



# INSIGHTSIAS

SIMPLIFYING IAS EXAM PREPARATION

- IAS SELF STUDY GUIDE -

## SECURE SYNOPSIS

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



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## General Studies Paper - II

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

Q) Preamble is the philosophical key to the Constitution. Examine (250 words)

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

*The question expects us to examine the reasons why preamble is considered to be the philosophical key to the constitution and the impact that it has on the interpretation of constitution.*

### **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** – mention that SC has held that preamble is the key to understanding the minds of the constitution makers.

**Body** – first of all, examine the opinion of SC on the nature of preamble, wherein, earlier preamble was considered not to be a part of the constitution, but thereafter, SC realised that preamble is key to understanding the minds of the constitution makers. Mention that preamble in a succinct manner conveys the aims and objectives of Indian state by emphasizing on qualities like justice, equality etc  
Bring out how SC has interpreted several provisions of the constitution in light of the preamble.

**Conclusion** – Emphasize on the importance of preamble and the importance of upholding the values mentioned therein.

### **Background:-**

- No reading of any Constitution can be complete without reading Preamble from the beginning to the end .It is the Preamble wherefrom the Constitution commences. Hence, the significance of the Preamble.

### **How is preamble philosophical key of the constitution:-**

- It will be seen that the ideal embodied in the Objectives Resolution in 1947 is faithfully reflected in the preamble to the Constitution, which as amended in 1976 summarises the **aims and objects of the Constitution**.
- The importance and utility of the preamble has been pointed out in several decisions of our Supreme Court. **Though by itself, it is not enforceable in a court of law, the preamble to a written Constitution states the objects which the constitution seeks to establish and promote and also aids the legal interpretation of the constitution where the language is found to be ambiguous.**
- For a proper appreciation of the aims and aspirations embodied in Indian constitution, therefore **India must turn to the various expressions contained in the preamble**
- A preamble helps in interpreting the provisions of the constitution.
  - It can be looked at when some article is ambiguous.
  - It also explains the object of the constitution. While summing up, it can be said that a preamble is introduction of an enactment.
  - Although it is not an integral part of the constitution, it explains introduction, reasons, intent and scope of the constitution.
  - The Preamble does not grant any power but it gives direction and purpose to the Constitution .It outlines the objective of the whole Constitution.
- **The Preamble contains the fundamentals of constitution. It serves several important purposes, as for example:-**
  - It contains the enacting clause which brings the Constitution into force.



- It declares the basic type of government and polity which is sought to be established in the country.
- It declares the great rights and freedom which the people of India intended to secure to its entire citizen.
- It throws light on the source of the Constitution, viz., the People of India.
- The Preamble can also be used to shed light on and clarify obscurity in the language of a statutory or, constitutional provision.
- The preamble acts as the preface of the constitution of India and lays down the philosophical ideas.
- It also states the objects which the constitution seeks to establish and promote.
- **Preamble as Projector of ‘Desired Established State’**
  - The Preamble proclaims the solemn resolution of the people of India to constitute India into a ‘Sovereign socialist secular democratic republic’.
- **Preamble as Interpreter of Legislation and statutes:**
  - The Constitution of India starts with a preamble which contains the spirit of the constitution. Every legislation framed is in conformity with the spirit of the preamble and thus the constitutionality and objects of the statutes are tested.

#### **Conclusion:-**

- Preamble of the Constitution of India is one of the best of its kind ever drafted. Both in ideas and expression it is a unique one. It embodies the spirit of the constitution to build up an independent nation which will ensure the triumph of justice, liberty, equality and fraternity.

Q) Explain the different generations of fundamental rights and examine the role that Supreme Court has played in expanding the scope of fundamental rights? (250 words)

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

*The question expects us to explain the broadened nature of fundamental rights courtesy supreme court's liberal interpretation of our fundamental rights. We need to explain the three generation of rights that we have come to enjoy and how SC, through its progressive judgements, helped expand the scope of fundamental rights.*

#### **Directive word**

*Explain – explain the meaning of the three generation of rights and what we enjoy as part of our fundamental rights.*

*Examine – Here we need to delve deeper into the role that supreme court played in expanding the nature of fundamental rights and the impact it has had on the scope of fundamental rights.*

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

**Introduction** – Explain the history and nature of evolution of fundamental rights in India.

#### **Body**

*Explain what do we mean by first, second and third generation rights. Also highlight some first, second and third generation of fundamental rights that we enjoy*

*Examine the role played by judiciary in expanding the scope of fundamental rights. Highlight that the main reason has been that Indian judiciary has not been passive and often takes the course of judicial activism. Highlight the judgement in some important cases like Olga Tellis v. Bombay Municipal Corporation (1985), MC Mehta, Subash Kumar v. State of Bihar etc through which second and third generation rights came to be enjoyed as fundamental rights.*

**Conclusion** – Highlight the impact that SC's judgement had on expanding the nature and scope of Fundamental rights in India.



### Background:-

- Fundamental Rights are defined as the basic human rights of all citizens. These rights, defined in Part III of the Constitution, apply irrespective of race, place of birth, religion, caste, creed or sex. Fundamental Rights may well be called the soul of our Constitution. These are the very basic rights that are universally recognized as fundamental to human existence and indispensable for human development. It guarantees civil liberties such that all Indians can lead their lives in peace and harmony as citizens of India.

### Generations of fundamental rights:-

- There are three overarching types of human rights norms: **civil-political, socio-economic, and collective-developmental**
- The first two, which represent potential claims of individual persons against the state, are firmly accepted norms identified in international treaties and conventions.
- The final type, which represents potential claims of peoples and groups against the state, is the most debated and lacks both legal and political recognition.
- **First-generation human rights, sometimes called “blue” rights, deal essentially with liberty and participation in political life.** They are fundamentally civil and political in nature: They serve negatively to protect the individual from excesses of the state. First-generation rights include, among other things, the right to life, equality before the law, freedom of speech.
  - **Civil-political human rights include two subtypes:** norms pertaining to physical and civil security (for example, no torture, slavery, inhumane treatment, arbitrary arrest, equality before the law) and norms pertaining to civil-political liberties or empowerments (for example, freedom of thought, conscience, and religion; freedom of assembly and voluntary association, political participation in one’s society).
- **Second-generation, “socio-economic” human rights guarantee equal conditions and treatment.**
  - They are not rights directly possessed by individuals but constitute positive duties upon the government to respect and fulfill them.
  - Second-generation human rights are related to equality. **They are fundamentally economic, social, and cultural in nature. They guarantee different members of the citizenry equal conditions and treatment.**
  - Socio-economic human rights similarly include two subtypes: **norms pertaining to the provision of goods meeting social needs** (for example, nutrition, shelter, health care, education) and norms pertaining to the **provision of goods meeting economic needs** (for example, work and fair wages, an adequate living standard, a social security net).
- **Third-generation, “collective-developmental” rights of peoples and groups held against their respective states aligns with the final tenet of “fraternity.”**
  - They constitute a broad class of rights that have gained acknowledgment in international agreements and treaties but are more contested than the preceding types
  - Finally, collective-developmental human rights also include two subtypes: the self-determination of peoples (for example, to their political status and their economic, social, and cultural development) and certain special rights of ethnic and religious minorities (for example, to the enjoyment of their own cultures, languages, and religions).

### Expanding the scope of fundamental rights:-

- Since independence, the scope of Fundamental Rights have expanded greatly to include several other rights from time to time.
- **Right to life:-**
  - The Supreme Court of India by explaining the Fundamental Rights has further expanded the scope and meaning of the Fundamental Rights, as it included ‘right to food’ in the ‘right to life’ section (i.e. Article 21).
  - Maneka Gandhi case thus completely overturned Gopalan and ushered in a revolution in judicial thinking about article 21. It gave a new life to article 21 and, thus, extended substantive and procedural protection



to life and personal liberty. The court took a great step forward by interpreting 'procedure' in article 21 as 'fair, reasonable, and just procedure; thus introducing elements of procedural due process in Indian law.

- Supreme Court has made a signal contribution by using article 21 towards the improvement of the environment.
- **Right to privacy :- Puttuswamy judgment:-**
  - It is the inevitable conclusion of steady developments in the law in the last three decades where courts across the country, not just the apex court, have said that the right to privacy, to choose, to be free of unwanted intrusion and to determine what happens to their information, is a fundamental right under the Constitution.
  - From seeing them as distinct compartments against which to test laws (in A.K. Gopalan v State of Madras in 1950) to understanding them as a cumulative whole (Maneka Gandhi v Union of India) to now seeing them as boundaries which guarantee the dignity of a free individual in a modern republic, the courts have come a long way.
- **Article 19:-**
  - In **Romesh Thappar v State of Madras (AIR 1950 SC 124)**, the Supreme Court of India held that the freedom of speech and expression includes freedom to propagate ideas which is ensured by freedom of circulation of a publication, as publication is of little value without circulation.
  - On the issue of whether 'advertising' would fall under the scope of the Article, the Supreme Court pointed out that the right of a citizen to exhibit films is a part of the fundamental right of speech and expression guaranteed by Article 19(1)(a) of the Constitution.
- **Article 23:-**
  - **Giving a very expansive interpretation to article 23**, the Supreme Court has ruled that payment of wages less than the minimum wages amounts to forced labour.
- **Gender rights:-**
  - Vishaka v State of Rajasthan the Supreme Court declared sexual harassment of a working woman at her place of work as amounting to violation of rights of gender equality and right to life and liberty, which is a clear violation of articles 14, 15 and 21.

Q) Discuss the essentials of the 69<sup>th</sup> Constitutional Amendment Act and anomalies, if any, that have led to current crisis between the elected representatives and the institution of the Lieutenant Governor in the administration of Delhi. Do you think that this will give rise to a new trend in the functioning of the Indian federal politics? (250 words)

[The hindu](#)

### **Why this question**

*The recent political crisis in Delhi brings the focus back on 69th constitutional amendment, the causes of conflict between LG's office, bureaucracy and the elected representatives. It also raises questions over the impact such a tussle would have on practice of federalism in India. The question has already been asked in UPSC mains and is important for this year too.*

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

*The question expects us to explain the reasons behind the tussle happening between the LG's office, bureaucracy and the elected representatives and whether it is related to any anomalies in 69th constitutional amendment. In the second part of the question we have to examine the challenges that the present standoff in Delhi portends for the practice of federalism in India.*



### Directive word

*Discuss – Highlight whether there are any anomalies in 69th constitutional amendment act, and the reasons behind the present crisis in Delhi. Explore the linkage between the current reasons for the crisis and 69th CAA.*

### Structure of the answer

**Introduction** – Highlight the current event that has led to this question.

### Body –

- Explain 69th CAA – The 69th Constitutional Amendment Act, 1991 provided special status for Delhi by incorporating article 239 AA and 239 AB by providing for legislative assembly and Council of Ministers. It made the following changes
- Highlight the controversy and the Delhi High courts judgment – The amendment does not provide Delhi with the recognition of a full fledged state. Some scholars have even called them as half States.
- Examine the causes behind the current controversy
- Analyze whether there would be any impact on federalism – you can provide your own view.

**Conclusion** – Mention that the constitution makers incorporated Federal provisions not only to facilitate the governance of India but also to accommodate diversity. The governments ought to come together in the spirit of cooperative federalism and give priority to the welfare of people and governance.

