution:-**
  - The cross-border effects of its environment-polluting activities in Tibet were exemplified last autumn when the Siang which is the Brahmaputra's main artery suddenly turned blackish grey as it entered India.

- **Damming rivers:-**
  - By building giant dams in cascades near its borders, China has reengineered transboundary flows of international rivers originating on the Tibetan Plateau, such as the Mekong.

- **Inducing rain:-**
  - But now it is also seeking to reengineer the weather in Tibet so as to induce greater rain in the plateau's arid regions.
  - Such geoengineering opens a new interventionist frontier with unpredictable, trans-Himalayan implications. Given the climate system's global interconnections, **experiments in Tibet to bring more rain could help suck in moisture from other regions. That would potentially affect monsoons in India and elsewhere in Asia**

- Tibet is called the "Third Pole" because it has the largest perennial ice mass on the planet after the Arctic and Antarctica. But today, **human-made environmental changes have resulted in Tibet warming at almost three times the global average**. Scientific studies, including by Chinese scholars, point to high rates of loss of genetic variability and extinction of species. This holds major long-term implications for the triple role Tibet plays as Asia's main freshwater repository, largest water supplier and principal rainmaker.

How is India reacting:-

- India, as a riparian state, had flagged its concerns to China about various dams being built by it on the Brahmaputra river.
- Zangmu dam over the Brahmaputra, which became partially operational in 2014, raised serious concerns in India
- No country is more affected by China's assault on the Himalayan ecosystems than India.

China approach is secretive:-

- Chinese shared little information about the developments.
- China would be wary of conceding the demand for a joint mechanism
- On the other hand, as the border issue is unlikely to be settled in the near future, this limited cooperation on water is only a further concern to India.
- China is a dialogue partner but unfortunately not a member of the Mekong River Commission, underscoring its intent to stay clued in on the discussions, without having to take on any legal obligation.
- Despite its centrality in Asia's water map, **China has rebuffed the idea of a water-sharing treaty with any neighbour.** Concern is thus growing among its downstream neighbours that China is seeking to turn water into a potential political weapon.
- China claim scientific planning, adequate justification, prudent decisions and orderly exploitation are in line with international practice, but is not seen these in practice.
- Expert Level Mechanism (ELM) on trans-border rivers between India and China hasn't been carrying out good cooperation on trans border rivers for a long time.

What should be done ?

- International pressure needs to be mounted on Beijing to refrain from activities that are contributing to a sharp decline of Tibet's natural resources and environmental impairment. Asia's ecological interests cannot be

safeguarded unless China is forced to change course, including by respecting international environmental standards.

▪ China must use its water informing details to downstream countries and rampant activities must not affect the river system and the ecology and geology.

▪ Both India and China must be responsible towards exploitation of water resources of the Brahmaputra and carry out a policy of actual development and protection at the same time.

Conclusion:

▪ Legitimate use of the river water and hydrological resources is an important component of the rights of the people including millions of people living downstream along the banks of Brahmaputra in India and Bangladesh.