### Background:-

- The current crisis is rooted in the understanding (or misunderstanding) of the constitutional limits of the powers of the elected government in the National Capital Territory of Delhi.
- The tussle between the Delhi Chief Minister and Lieutenant Governor raises several constitutional and legal issues on the scope and extent of their powers in the National Capital Territory (NCT) of Delhi.
- Also recently another crisis is triggered due to the non cooperation between bureaucracy and the political representatives.

### 69<sup>th</sup> Amendment:-

- The 69th constitutional amendment designated Delhi as National Capital Territory of Delhi and provided Legislative Assembly. However it was not conferred with full statehood and is administered by union government through Lieutenant Governor.
- 69th Constitutional Amendment Act, 1991 provided special status for Delhi by incorporating article 239 AA and 239 AB by providing for legislative assembly and Council of Ministers. It made the following changes,

Before 69th Constitutional Amendment Act	After 69th Constitutional Amendment Act
Administrator	Lieutenant governor
Union Territory	National capital Region of Delhi
Metropolitan Council and executive Council	Chief Minister and Council of Ministers

- The centre has jurisdiction over this crucial subjects. Delhi and Puducherry are called as union territories with assemblies. Some scholars have even called them as half States.
- It was rationalized that the special arrangement was necessary because of the significance of Delhi, it housing the Parliament and foreign embassies and missions.
- Any law passed by Delhi assembly with respect to local bodies has to be sent to Urban Development Ministry for approval and it should be in concurrence with Municipal Corporation Act 1957.



- CM of Delhi and its Council of Ministers are appointed by president.
- The amendment stipulated that the legislative assembly shall have power to make laws for the whole or any part of the National Capital Territory, with respect to any of the matters included in the State List or the Concurrent List which means 47 entries on the State List and 64 on the Concurrent List.
- The language of Article 163 is similar to Article 239AA sub clause 4 but the only difference is that the Legislative Assembly cannot make laws with respect to entries 1, 2 and 18 in which the lieutenant governor can exercise his discretion. Thus, the lieutenant governor has more power than a governor of state.
- **239AB:-**
  - Provision in case of failure of constitutional machinery.-If the President, on receipt of a report from the Lieutenant Governor or otherwise, is satisfied-
    - (a) that a Situation has arisen in which the administration of the National Capital Territory cannot be carried on in accordance with the provisions of article 239AA or of any law made in pursuance of that article; or
    - (b) that for the proper administration of the National Capital Territory it is necessary or expedient so to do,
    - The President may by order suspend the operation of any provision of article 239AA or of all or any of the provisions of any law made in pursuance of that article for such period and subject to such conditions as may be specified in such law and make such incidental and consequential provisions as may appear to him to be necessary or expedient for administering the National Capital Territory in accordance with the provisions of article 239 and article 239AA.'
  - **Court judgments:-**
    - Delhi high court noted that that the Lieutenant Governor of Delhi is not bound to act upon the aid and advice of the elected government of the state, because the National Capital Territory is not a state but, continues to be a union territory.
    - Delhi lieutenant governor does not have to act on the aid and advice of the council of ministers of the state government, says Supreme Court

#### **Constraints and how it affects federal politics:-**

- **Peculiar federal architecture**– Delhi is more than a UT but less than a full state.
- **As per provision of Article 239AA(3)(a), the legislative powers of the Government of the NCT are restricted.**
  - It can legislate on the subjects mentioned in the State List of the Seventh Schedule except those dealing with public order, police and land and the related aspects of Entries at 64, 65 and 66
- **Several other important functional powers concerning transferred subjects too, continue to vest in the Union Government or the Lt. Governor.**
  - For example Entry 5 of the State List consists of Local Government, that is to say, the constitution and powers of municipal corporations, improvement trusts, district boards, mining settlement authorities and other local authorities for the purpose of local self-government or village administration.
  - But in actual practice, the functions pertaining to the Municipal Corporation and Improvement Trusts are being handled by bodies which are exclusively under the control of the Union Government
- There are as many 57 as Sections/sub-Sections in the DMC Act, 1957 and 67 Sections/Sub-Sections in the NDMC Act, 1994 where the Union Government wields power directly.
- **A major portion of the finances** come to the Delhi Municipal Corporation through the budget of the Delhi Government, whereas the NDMC receives funds directly from the Union Government (Ministry of Urban Development)
- **Division of powers** between the elected Delhi government and the appointed lieutenant governor
  - **Differences extend to the LG's discretionary powers to appoint the Chief Secretary**



- **Article 239AA: Vagueness in powers of LG and CM:-**
  - Language used in Article 239AA (4), that pertains to Delhi, reads identical to Article 163 (1), that pertains to states and is vague.
- **Federal anomalies :-**
  - **Matters relating to appointments of bureaucrats** is a prerogative of the state government and must be done on the “aid and advice” of the chief minister (**versus**) LG, not the CM, has the power to make appointments, and that LG’s authority is final in appointments of bureaucrats.
  - The executive power being co-extensive with the legislative power, it goes without saying that the Government of NCT of Delhi cannot claim any executive power in relation to matters with respect to services.
  - In Delhi’s case, the Lt.Governor has been accused of meddling with Delhi government at the behest of Central Government. Delhi’s elected representatives have sought greater autonomy and full fledged state status.
  - Any law made by the legislative assembly, if repugnant to a law made by Parliament, would be void. So, **while Delhi government can pass bills, they will not become law without the approval of the Central government.**
  - Federalism and autonomy is in question as the state government has to get approvals for most of the laws which is passed by them. **The existing set up undermines the role of elected legislature.**
  - In adopting the **politics of protest** as part of its quest to expand the powers of the elected government, the government of Delhi is putting governance at risk. Instead of mounting a legal challenge to the Centre’s efforts to further curtail the limited powers of the Delhi government, it chose to respond politically
  - To provide decision taking powers to **Mohalla sabhas**, the new law passed by Delhi assembly shall remain compliant with Municipal Corporation Act 1957.
  - Although there are no legal impediments to provide subsidies for low price for electricity and water, it can lead to **fiscal imbalance between Delhi and centre.**
  - Unlike a full fledged state, **Delhi cannot borrow from the market, RBI and levy cess.**

#### Way forward:-

- If the spirit of the Constitution and of democracy are respected, the Lt Governor of Delhi, or Puducherry should only have the power to refer disagreements between him and the chief minister to the President, as the 69th amendment permits him/her to do.
- Constitution makers incorporated Federal provisions not only to facilitate the governance of India but also to accommodate diversity. The governments ought to come together in the spirit of cooperative federalism and give priority to the welfare of people and governance. The aim should be to deepen democracy and provide for people centric governance.
- **According to second ARC:-**
  - The Commission is of the view that since Delhi is the national capital with people from all parts of the country being its residents, some responsibility for its orderly growth and security must lie with the Union Government.
  - At the same time, there is no reason to burden the Union Government with matters of local import which are best addressed by the elected government of the Territory and the elected Municipal Corporation. **In other words, a balance has to be struck between the imperatives flowing from Delhi’s status as the national capital and as the seat of its own elected government.**
  - The Commission has sought to restore a more workable balance on the principle of subsidiarity.
  - The **Municipal Corporation of Delhi (MCD), including appointment of the Commissioner and other functionaries should lie in the domain of the Government of the National Capital Territory (GNCT).** This can be done by way of a notification under Section 490A of the Act, issued by the Union Government. However, the appointment of the Commissioner should be made by the GNCT in consultation with the Union Government.



Q) What do you mean by negative and positive rights? Discuss the category in which fundamental rights provided by Indian constitution fall into? (250 words)

### The Hindu

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

The question is quite straightforward. It expects us to explain what fundamental rights are and assess whether the fundamental rights provided by Indian state fall into the category of negative or positive rights.

#### **Directive word**

Discuss – Post explaining what negative and positive rights are, we need to assess and categorise fundamental rights into the aforementioned categories by giving suitable reasons.

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

**Introduction** – Start with the importance of fundamental rights and the kind of empowerment that fundamental rights in India does.

**Body** – explain what are positive and negative rights. Negative rights are limitations on the action of the state, the occurrence of which would have curbed the freedom that an individual/community enjoys. Positive rights are direct action by the state which improve the ability of the individual/community to live the life they desire.

Thereafter, assess the nature of fundamental rights and categorise them into negative and positive rights.

**Conclusion** – Mention that for true empowerment of India, both positive and negative rights are important and thus implementation of DPSP is as important as the protection of FRs.

#### **Background:-**

- Constitution of India was enacted for fulfilling the aspirations of the people but not just for the government to rule over people. However, to remove any arbitrariness and establish rule of law, certain privileges were accorded and limitations were imposed. And from here comes the positive and negative right character of the Fundamental Rights.

#### **Negative and positive rights:-**

- Some negative rights (like place limitations on State), while others positive in nature (like conferring certain privileges on the persons).
- **Negative rights** involve freedom from governmental (or private) *coercion* that would prevent an individual from doing what she is otherwise minded to do
  - They are limitations on the action of the state, the occurrence of which would have curbed the freedom that an individual/community enjoys.
  - On the other hand, if the core of a right lies in the intent to prevent the State from committing any unjustful act towards the citizens and hence, limiting its power, it will be called a Negative Right. For example, Right to Life and Liberty ensures that the State can't infringe on them.
  - Negative rights are absolute
- **Positive rights** requires the government to take action in order to provide an individual something she cannot get for herself
  - Positive rights are direct action by the state which improve the ability of the individual/community to live the life they desire.
  - If the right enables or empowers a citizen to do something, it is a Positive Right. For example, Right to Religious Freedom allows a citizen to believe, practice and profess any faith of choice. It's existence is independent of any other agent. It emanates simply out of virtue of being a citizen.
  - Positive rights are hedged with restrictions.



### Fundamental rights fall under which category:-

- **Rights incorporated in the Indian Constitution are of two types:- Negative and Positive.**
- **Negative rights :-**
  - For example : Article 14 states that State shall not deny to any person equality before law or the equal protection of the laws within the territory of India. In this article constitution has put an obligation over state to ensure equality before law and equal protection of law. Thus, it is negative in nature.
  - Likewise **Article 17 abolishing untouchability, removes a social evil.** It hardly bestows a special privilege on the untouchables.
- **Positive rights:-**
  - For example, Right to religious freedom (Article 25) and cultural and educational right (Article 28–30). As these rights confer certain special provision for protection and uplift of minorities. Thus, positive rights.
  - Article 21 of the Indian constitution in its grammatical form, appears to be negative, but, in reality, **it has been given a positive effect by judicial interpretation.** The right is a fundamental right, enforceable against the state with several positive obligations.
  - There are others, which **positively confer some benefits upon the individual** (for example the rights to religious freedom, and the cultural and educational rights).
  - Right to freedom, right to acquire, hold and dispose off (Article 19) property and right to religion and cultural and educational rights fall in the category of positive rights.

### Conclusion:-

- Both positive and negative rights are important and thus implementation of DPSP is as important as the protection of Fundamental rights.

Q) Maneka Gandhi vs Union of India, 1980 case is a landmark case which helped in strengthening the fundamental rights we enjoy. Examine. (250 words)

### Reference

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

*The question expects us to highlight the shifts that took place in the fundamental rights jurisprudence post Maneka Gandhi case and the impact it had on the fundamental rights we enjoy.*

#### **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. Here we have to bring out the changes in jurisprudence as a result of the judgment in this case and the impact it had on the fundamental rights regime in our country.*

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

**Introduction** – Give a brief overview of the Maneka Gandhi case.

#### **Body**

- *Bring out the changes – seeing fundamental rights as an integrated whole, Emphasising the need to read Part III of the Constitution in a holistic manner, due process of law is enshrined in procedure established by law as far as article 21 is concerned.*
- *Also examine how the stand of judiciary changed from Golak Nath case*
- *Thereafter, bring out how the judgment expanded the scope of fundamental rights in our country*

**Conclusion** – mention the significance of the case.



### Background :-

- Supreme Court's ruling in the Maneka Gandhi versus Union of India case was a turning point in the interpretation of the right to life and personal liberty enshrined in Article 21 of the Constitution.
- The court moved from a pedantic to a purposive approach in construing the sweep of the right to life under the Constitution. The judgment became a springboard for the evolution of the law relating to judicial preservation of human rights.

### It's a landmark case because :-

- The case is considered a landmark case in that it gave a new and highly varied interpretation to the meaning of **'life and personal liberty' under Article 21 of the Constitution.**
- Also, it **expanded the horizons of freedom of speech and expression** to the effect that the right is no longer restricted by the territorial boundaries of the country.
  - With respect to the relationship between Art. 19 and Art. 21, the Court held that Art. 21 is controlled by Art. 19, i.e., it must satisfy the requirement of Art. 19.
  - The expression personal liberty in Article 21 is of **widest amplitude** and it covers a variety of rights which go to constitute the personal liberty of man and some of them have raised to the status of distinct fundamental rights and given additional protection under Article 19.
- In **Maneka Gandhi, the Supreme Court departed from the straitjacketed interpretation of fundamental rights in Gopalan** (A.K. Gopalan vs State of Madras) and held that the fundamental rights form an integrated scheme under the Constitution.
- Most **striking aspect of the Supreme Court's introduction of substantive due process was that it empowered courts to expand the limited phraseology of the right to life under the Constitution**, to include a wide range of un-enumerated rights.
- Derived from Article 21, these rights cover areas such as the rights of prisoners, protection of women and children, and environmental rights.
- The court held that the **right to travel abroad fell within the sweep of the right to personal liberty under Article 21.**
- Maneka Gandhi's case also gave an entirely new viewpoint to look at the Chapter III of the Constitution. Prior to Maneka Gandhi's decision, Article 21 guaranteed the right to life and personal liberty only against the arbitrary action of the executive and not from the legislative action. **Broadly speaking, what this case did was extend this protection against legislative action too.**

### Conclusion :-

- Maneka Gandhi's case, gave the term 'personal liberty' widest possible interpretation and gave effect to the intention of the drafters of the Constitution. This case, while adding a whole new dimension to the concept of 'personal liberty', extended the protection of Art. 14 to the personal liberty of every person and additional protection of Art. 19 to the personal liberty of every citizen.
- Thus the case saw a high degree of **judicial activism**, and ushered in a new era of expanding horizons of fundamental rights in general, and Article 21 in particular.

Q) Critically analyze, whether the National Capital Territory of Delhi should be given statehood or not. (250 words)

### The hindu

#### **Why this question**

*The NCT of Delhi has been surrounded by a lot of controversy, especially since the incumbent government took power. There have been calls for giving full-statehood to the UT. However, giving full statehood to Delhi comes with its own pros and cons. The issue is related to GS 2 syllabus under the following heading-*



### Key demand of the question.

*The question wants us to dig deep into the issue and identify the pros as well as cons of providing statehood to NCT. We have to form a personal opinion after considering both the sides of such a decision.*

### Directive word

*Critically analyze- we have to dig deep into the issue and write in detail about the positive as well as negative implications of providing statehood to NCT. Based on our discussion, we have to form a personal opinion on the issue.*

### Structure of the answer

**Introduction** – mention that the 69th Amendment of the Constitution in 1992 gave the National Capital of Delhi, special status with its own democratically elected government and legislative assembly.

### Body-

- *Discuss the positive implications of giving full statehood to Delhi. E.g respecting democracy, decreasing friction between the Centre and NCT, better governance and accountability of the government etc.*
- *Discuss the negative implications of giving full statehood to Delhi. E.g the present system in place has worked finely before, the problem of having two governments in the same city-State, various administrative problems related to management of security in the capital etc.*
- *Refer to other sources also in order to frame your answer.*

**Conclusion**– *Based on your discussion, form a concise, fair and a balanced opinion on the issue.*

### Background:-

- Delhi enjoys the character of a special Union Territory, with a few unique institutions, like an elected Legislative Assembly and a High Court. It is, however, not a full state; a point also reiterated by the Delhi High Court recently. This implies that powers in Delhi are divided between the Chief Minister and the Centre, through the Lieutenant-Governor.

### Structure of Delhi government at present:

- Political administration of the NCT of Delhi closely resembles that of a state of India, with its own legislature, high court and an executive council of ministers headed by a Chief Minister by Government of the National Capital Territory of Delhi (GNCT) Act passed in 1991.
- Assembly has all rights like all other states powers to govern and make laws **except on three subjects like public order, police and land.**
- The National Capital Territory of Delhi is divided in to three sub territories MCD, NDMC and NCT all of which are governed by separate bodies, some of who are elected, others are appointed by the central govt.
  - **MCD:** Municipal Corporation of Delhi is an elected body with a mayor as its head.
  - **NDMC:** New Delhi Municipal Corporation is governed by a council with a chairman appointed by the central government and includes the chief minister of Delhi.
  - **NCT:** National Capital Territory is headed by the lieutenant governor who also happens to be the chairman of the Delhi Development Authority (DDA).
- Civic bodies and Delhi Police come under the Union home ministry.
- Delhi Development Authority reports to the Union urban development ministry

### Why Delhi should be given statehood?

- **Lack of control over public order, police and land:-**
  - **This** hinders its ability to efficiently plan Delhi's development and inhibits its influence on decisions regarding the security of its electorate.



- A dual control system not only creates inherent tension, it is also grossly unfair on the elected government. When people vote for a government in the state, their concern is how matters of law and order are handled, and not how they are getting executed.
- Law and Order is a serious problem for which the elected minister can't be held responsible.
- **The multiplicity of agencies** makes it complex for citizens to hold the government accountable.
  - Six different agencies handle drains, sewerage and water pipes. Five civic bodies and the PWD look after maintenance of the roads thereby leading to chaos of single work handled by too many bodies.
- **Accountable:-**
  - Granting full statehood to Delhi would ensure that all agencies presently under Union control are answerable to the GNCTD and through them become directly accountable to people of Delhi.
- **Blame game will reduce:-**
  - Coordination is likely to improve and the constant blame game between Union and the state government would stop
  - The reason why this is integral is because having two power centres in the same state is bound to create confusion and conflict, the burden of which at the end of the day falls on citizens.
- **The Chief Minister-Centre Tussle Creates Tension**
  - Presently, the Delhi government does not have control over three primary bodies :- the Delhi Development Authority (DDA), the Delhi Police and the trifurcated Municipal Corporation of Delhi (MCD).
  - Controlling the DDA will mean the Delhi state government will then control land and housing, which are at the moment under the central government's prerogative.
  - Controlling the Delhi Police which currently reports indirectly to the central government through the Lieutenant Governor, will mean the Delhi government will have more accountability in matters of law and order.
  - Full statehood will also mean that the trifurcated MCD which reports to the Ministry of Home Affairs, will fall under the Delhi government's ambit.
- **Bureaucrats:-**
  - The tension arose because currently, Delhi cannot recruit its own cadre of officers to run the government's administration something other states in the country can through its own Public Service Commission
  - The Centre exercises immense, authority in this sphere by controlling these cadres through the Home Ministry, instead of the Delhi government.
- **The World Example:-**
  - Global cases of governance can be a definitive argument in favour of considering Delhi's full statehood option.
  - London, Paris or Washington DC might not be categorised as states, but they have a power system that permit the local government control over legislative, financial and administrative bodies.
  - Applying the same to Delhi would ensure that the elected government is integral part of the decision-making processes.

#### **Arguments against granting statehood to Delhi:-**

- Being a national Capital, it is home to central ministry and a large number of administrative buildings.
- Delhi Hosts foreign dignitaries, guides foreign investments which are under the jurisdiction of Centre.
- Statehood will encourage regionalism in Delhi where people from all over India come and stay.
- Delhi police are responsible for VIP security which is huge task. Many of these VIPs being related to central government, their security can't be left to the state.



#### International examples:-

- Washington DC is a well known federal district but it enjoys much less autonomy than the Delhi government. The citizens of DC do not have any representatives in the US senate and only one non-voting representative in the US House of Representatives. In this context Delhi has a better political structure so statehood is not needed.
- Although the demand for control over police and MCD is justified, if Delhi becomes a full state, **the DDA would become defunct** in the state's territory because under the 74th constitutional amendment, land use and urban planning is a mandate of the local government.
- **Full statehood will have considerable impact on the finances of GNCTD:-**
  - While it would earn some through land revenues, the burden of financing large infrastructural projects and the police would fall on GNCTD. This could mean increased tax burden on the people of Delhi.

#### Way forward:-

- If the spirit of the Constitution and of democracy are respected, the Lt Governor of Delhi, or Puducherry should only have the power to refer disagreements between him and the chief minister to the President, as the 69th amendment permits him/her to do.
- Constitution makers incorporated Federal provisions not only to facilitate the governance of India but also to accommodate diversity. The governments ought to come together in the spirit of cooperative federalism and give priority to the welfare of people and governance. The aim should be to deepen democracy and provide for people centric governance
- **According to second ARC:-**
  - The Commission is of the view that since Delhi is the national capital with people from all parts of the country being its residents, some responsibility for its orderly growth and security must lie with the Union Government.
  - At the same time, there is no reason to burden the Union Government with matters of local import which are best addressed by the elected government of the Territory and the elected Municipal Corporation. **In other words, a balance has to be struck between the imperatives flowing from Delhi's status as the national capital and as the seat of its own elected government.**
  - The Commission has sought to restore a more workable balance on the principle of subsidiarity.
  - **The Municipal Corporation of Delhi (MCD), including appointment of the Commissioner and other functionaries should lie in the domain of the Government of the National Capital Territory (GNCT).** This can be done by way of a notification under Section 490A of the Act, issued by the Union Government. However, the appointment of the Commissioner should be made by the GNCT in consultation with the Union Government.

Q) Right to life is one of the most evolved right at the hands of Supreme Court. Explain with the help of suitable SC judgements. (250 words)

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

*The question demands discussion on how SC has helped in evolving the nature and scope of Article 21. The key here is highlighting some of the landmark judgments of SC which have expanded the enjoyment of our fundamental rights.*

#### **Directive word**

*Explain – Here you have to talk about what it meant by the statement in the question. The explanation should include specific case laws where SC has expanded the scope and nature of Article 21.*

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

**Introduction** – Talk about the constitutional provision related to Art 21



### Body

- Explain that supreme court has expanded the right to life through a liberal interpretation of the provisions of article 21
- Discuss in brief how the position of SC has changed with respect to right to life – from *Golak Nath* to *Keshavananand Bharti*, *ADM Jabalpur* to *Maneka Gandhi* cases.
- Highlight some of the important cases where SC has expanded right to life – *Shreya Singhal*, *K Puttaswamy*, *Naz Foundation*, *MP Singh case* etc

**Conclusion** – Discuss how SC has done justice to its role as the protector of fundamental rights.

### Background:-

- Article 21 ensures every person right to life and personal liberty. Both the terms, life and personal liberty has been given a very expansive and wide amplitude covering a variety of rights. Its deprivation is only possible through the procedure established by law.
- The expression “life” has been broadly interpreted by the Supreme Court, which has given it, an expansive scope.

### Most evolved in the following ways:-

- **Right to Live with Human Dignity**
  - The Supreme Court in the case of *Maneka Gandhi vs. Union of India* held that right to life embodied in Article 21 of the Indian Constitution, is not merely a physical right but it also includes within its ambit, the right to live with human dignity.
  - In the case of *Francis Coralie vs. Union Territory of Delhi* it was held that right to live includes the right to live with human dignity with bare necessities of life such as: Adequate nutrition, Clothing, and Shelter over the head etc
- **Right against sexual harassment at workplace**
  - In the case of *Vishakha vs. the State of Rajasthan*, the court declared that sexual harassment of a working woman workplace amounts to a violation of rights under Articles 14, 15 and 21 of the Indian Constitution. The guidelines have been laid down in order to protect the rights of a woman at workplace
- **Right to clean environment**
  - The Right to life under Article 21 means a life of dignity to live in a proper and healthy environment.
  - The maintenance of various things like: Health, Proper sanitation system, and Preservation of environment comes under the purview of the Article 21.
  - In the case of *Vellore Citizens Welfare Forum vs Union of India* the Supreme Court held that though industries are vital for the country’s development, having regards to the pollution caused by them, the principle of ‘**sustainable development**’ has to be adopted as the balancing concept
- **Right to know or right to be informed**
  - It has been recognized by the Courts, in the case of *Reliance Petrochemicals Ltd. vs. Proprietors of Indian Express Newspapers* that right to know falls under the scope of Article 21 of the Indian Constitution as an essential ingredient of participatory democracy.
- **Right of prisoners**
  - The protection under Article 21 is also available to those who have been convicted of any offense. Even though he is deprived of his other rights, but he is entitled to the rights guaranteed under Article 21.
- **Right against illegal detention**
  - In the case of *K. Basu vs. State of West Bengal*, the Supreme Court laid down the guidelines to be followed by the Central and the State investigating authorities in all cases of arrest and detention



▪ **Right to Legal Aid and Right to speedy trial**

- It has been held, in the case of *Hussainara Khatoon vs. State of Bihar*, that right to free legal aid at the cost of the State to an accused who cannot afford legal services for reasons of poverty, indigence or incommunicado situation is a part of fair, just and reasonable procedure under Article 21 of the Indian Constitution.

▪ **Disclosure of dreadful diseases**

- The Court herein opined that the lady proposing to marry a person with dreadful disease is entitled to all human rights, which are available to any human being and the right to be told that person is suffering from a deadly disease which is sexually communicable, is her right to life guaranteed under Article 21.

▪ **Right to Privacy**

- In the recent case of *Justice K.S. Puttuswamy vs. Union of India and Other*, the Supreme Court held privacy to be a fundamental right under the Constitution of India.

▪ **Right to die with dignity:-**

- Supreme Court expanded the right to life to incorporate the right to die with dignity. It legalised passive euthanasia and approved 'living will' to provide terminally ill patients or those in persistent and incurable vegetative state (PVS) a dignified exit by refusing medical treatment or life support.

Q) Critically analyze whether the non enforceability of DPSPs make them subservient to Fundamental Rights? (250 words)

**Key demand of the question**

*The question compares FR and DPSP and comments that since DPSPs are non enforceable in a court of law, it makes them inferior to FRs. We need to highlight the importance of DPSP, examine whether they lag behind FRs and provide a fair and balanced conclusion.*

**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** – Discuss the reason why this debate arises.

**Body**

- *Bring out points which highlight that FRS are superior to DPSP due to their sacrosanct nature and article 32.*
- *Examine why the above statement is like comparing apples and oranges as FRs strive to provide civil and community rights whereas DPSPs deal with socio economic right which seeks to create a welfare state.*
- *Examine the view of constitutional experts like br Ambedkar to bolster your arguments etc*

**Conclusion** – Highlight that even supreme court gave the doctrine of harmonious construction to maintain a balance between part III and IV

**Background:-**

- Since both the Fundamental Rights and the Directive Principles were of common origin, it is clear that they both had the same objectives, namely to ensure the goal of a welfare society envisaged by the Preamble.



### How non enforceability makes them subservient to fundamental rights:-

- The chapters on the fundamental rights and DPSP were added in order of part III and part IV of the constitution. **The Fundamental rights are justifiable and guaranteed by the constitution. The Directive principles were directives to the state and government machinery. But they are not enforceable, by the law.**
- The directive principles, though fundamental in the governance of the country, are not enforceable by any court in terms of the express provisions of Article 37 of the Constitution, while fundamental rights are enforceable by the Supreme Court and the High Court in terms of the express provisions of **Article 32 and 226 of the Constitution.**
- **Supreme court judgments:-**
  - In several early cases, the Supreme Court took the literal interpretive approach to Article 37 and ruled that Directive Principles could not over-ride a Fundamental Right, and in case of a conflict between the two, **the Fundamental Right would prevail over the Directive Principles.** This point was settled by the Supreme Court in State of Madras v. Champakam Dorairajan

### Comparing both is not right:-

- Fundamental rights strive to provide civil and community rights whereas DPSP's deal with socio economic right which seeks to create a welfare state. So both cannot be compared.
- The 42<sup>nd</sup> Amendment Act accorded the **position of legal primacy and supremacy to the Directive Principles over the Fundamental Rights conferred by Articles 14, 19 and 31.**
- But, this extension was declared as unconstitutional and invalid by the Supreme Court in the Minerva Mills case (1980).
- DPSP 39B and 39C has been given precedence over Fundamental Right 14 (Right to Equality) and Fundamental Right 19 (Freedom of Speech and Expression)
- **Doctrine of harmonious construction :-**
  - **The courts came to realize that there should not be any conflicts between two sets of provisions of the Constitution which have a common origin and a common objective as would nullify either of them.** The way out was found to lie in the doctrine of harmonious construction, arising out of the cannon of interpretation that parts of the same instrument must be read together in order to reconcile them with one another.
  - Applying this doctrine, the Supreme Court came to adopt the view that in determining the ambit the ambit of Fundamental Rights themselves, the court might look at relevant Directive Principles.

### Balance is necessary:-

- After the Minerva Mills Case, the Supreme Court came to the view that there is no conflict between the Fundamental Rights and the DPSP and **they were complimentary of each other.** There was no need to sacrifice one for the sake of the other. If there is a conflict it should be avoided as far as possible.
- The Parliament can amend the Fundamental Rights for implementing the Directive Principles, so long as the amendment does not damage or destroy the basic structure of the Constitution.
- According to Ambhedkar, the Directives were like "Instruments of Instructions", and were hailed as the essence of the Constitution. According to him it was the most cardinal and important provision of the Constitution.
- It has now become a judicial strategy to read the Fundamental Rights along with the Directive Principles with a view to define the scope and ambit of the former. Mostly the Directive Principles have been used to broaden, and give depth to some Fundamental Rights, and to imply more rights therefrom for the people over and above what are expressly stated in the Fundamental Rights.
  - Biggest beneficiary of this approach has been Article 21. By reading Article 21 with the Directive Principles, a bundle of rights has been read into Article 21.
  - Accordingly it has been held that Article 21 includes the right to live with human dignity, the right to enjoy pollution free water, air and environment, the right to health and social justice, the right to education, the right to shelter, the right to privacy etc.



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

Q) Analyze the feasibility of holding simultaneous election in India in the near future? (250 words)

Indian express

### Why this question

*The question of feasibility of simultaneous elections is a hotly analyzed topic currently and important for Mains.*

### Key demand of the question

*The question demands us to discuss in detail the feasibility of holding simultaneous elections from various perspectives – constitutional, functional etc. We also need to provide a 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.*

### Structure of the answer

**Introduction** – Mention that the question of simultaneous elections is a hotly discussed topic in Indian polity. Explain what do you mean by it.

**Body** – Discuss the feasibility of holding simultaneous elections from various perspectives – constitutional, functional etc. Mention the problems that might arise as a result of holding simultaneous elections. Examine how can we solve those issues.

**Conclusion** – Present a fair and balanced view and the way forward

### Background:-

- The current government time and again supported the idea of holding simultaneous elections to panchayats, urban local bodies, states and Parliament.
- The Law Commission of India has also proposed holding simultaneous state and general elections and has sought public opinion on its recommendations regarding the same. Simultaneous elections were held in India during the first two decades of independence.

### Merits:-

- **Governance and consistency:-**
  - Parties and workers spending too much time and money in electioneering, can make use of the **time for social work and to take people-oriented programmes to the grassroots.**
  - To overcome the “policy paralysis and governance deficit” associated with imposition of the Model Code of Conduct at election time which leads to putting on hold all developmental activities on that area and also affects the bureaucracy’s functioning.
- **Expenditure can be reduced by conducting simultaneous elections.**
- It is felt that crucial manpower is often deployed on election duties for a prolonged period of time. **If simultaneous elections are held, then this manpower would be made available for other important tasks.**
  - For instance for the 2014 Lok Sabha polls, which was held along with 4 state assemblies saw the deployment of 1077 in situ companies and 1349 mobile companies of Central Armed Police Force (CAPF).
- During frequent elections there is increase in “vices” such as communalism, casteism, corruption and crony capitalism.
- **Continuity:-**
  - Will limit the disruption to normal public life associated with elections, such as increased traffic and noise pollution



- Simultaneous elections can also be a means to curb corruption and build a more conducive socio-economic ecosystem.
- Simultaneous elections can bring the much-needed operational efficiency in this exercise

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

- Not all voters are highly educated to know who to vote for. **They may get confused and may not know whether they are voting for candidates contesting assembly or parliament elections.**
  - There is a 77% chance that the Indian voter will vote for the same party for both the state and centre, when elections are held simultaneously.
  - 
  - Evidence from Brazil, Argentina, Canada, Germany, the US and Europe supports the idea that elections that are held simultaneously produce greater alignment between national and regional election outcomes.
- **Functional issues:-**
  - Frequent elections bring the politicians back to the voters, create jobs and prevent the mixing of local and national issues in the minds of the voters.
  - **There is a dearth of enough security and administrative officials to conduct simultaneous free and fair elections throughout the country in one go.**
- **The following constitutional changes need to be made:-**
  - **Amendments needed in the following articles:-**
    - Article 83 which deals with the duration of Houses of Parliament need an amendment
    - Article 85 (on dissolution of Lok Sabha by the president)
    - Article 172 (relating to the duration of state legislatures)
    - Article 174 (relating to dissolution of state assemblies)
    - Article 356 (on President's Rule).
  - The Representation of People Act, 1951 **Act would have to be amended to build in provisions for stability of tenure for both parliament and assemblies.** This should include the following crucial elements:
    - Restructuring the powers and functions of the ECI to facilitate procedures required for simultaneous elections
    - **A definition of simultaneous election can be added to section 2 of the 1951 act**
  - **Articles 83 and 172 along with articles with articles 14 and 15 of the 1951 act be appropriately amended to incorporate the provision regarding remainder of the term i.e., post mid elections ,the new loksabha/assembly so constituted shall be only for the remainder of the term of the previous loksabha or assembly and not for a fresh term of five years.**
  - **Constructive vote of no confidence:-**
    - The 170<sup>th</sup> law commission report suggested a new rule i.e., **rule 198-A** has to be added to rules of procedure and conduct of business in Lok sabha and similar amendment to such rules in the state legislatures.
    - The report suggested introduction of motion of no confidence in the incumbent government along with a motion of confidence in the alternative government.
  - To avoid premature dissolution of the house/state assemble in case of Hung parliament /assembly and to advance simultaneous elections the rigour of anti defection law laid under **in tenth schedule be removed as an exception.**
  - Local and national issues will get mixed up distorting priorities.
  - The terms of different state governments are ending on separate dates and years.



### Way forward:-

- Standing committee recommended a cycle of elections, according to which elections to some legislative assemblies whose term end within six months to one year before or after the election date could be held during the midterm of Lok Sabha .For the rest of the states, elections could be held along with the general elections to Lok Sabha.
- Cost can be brought under control by ensuring that the legal cap on expenditure of candidates is followed by all parties
- 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.**
- The Law Commission of India in its report of 1999 has dealt with the problem of premature and frequent elections. **It had recommended an amendment of this rule on the lines of the German Constitution, which provides that the leader of the party who wants to replace the chancellor has to move the no-confidence motion along with the confidence motion. If the motions succeed, the president appoints him as the chancellor.**
  - If such an amendment to Rule 198 is made, the Lok Sabha would avoid premature dissolution without diluting the cardinal principle of democracy that is a government with the consent of the peoples' representatives with periodical elections.
  - It will also be consistent with the notion of collective responsibility of the government to the House as mentioned in Article 75 (3) of the Constitution.

*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) Discuss the reasons behind high prevalence of child labour in India. Also, discuss the legal mechanism in place to address the issue. (250 words)

### Reference

#### **Why this question**

*12 June is celebrated as the [World Day Against Child Labour](#). In India, Child labour is highly prevalent and a common sight across the country. There are legal mechanisms in place to address the issue. Although there are various issues associated with child labor, the question wants us to describe the reasons behind child labor and legal mechanisms in place only.*

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

*The question wants us to write in detail about the reasons behind high prevalence of child labour in India and it wants us to simply describe the legal mechanism in place to address the issue.*

#### **Directive word**

*Discuss- We have to write at length about both the parts of the question- reasons behind as well as legal mechanisms in place.*

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

**Introduction** – mention some statistics about prevalence of child labor in India. E.g International Labour Organization's World Report on Child Labour etc.

#### **Body–**

- *Discuss in points the reasons behind high prevalence of child labour in India.*  
*E.g poverty, family tradition, social and economic backwardness, social and economic backwardness, cheap labor, poor compliance with the law etc.*
- *Discuss the legal mechanisms in place to address the issue.*



*E.g Fundamental rights under article 21-A, 24; right to education, Mines Act, The Child Labor (Prohibition and Regulation) Act etc.*

**Conclusion-** *Mention the need to curb the problem of child labor in India and also suggest a few points as to what should be done in this matter.*

#### **Background:-**

- India's 2011 census shows that there are more than 10.2 million "economically active" children in the age group of five to 14 years – 5.6 million boys and 4.5 million girls.

#### **Reasons for high prevalence of child labour :-**

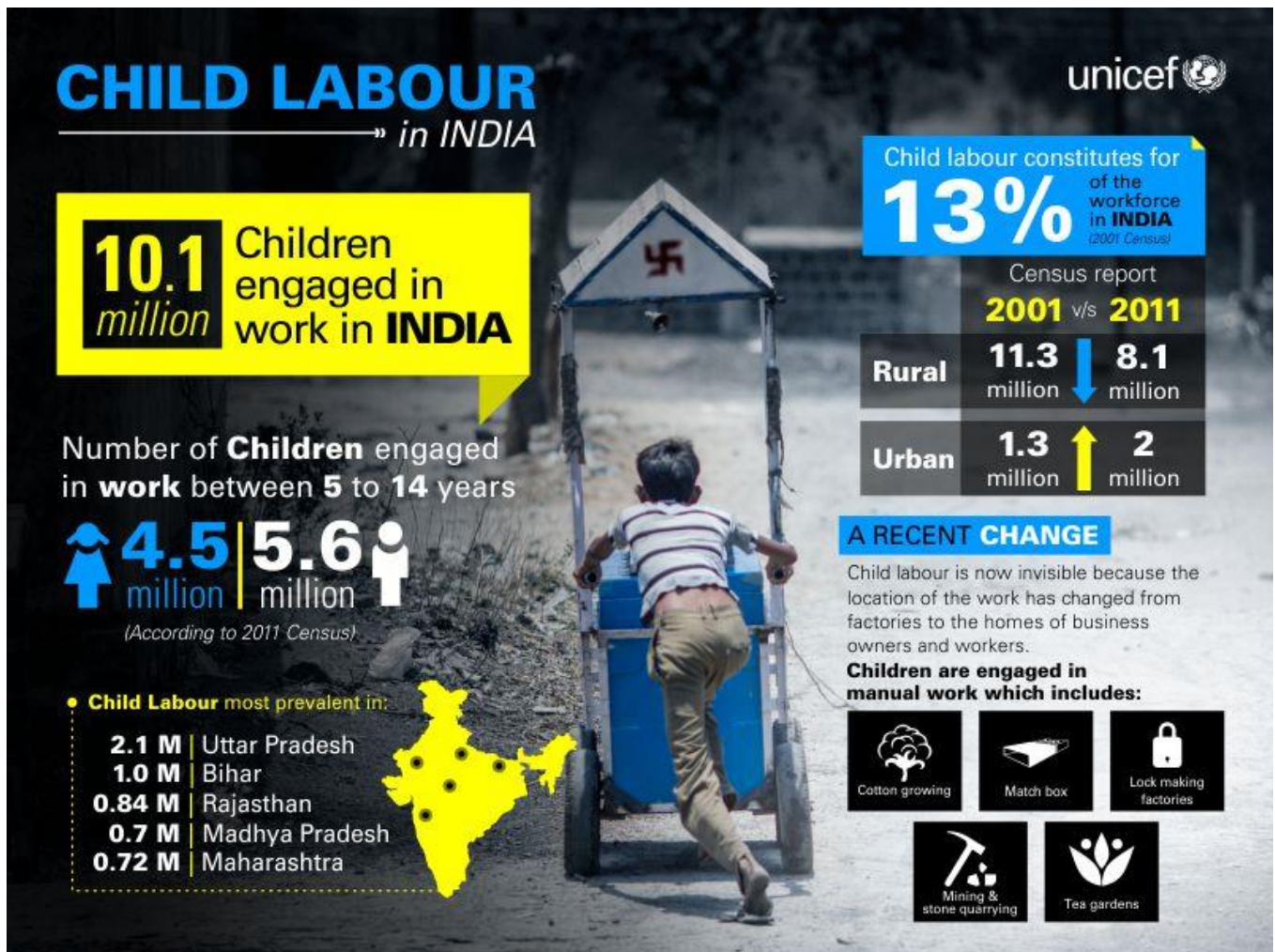
- The poverty and illiteracy of a child's parents with the family's adverse social and economic circumstances leads to parents being vulnerable to sending their children for work.
  - It leads to a child's "need" to contribute to the family income,
- Lack of awareness about the harmful effects of child labour
- Lack of access to basic and meaningful quality education and skills training
- High rates of adult unemployment and under-employment
- The cultural values of the family and surrounding society.
- **Children are also bonded to labour due to a family indebtedness.** Out of school children (OOSC) or those children at risk of dropping out can easily be drawn into work and are more vulnerable to exploitation.
- Girls, especially those from socially disadvantaged groups, tend to be at a higher risk of being forced into work.
- Due to conflicts, droughts and other natural disasters, and family indebtedness.
- Rural poverty and urban migration also often exposes children to being trafficked for work.
- **Children are employed because they are cheap and pliable to the demands of the employer and not aware of their rights.** The risks that these children face can have an irreversible physical, psychological and moral impact on their development, health and wellbeing.
- **Child labour is now more invisible because the location of the work has changed from the more formal setting of factories, to business owners homes.** There has also been an increasing involvement of children in the home-based and informal sectors.
  - **Children** are engaged in manual work, in domestic work in family homes, in rural labour in the agricultural sector including cotton growing, at glass, match box and brass and lock-making factories, in embroidery, rag-picking, beedi-rolling, in the carpet-making industry, in mining and stone quarrying, brick kilns and tea gardens amongst others.
- Families unable to sustain themselves force their underage kids to beg.

#### **Legal Mechanisms available:-**

- **Child Labour (Prohibition and Regulation) Act (1986)** to prohibit the engagement of children in certain employments and to regulate the conditions of work of children in certain other employments
  - It excludes a section of toiling children in the unorganized sectors including agriculture, as well as household work.
- **National Policy on Child Labour (1987)**, with a focus more on rehabilitation of children working in hazardous occupations and processes, rather than on prevention.
- **Juvenile Justice (Care and Protection of Children) Act 2000 and amendment of the JJ Act in 2006:** includes the working child in the category of children in need of care and protection, without any limitation of age or type of occupation.
  - Section 23 (cruelty to Juvenile) and Section 26 (exploitation of juvenile employee) specifically deal with child labour under children in need of care and protection.



- **The Right to Education Act 2009** has made it mandatory for the state to ensure that all children aged six to 14 years are in school and receive free education. Along with **Article 21A of the Constitution of India** recognizing education as a fundamental right, this constitutes a timely opportunity to use education to combat child labour in India.
- Amendments made to the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act prescribes severe punishment for people found guilty of retaining bonded labour.
  - The amendment stipulates rigorous imprisonment for those who force children to beg, handle or carry human waste and animal carcasses.
- The draft National Policy for Domestic Workers, when goes into force, will ensure minimum Rs.9,000 salary for household helpers.
- Every police station in the country has a separate cell for juvenile, women and child protection.
- Many NGOs like Bachpan Bachao Andolan, CARE India, Child Rights and You, Global march against child labour, RIDE India, Child line etc. have been working to eradicate child labour in India.



**Constraints remain:-**

- Multiple forms exist:-
  - Child labour is not uniform. It takes many forms depending upon the type of work that children are made to do, the age and sex of the child and whether they work independently or with families.
  - Due to this complex nature of child labour, there is no one strategy that can be used to eliminate it.
- The absence of national legislation to give effect to global conventions on the employment of children in hazardous industries, as well as on the minimum age of work.
- **The lack of harmony between global commitments and domestic priorities.**



- **Incoherency between laws that prescribe a minimum age for employment and those for completion of compulsory school education.** It also means that the expansion of quality universal basic education has to extend beyond the fulfilment of statutory provisions.
- Lack of effective labour inspections in the informal economy. Around 71% of working children are concentrated in the agriculture sector, with 69% of them undertaking unpaid work in family units.

#### **Way forward :-**

- Abolition of child trafficking, elimination of poverty, free and compulsory education, and basic standards of living can reduce the problem to a great extent.
- **Strict implementation of labour laws is also essential** in order to prevent exploitation by parties or multinational companies
- **Education:-**
  - Spreading literacy and education is a potent weapon against the practice of child labour, because illiterate persons do not understand the implications of child labour
  - The single most effective way to stem the flow of school-aged children into child labour is to improve access to and quality of schooling.
- **Another way to stop child labour is to eliminate or rein in unemployment.** Because of inadequate employment, many families cannot afford to meet all their expenses. If employment opportunities are increased, they will be able to let their children read and write and become worthy citizens
- Continued progress against child labour requires policies that help mitigate the economic vulnerability of households. **Accelerating progress towards universal social protection is key, as social protection helps prevent poor households from having to rely on child labour as a coping mechanism.**
- **Attitude change:-**
  - It is important that the attitudes and mindsets of people are changed to instead employ adults and allow all children to go to school and have the chance to learn, play and socialize as they should.

*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) Municipalities are not yet autonomous units that can be genuinely called as the “third tier” of government in India’s federal system. Critically analyze. (250 words)

#### The hindu

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

*On one hand, we talk of democratic decentralization, and on the other hand, creation of SPVs for implementation of governmental schemes like Smart Cities Mission dilute the authority of local governments. This raises questions on the status of municipalities as genuine third tier of the government and needs to be critically analyzed.*

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

*The question demands us to assess the role of ULBs from the point of view of its powers and functioning and analyze whether it can be genuinely called as the third tier of governance. We need to provide arguments both for and against its role as third tier of governance and provide a fair and balanced conclusion.*

##### **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 the overall objective of 73rd and 74th constitutional amendment act. Mention that 35 years later, questions still arise on true nature of democratic decentralization in the country.

**Body** – Examine the main issues why questions arise over the role of ULBs as genuine third tier of government. Answer under headings like power, finance etc. Here, also assess the functioning of ULBs in rolling out schemes like JNNURM etc which compelled the government to institute SPVs. Examine how SPVs are eroding the authority of ULBs. Bring out how raising questions over the third tier of government is premature as the institution is indeed delivering albeit slowly.

Discuss the way forward as well.

**Conclusion** – provide a fair and balanced view by summarising the arguments made above.

### Background:-

- The Constitution underwent its most significant transformation with the passage of the 73rd (mandating the creation of panchayats) and the 74th (creation of municipalities) Constitutional Amendments

### Reasons why municipalities are failing. The disempowerment and depoliticisation has happened in multiple ways:-

- **Elected representatives at the city-level are rendered powerless by making them subservient to the State government.**
  - In most municipal corporations, while the mayor is the ceremonial head, the executive powers of the corporation are vested with the State government-appointed commissioner.
  - This disjuncture in municipal governance has been exploited by State governments to ensure that no city-level politician challenges their control over a city.
- **Parastatal agencies:-**
  - Municipal corporations are further denied their political role by the continued operation of various parastatal agencies created by the State government.
  - These agencies, which function with a certain autonomy, are accountable only to the State government, not the local government.
  - Even urban planning and land-use regulation is with State government-controlled development authorities.
- **Special purpose vehicles:-**
  - Central government programmes such as the Smart Cities Mission mandates the creation of special purpose vehicles (SPVs) for Smart Cities and further encourages a State government to delegate the decision-making powers available to the ULB (urban local body) under the municipal act/government rules to the Chief Executive Officer of the SPV. So local governments are neglected.
- **Even for performing functions that are within its purview such as levying local taxes or undertaking civic projects above a certain budget the local government requires State government permissions.**
- Many of 74<sup>th</sup> constitutional amendment key provisions are not mandatory for the State government.
  - The functions listed under the 12th Schedule which a State government is expected to devolve to the local government do not include essential civic issues such as urban transportation, housing or urban commons.
  - The 74th Amendment also contains an industrial township exception whereby a municipality need not be constituted in areas which are declared as industrial townships. These provisions have been employed by State governments to keep local governments weak.
  - Civic activism has often been focussed on the creation of two bodies mandated by the 74th Amendment ward committees and metropolitan planning committees. However, an over-reliance on such semi-representative bodies does not augur well for creating a genuinely democratic city government.



- The State legislatures are required to make laws to ensure maintenance of accounts and auditing of such accounts by panchayats and municipalities. However these provisions have been observed in their violation rather than compliance in most of the States.
- It is expected that 100% legislative devolution across all the states should have been achieved by now. **But, this does not seem to be the case. Rather, on average only about 82% of the legislative devolution has taken place until now.** Data highlights that only 12 states have completely devolved all the functions to their respective ULBs

#### Way forward:-

- Present model of urban governance that vests power in a singular municipality need to be reconsidered. **While urban governance reforms can take multiple shapes, they must be foregrounded in the political empowerment of local government that furthers local democratic accountability.**
- **It is important to have clarity in the assignment of functions and the local governments should have clear and independent sources of finance.**
- There should be clear mechanisms to ensure that States comply with the constitutional provisions, particularly in the appointment and implementation of the recommendations of the state finance commissions
- Sustainable decentralisation comes from the demands of the people and advocacy should focus on a decentralisation agenda. Indeed, the framework needs to be evolved to accommodate the demand for decentralisation.
- Technological upgradation is necessary to cater to the needs of urban India and this will be plausible through investment inflows to local city economies.
- There is a dire need for more clarity on the status of SPVs vis-à-vis the newly empowered ULBs within cities.

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

Q) How far preamble is useful in interpreting the constitution? (250 words)

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

*The question basically expects us to examine the extent to which preamble can be utilised for understanding and interpreting the provisions of the constitution. This can be done by analyzing the view of SC on whether preamble forms a part of the constitution and what power is derived from the preamble.*

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

**Introduction** – Explain the controversy surrounding whether or not the preamble is a part of the constitution.

**Body** – Discuss the view of SC in *Berubari Union Case* regarding why preamble is not considered a part of the constitution and the impact of it. thereafter, analyze the view of SC in *Keshavananda Bharti* case on why it reversed its earlier stand on preamble as a part of the constitution and the impact of it.

**Conclusion** – Mention the present stand on preamble as a part of the constitution and how far is it useful in interpreting the provisions of the constitution.

#### **Background:-**

- No reading of any Constitution can be complete without reading Preamble from the beginning to the end .It is the Preamble wherefrom the Constitution commences. Hence, the significance of the Preamble.

#### **How is it useful in interpreting the constitution:-**

- **In Berubari Union case, the Supreme Court held that the Preamble is not a part of the Constitution.**
  - The court ruled out that the Preamble to the Constitution, containing the declaration made by the people of India in exercise of their sovereign will, no doubt is a key to open the mind of the makers which may show



the general purposes for which they made the several provisions in the Constitution but nevertheless the Preamble is not a part of the Constitution

- However in the *Keshavananda Bharati v. State of Kerala case* Supreme Court of India has emphasized that the Preamble to the Constitution **emphasizes the principle of equality as basic to the Constitution of India. This is the basic features of the Constitution which no legislature in India can transgress.**
  - It was held in this case:
    - Preamble to the Constitution of India is a part of Constitution
    - Preamble is not a source of power nor a source of limitation
    - Preamble has a significant role to play in the interpretation of statues, also in the interpretation of provisions of the Constitution.
    - It can be concluded that Preamble is introductory part of Indian Constitution.
  - A preamble helps in interpreting the provisions of the constitution.
    - It can be looked at when some article is ambiguous.
    - It also explains the object of the constitution. While summing up, it can be said that a preamble is introduction of an enactment.
    - Although it is not an integral part of the constitution, it explains introduction, reasons, intent and scope of the constitution.
    - The Preamble does not grant any power but it gives direction and purpose to the Constitution .It outlines the objective of the whole Constitution.
  - **The Preamble contains the fundamental of constitution. It serves several important purposes, as for example:-**
    - It contains the enacting clause which brings the Constitution into force.
    - It declares the basic type of government and polity which is sought to be established in the country.
    - It declares the great rights and freedom which the people of India intended to secure to its entire citizen.
    - It throws light on the source of the Constitution, viz., the People of India.
    - The Preamble can also be used to shed light on and clarify obscurity in the language of a statutory or, constitutional provision.
    - The preamble acts as the preface of the constitution of India and lays down the philosophical ideas.
    - **Preamble as Projector of 'Desired Established State'**
      - The Preamble proclaims the solemn resolution of the people of India to constitute India into a 'Sovereign socialist secular democratic republic'.
    - **Preamble as Interpreter of Legislation and statutes:**
      - The Constitution of India starts with a preamble which contains the spirit of the constitution. Every legislation framed is in conformity with the spirit of the preamble and thus the constitutionality and objects of the statutes are tested.

#### Conclusion:-

- Preamble of the Constitution of India is one of the best of its kind ever drafted. Both in ideas and expression it is a unique one. It embodies the spirit of the constitution to build up an independent nation which will ensure the triumph of justice, liberty, equality and fraternity.



Q) “The edifice of our constitution is based upon the basic element in the Preamble. If any of these elements are removed the structure will not survive and it will not be the same constitution and will not be able to maintain its identity”. Analyze. (250 words)

**Key demand of the question**

*The question expects us to analyze how far the preamble can be amended and what constitutes basic structure, which can not be amended.*

**Key demand of the question**

**Introduction** – Mention that the question of whether or not preamble could be amended came before the court in two key cases.

**Body** – Mention what the court had to say about the amenability of the preamble and why it said so in *Berubari Union case* – because preamble is not a part of the constitution. Highlight what made the court change its stand in *Keshavanand Bharti case* where the court accepted that the preamble is key to understanding the provisions of the constitution, preamble walks with the constitution and thus can be amended but without changing the basic structure. Highlight the impact of it.

**Conclusion** – Mention the present stand on the amendability of the preamble.

**Background:-**

- The Constitution of India begins with a Preamble. The Preamble contains the ideals, objectives and basic principles of the Constitution. The salient features of the Constitution have evolved directly and indirectly from these objectives which flow from the Preamble.

**Amendability of the preamble :-**

- In **Berubari union’s case** the Supreme Court held that the Preamble was not a part of the Constitution and therefore it could never be regarded as a source of any substantive powers. Such powers are expressly granted in the body of Constitution.
- The question on amendment of preamble was raised for the first time before the Supreme Court in the historic case of **Kesavanada Bharati v. State of Kerala**.
  - In that case the Attorney-General argued that by virtue of the amending power in Article 368 even the Preamble can be amended. It was said that since the Preamble was a part of the Constitution it could be amended like any other provisions of the Constitution.
  - On the question whether the Preamble can be amended the majority held that since the Preamble is the part of the Constitution it can be amended but subject to this condition that the “basic feature” in the Preamble cannot be amended.
- The Preamble declares that the people of India resolved to constitute their country into a Sovereign Democratic Republic. No one can suggest that these words and expressions are ambiguous in any manner. An amending power cannot be interpreted so as to confer power on the Parliament to take away any of these fundamental and basic characteristics of policy.
- The amending power cannot change the Constitution in such a way that it ceases to be a ‘Sovereign Democratic Republic’.
- The preamble to the Indian constitution was amended by the 42nd Amendment Act, 1976 whereby the words Socialist, Secular, and Integrity were added to the preamble by the 42nd amendment Act, 1976, to ensure the economic justice and elimination of inequality in income and standard of life.

**Conclusion:-**

- Thus, it can be derived from various judgments that in active expressive term preamble has limited scope but passively it acts more authoritatively. Which means though the Preamble does not bestow power on legislation, it may only act as director but somewhere on the other it limits the power of legislation because the Constitution and other legislations should be read and interpreted in the light of the vision expressed in the preamble and not beyond or against the vision expressed in the preamble.



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

Q) Pre-litigation mediation is an important step to improve the ease of doing business. Discuss in the context of how India can learn from the experience of other countries. (250 words)

The hindu

### Why this question

*The recent Commercial Courts, Commercial Division and Commercial Appellate Division of Commercial Courts, Commercial Division and Commercial Appellate Division High Courts (Amendment) Ordinance, 2018, has made pre-litigation mediation mandatory. However, the concept of mediation is not new in India. In this regard, we can learn from the experiences of other countries where the process has been successful. The issue is related to GS 2 syllabus under the following heading-*

*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 wants us to analyse the mediation process in India, highlight its deficiencies and discuss examples from other countries where mediation process has largely been successful.*

### Directive word

*Discuss- this is an all-encompassing directive. We have to briefly describe the process of mediation, its application in India and examples from other countries.*

### Structure of the answer

**Introduction**– *mention the recent ordinance which has made pre-litigation mediation compulsory for the parties.*

### Body-

- *Briefly describe the process of mediation and its main features.*
- *Mention the laws which allow mediation in India- e.g Arbitration and Conciliation Act, 1996, Code of Civil Procedure, MSME Development Act, 2006.*
- *Discuss the Italian example of a voluntary yet once mandatory experiment which gives tax benefits as well.*

**Conclusion**– *Mention the need of a holistic and systematic policy to address the process, the role and professional responsibilities of mediators, the rights and obligations of parties in the process, and the outcome of the mediation agreement.*

### Background:-

- Mandatory pre-litigation mediation in commercial disputes has been introduced by the recent Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts (Amendment) Ordinance, 2018, which amends the Commercial Courts Act of 2015.

### Pre-litigation mediation:-

- Mediation is an alternative method of resolving disputes without resorting to the courts. It is a structured, voluntary and interactive negotiation process where a neutral third-party uses specialized communication and negotiation techniques to help the parties in fulfilling their stated objectives. **As a party-centred process, it focuses on the interests, needs and rights of the parties.**



- **The 2018 ordinance :-**
  - **It stipulates that no suits concerning commercial disputes will be filed under this Act unless the person filing the suit exhausts the remedy of pre-litigation mediation.**
  - If an urgent interim relief is required, this pre-litigation mediation can be dispensed with. However, in all other cases, the mediation is mandatory and will be conducted within a period of three months (extendable by another two months with the consent of the parties).
- Any settlement arrived at through mediation will have the status of an arbitral award on agreed terms and be enforceable like a decree of court.
- A settlement reached at a pre-litigation stage is a contract, which is binding and enforceable between the parties

#### **How it improves ease of doing business:-**

- Mandatory pre-litigation mediation puts the ball in the court of the parties involved, **rather than looking at external agencies like courts, and urges them to engage with and resolve disputes.**
- **Control is vested not with a judge or jury, but the parties themselves and helps them in reaching a mutually agreeable solution.** By giving control to the parties, it may also result in the settling of related and connected issues and disputes.
- **Consent-based:-**
  - Based on voluntary consent, it allows any party to opt out at any stage if they find mediation to be unhelpful.
- **Participation:-**
  - It allows the parties to directly participate in the negotiation and present the case in their own perspective.
- **Economical:-**
  - Mediation takes less time to resolve disputes than standard legal channels.
- **Confidentiality:-**
  - Mediations remain strictly confidential, with the terms of the mediation being known only to the parties involved and the mediator. This aids in better and effective communication between the parties.
- **Conducive to dispute resolution:-**
  - By providing a procedure that is simple and flexible, mediation can be modified to the demands of each case and allows the parties to carry on with their day to day activities. It thus creates an informal, cordial and conducive environment for dispute resolution.
- **Mutuality:-**
  - Since parties to a mediation are amenable to mutually working towards a solution, they are more receptive to the other party's side. This aids in restoring the relationship between the parties and settles the dispute in a mutually beneficial manner.
- **Support by mediator:-**
  - As a neutral, impartial and independent third-party, mediators ensure that the mediation remains a fair process. They also guide the parties through the process as neutral facilitators, encourage creativity in resolution and broaden the range of solutions.
- **Finality**
  - Mediation promotes finality in dispute resolution as there is no scope for an appeal, a revision or further litigation on the successful conclusion of a mediation.
- Avoids prolonged, potentially emotionally draining depositions and delays
- Reduces large litigation costs



### Concerns:-

- **One of the advantages of mediation is its voluntary nature** but questions are raised about how does this reconcile with the mandatory nature of pre-litigation mediation.
- **Informality:-**
  - In the informal setting of a mediation, there are no formal rules or procedures that have to be followed. Thus, mediators do not have access to a lot of tools to get people to testify or produce evidence to get to the truth of a matter.
- **Unfairness:-**
  - Moreover, the lack of formal rules means that there is no way to ensure a fair procedure for the parties involved. An aggressive party might be able to steamroll a timid one despite the best efforts of the mediator.
- **Success not guaranteed:-**
  - Mediation may also be unsuccessful and not lead to a settlement between the parties involved. The parties will then have to resort to the money and time intensive court system after already wasting a significant amount of them in the mediation.

### How India can learn from other countries:-

- **Italy:-**
  - Attempts to mediate were made mandatory for certain disputes (like partition and joint ownership of property) before a case was filed in court.
  - This law reconciles the voluntary nature of the process, while mandating mediation. All disputants are required to attend, with their lawyers, one session of mediation.
  - After this session, any or all the disputants can choose to opt out of mediation and the disputants can proceed with their case in court. **Parties who mediate and settle get tax**
  - The outcome of this policy is encouraging. Disputants have found mediation worthwhile and continued with the process towards resolution. This has resulted from the opportunity of understanding the process in the mandatory first session.
  - **Italy has seen almost 200,000 cases going in for mediation until 2017. After trying out one session of mediation, when parties continued with the mediation, almost 50% of those cases were settled.**
- **India can** impose costs on disputants refusing to mediate, as is done in the U.K.

### Way forward:-

- There is a need for a comprehensive policy on mediation, rather than the abbreviated and disconnected steps so far. This policy would encapsulate the process, the role and professional responsibilities of mediators, the rights and obligations of parties in the process, and the outcome of the mediation agreement.

*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) Instead of the present penalizing approach, there is a need to build the social and economic capacities of the state, which would care for its poor and marginalised citizens. Discuss, in the light of anti-begging laws in India. (250 words)

### Epw

#### **Why this question**

*Begging is viewed as an unwanted social phenomenon and most of the Indian states have anti-begging laws in place. However, the problem of begging is not well interpreted by the society and the government. Begging (by large) is not a result of syndicates or organised gangs but of many*



*socio-economic realities, neglected by us. 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.*

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

*Issues relating to poverty and hunger.*

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

*The question wants us to write in detail about the inadequacies/ limitations of the present legal mechanism in place to deal with the problem of begging in India. The question wants us to write at length about the need to build the social and economic capacity of the state to eradicate begging.*

### **Directive word**

*Discuss- this is an all-encompassing directive, which commands us to write in detail about the limitations of the prevalent legal mechanism aimed at eradicating begging. We have to bring out the need for building the social and economic capacity of the state in order to handle the problem.*

### **Structure of the answer**

**Introduction-** *mention that around 20 States and union territories in India have put in place anti-begging laws.*

### **Body-**

- *Discuss in points the limitations/ negative points about the present mechanism to deal with begging. ( e.g they go against the grain of due process rights and are specifically in violation of Articles 19(1)(a) and 21 of the Constitution, summary punishments are given without any recourse to legal help or capacity building, arrests are made arbitrarily and affect the social and economic capacity of not only the arrested person but also his family/ dependents which are forced into begging, leaving school, sexual exploitation etc.).*
- *Discuss why there is a need for an alternate strategy and for building the social and economic capacity of the state to deal with the problem. ( e.g the present mechanism does not try to understand the reasons behind begging but penalises a person for being who they are and not what they have done, Article 38 of the Constitution provides that the state shall secure a social order for the promotion of the welfare of the people. Entry nine in the State List of the Seventh Schedule of the Constitution makes “the relief of the disabled and unemployable” a state subject; the phenomena of begging to be mainly a result of large gangs of syndicates, earning huge money are misplaced, those involved in begging are in a highly vulnerable state and need protection and state’s as well as society’s support etc.)*

**Conclusion-** *briefly discuss the way forward (e.g understanding the problem better, improving beggars homes, reducing threshold for arrest and providing legal support to the accused, involving NGOs in this direction, sensitising the society about the problem , addressing inequalities in our society etc.).*

### **Background:-**

- Begging as a phenomenon involves many layers, and it is critical to identify and understand the reasons that lead a person to beg for a living.

### **Present approach is penalising :-**

- **Colonial hangover:-**
  - The vagrancy and beggary laws in India are a colonial hangover, promoting unequal labour relations and used as a tool of social control over the unruly.



- **The Bombay Prevention of Begging Act, 1959 :-**
  - It is a comprehensive piece of legislation that criminalises begging in the country.
  - Many states (such as Delhi and Gujarat) have adopted this act, either in toto or with minor changes.
  - This act criminalises people for being homeless or without regular employment (who they are) rather than for their actions (what they do).
  - It does not only criminalise destitute persons but violates their right to live with dignity, affecting all aspects of their lives.
  - This act provides for the detention of not only those who beg but also their dependents. This is possibly the only legislation, with the exception of the Immoral Trafficking (Prevention) Act, 1956,7 in which the offender's family is punished for being dependent on their income
- **Against the constitutional provisions:-**
  - As far as the constitutionality of these legislations is concerned, they go against the grain of due process rights and **are specifically in violation of Articles 19(1)(a) and 21 of the Constitution.**
  - Article 38 of the Constitution provides that the state shall secure a social order for the promotion of welfare of the people.
  - Entry nine in the State List of the Seventh Schedule of the Constitution makes the relief of the disabled and unemployable a state subject.
- Presently, **begging is punishable with up to 10 years of detention under most state laws, with a provision for indefinite detention** under certain circumstances :- in some of the state legislations.
- **Anti-beggary laws exist in more than 20 states and two union territories in the country:-**
  - These legislations criminalise begging irrespective of their physical, economic, or psychological states of helplessness.
- **The anti-beggary law lacks bite when it comes to curbing organised begging:-**
  - While it provides for detention of up to 10 years for a person caught for begging (in case of a repeat offence), it provides only for a three-year sentence for an offender who forces a person into begging.

#### **Why there is a need to bring social and economic capacities of the state:-**

- **People get into begging due to their extreme states of vulnerability and after every other possible support mechanism collapses.**
  - Poverty, the inability to procure jobs due to illiteracy or lack of skills, disability or disease and destitution due to old age or mental illness are some of the reasons behind a person entering into begging, often reaching a state of destitution where survival becomes the only concern.
  - Begging is largely induced by poverty and is often tied to various axes of discrimination and social exclusion such as caste, class, age, gender, disability, and ethnic background
- **Detention without adequate systems for capacity-building and rehabilitation only increases vulnerability.**
- **Reasons behind begging are mostly due to inefficiency of government:-**
  - The movement towards an individualistic society and the breakdown of family support systems is leading to increasing neglect of the aged and disabled, pushing many of them into the streets.
  - In addition the reduced access to the welfare schemes and programmes and the lack of relevant livelihood skills in tune with emerging markets are adding to the growing problem of destitution and beggary.
- Mostly police bring in the homeless destitute, especially the abandoned or those with mental illness, to beggars homes in the absence of any other suitable place to take them. **This clearly reflects the state's inability to take care of its disadvantaged groups.**
- **With the arrest of an individual, their family too bears the brunt of the arrest, as they may be dependents, and especially puts their children at risk.**



- The arrest of an earning member could result in a parent being forced to beg, children dropping out of school and/or being forced into begging or child labour, or the female spouse being forced to work in an exploitative situation.
- **Role of the state as a protector of the life and well-being of its citizens underlines its responsibility** to reach out to the destitute and those involved in begging as well as to understand their psychological, social, economic, and cultural contexts. As the first challenge, the custodial mindset of the state has to be replaced with a community-based approach.
- **Affected individuals largely need to be approached with sensitivity and care** as they need the support of the state for their rehabilitation.
- **Criminalising approach towards the poor goes against the concept a caring state:-**
- It has to address the underlying causes by retracing the lives of the people and identifying the factors and situations which led them to their present state of destitution and dependence.
- **Judicial pronouncement:-**
  - The Delhi High Court observed that begging is an offence in a country where the government is unable to provide food or jobs

#### Way forward :-

- **The following interventions are needed :-**
  - Tracing the victims families, providing emergency support to families and offering them legal aid and guidance
  - Submitting social investigation reports before the judiciary in the beggars courts about the person's psychosocial situation
  - Building capacities through vocational skill training and work placement
  - Providing emotional support and counselling
  - Pre-release preparation
  - Arranging medical support
  - Training and sensitisation of the state machinery, including institutional staff and the police.
- **The community-based program** includes an education programme for the children, assistance in acquiring citizenship documents, emotional support to families, support for shelter and livelihood, vocational training and so on.
- **Legislation and policy should provide for structures and an institutional framework that builds people's capacities to move out of destitution.** Instead of putting people behind closed institutions, the emphasis should be on creation of **shelters and soup kitchens to provide temporary succour to people in distress.**
  - Government had in 2016 told that the Ministry of Social Justice had drafted a bill to decriminalise begging and rehabilitate beggars and homeless people. But, later the proposal to amend the legislation was dropped. A law to decriminalize begging necessary.

Q) Recognition of tribal rights over non-timber forest products (NTFPs) would accelerate empowerment of the poor and marginalised. Comment. (150 words)

#### Indian express

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

*Forest dwellers are one of the most marginalized sections of Indian society. The Forest Rights Act vests a number of rights with forest-dwelling communities and one of them is access to collect, use, and dispose of minor forest produce. NTFPs have been shown to very effective agents of bringing socioeconomic development. The issue 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 express our understanding of the issue of access of forest dwellers to the NTFPs, the potential of NTFPs in bringing the socioeconomic transformation of the forest dwellers.*

### **Directive word**

*Comment- We have to express our personal opinion on the issue, based on our understanding and knowledge. We have to support our opinion with proper arguments/facts etc.*

### **Structure of the answer**

**Introduction**– *mention the forest rights act, which gives the forest dwellers certain rights including rights over minor forest produce. Also, mention facts like almost 275 million people depend on NTFPs with a turnover of at least Rs 6,000 crore per annum.*

### **Body**–

- *Discuss the benefits of providing ownership of NTFPs to forest dwellers. E.g increase in income, supplement in income, providing critical subsistence during the lean seasons, reducing migration from the villages, economic empowerment etc.*
- *Briefly discuss the issue of lack of proper access to NTFPs.*

**Conclusion**– *Mention the need to implement the forest rights act properly and with full fervour and enthusiasm in order to bring socioeconomic development to the forest dwellers and correct the historical injustices meted out to them.*

### **Background:-**

- During the colonial and post-colonial periods, forest management and access to forest resources like non-timber forest products (NTFPs) was largely driven by the principles of centralisation, exclusion and exploitation.
- Non-timber forest products (NTFPs) constitute an important source of livelihood for millions of people from forest fringe communities across the world. In India, NTFPs are associated with socio-economic and cultural life of forest dependent communities inhabiting in wide ecological and geo-climatic conditions throughout the country.

### **Non timber forest products:-**

- Non-timber forest products (NTFPs) are goods of biological origin other than timber from natural, modified or managed forested landscapes. They include fruits and nuts, vegetables, medicinal plants, gum and resins, essences, bamboo, rattans and palms; fibres and flosses, grasses, leaves, seeds, mushrooms, honey and lac etc.
- The NTFPs can also be referred to as all the resources or products that may be extracted from forest ecosystem and are utilized within the household or are marketed or have social, cultural or religious significance.
- NTFPs constitute one of the largest unorganised sectors in India. Almost 275 million people depend on NTFPs with a turnover of at least Rs 6,000 crore per annum.

### **Tribal rights over non timber forest products:-**

- The Forest rights act envisages to change this and ensure that the economic benefits of NTFPs accrue to tribal people.
  - NTFPs potential as a source of development and poverty alleviation has been deeply neglected. Prior to the enactment of the FRA in 2006, forest laws nationalised non-timber forest produce and regulated the market process, creating severe inefficiencies.

### **Recognition of tribal rights over NTFP would lead to empowerment :-**

- **Economic :-**
  - NTFPs contribute an income equivalent to US\$ 2.7 billion per year and absorb 55% of the total employment in forestry sector. Moreover, 50% of forest revenues and 70% of forest based export income come from



such resources. They provide 50% of the household income for approximately one third of India's rural population.

- NTFPs constitute about 20 per cent to 40 per cent of the annual income of forest dwellers. It provides them critical subsistence during the lean seasons, particularly for tribal groups such as hunter-gatherers, and the landless.
- The NTFPs **also serve as a vital livelihood safety net in times of hardship**. Furthermore, the NTFP extraction has multiplier effects in the economy by generating employment and income in downstream processing and trading activities.
- It has been proposed that long-term economic benefits from sustainable NTFP extraction might be significant enough to prevent forests from being put to more destructive land uses such as logging, mining or ranching and help lower rates of tropical deforestation.
- It is now believed that the promotion of sustainable use of NTFPs could lead to a win-win situation for **poverty reduction and biodiversity conservation**. Furthermore, NTFPs can be harvested with relatively little impact on the forest environment.
- **States data shows the empowerment:-**
  - In Manipur alone, nearly 90% of the population depends on forest products as a major source and some 250000 women are employed in collecting forest products.
  - In Bastar district of Chhattisgarh, about 75% of forest dependent people supplement their food by tubers, flowers and fruits all the year round.
  - NTFPs provide substantial inputs to the livelihoods of forest dependent population, many of whom have limited non agricultural income opportunities.
  - Information from 247 villages from vidharbha region, reveals how ownership over minor forest produce, specially tendu leaves and bamboo, has improved the economic condition of forest dwellers reducing migration, dependence on middlemen for loans. All the investment in education and health by the villagers has increased.
    - The improvement in their economic condition has empowered the poor, marginalised tribal and forest dweller to be more assertive in the decision-making process at the gram sabha and panchayat level.
    - The recognition of community rights over forest resources and land has led to dramatic reduction in incidence of forest fires. The forest cover regeneration has improved and indiscriminate felling and diversion of forests has been contested.
    - These villages earned a total of nearly Rs 35 crore in 2017 by selling NTFPs.
- **Women empowerment:-**
  - **Given that most of the NTFPs are collected, used and sold by women, it would also lead to financial and social empowerment for millions of women.**
- **Nutrition:-**
  - They contribute to improving nutrition either as part of the family diet or as a means to achieve household food security. It has been established that a significant number of rural, tribal and overall forest dependent communities derive a significant part of their food, nutrition, healthcare needs and income from NTFPs.

#### **Issues :-**

- Policy vacuum, non-destructive harvesting, destruction of natural habitats, bushfires, population growth and high demand, are hindering the use and development of NTFPs.
- **Only some regions benefitted :-**
  - Such positive developments have been largely confined to Vidarbha, a few villages in Kalahandi district of Odisha and Gujarat's Narmada and Dangs districts.



- In the rest of the country, state governments continue to resist and create hurdles in the implementation of community rights over NTFPs and forests.
- Despite several orders from the nodal agency, the Union Ministry of Tribal Affairs, the implementation of the **provision of collective rights over NTFPs under the FRA has been weak and ineffective.**
- **Depletion of NTFPs resources on account of indiscriminate exploitation, deforestation and forest degradation** have become a major issue of concern that may affect the NTFP based livelihood and economics.
- **Tenure security, lack of processing skills and narrow market access are the limiting factors restraining the generation of greater benefits from these resources**

#### Way forward:-

- There is also the greatest lack of clarity as to who is responsible for monitoring and enforcing rules about harvesting and marketing of NTFPs:-
  - There is **urgent need for development of effective and locally appropriate participatory monitoring mechanism.**
  - Adoptive monitoring mechanism with the active involvement of people needs to be developed. Sometimes third party monitoring can also be done.
- **Post-harvest technologies:** Post harvesting practices e.g., drying, processing, storage and packaging can make a major difference to price and quality of produce.
- **Value addition:-**
  - The activity of value addition is largely performed by market intermediaries and manufacturers and there is little value addition at the primary collector's level.
  - Some value addition such as drying, chopping or cleaning at collector level will increase the value and quality of the produce.
- **Diversifying :-**
  - As many NTFPs are seasonal, the opportunities for diversifying need to be explored.
- **Marketing system :-**
  - The NTFPs value chains are complex, with multiple stages and actors involved in the process of getting a product from forest to consumer. They are also dynamic and change over time. Therefore, **information about the quantity and quality of the product, price and their market is very important.**
  - Facilities pertaining to storage, grading, processing and value addition through convergence of existing schemes and programs in private and public sectors should be promoted and created. Communities should be empowered with information about the market, policy and products to enable them strategizing and accessing better returns from NTFPs.

Q) In light of the spate of lynchings in news in several parts of the country, critically examine the need of an anti lynching law? (250 words)

#### The hindu

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

*Several incidents of lynchings have taken place in Assam, UP etc which paints a sad picture of societal ethics, increasing rage among people, violence against vulnerable sections. These incidents need to be given a serious thought and ways to deal with it needs to be devised.*

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

*The question expects us to analyze the need, pros and cons, effectiveness and impact of an anti lynching law in the country. It also expects us to give an overview of the shape such law can take.*



### 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 various incidents that have taken place in the past few years and the conclusion that can be drawn from it.*

### Body

- *Explain lynching.*
- *Explain the need for forming an anti lynching law – rule of law, deal with societal violence, create deterrence etc*
- *Explain how an anti lynching law might be inadequate – mention the main cause of lynching being lack of faith in judicial mechanisms to deliver justice which would still remain, the need for societal harmony which is missing in the current times etc*
- *Briefly give an overview of the shape such a law might take*

**Conclusion** – *Write a fair and balanced view on how far you think an anti lynching law is the need of the hour and the alternatives to deal with this situation.*

### Background:-

- The data website “India Spend” has compiled instances of cow-linked violence from 2010 to 2017. It found that during this period, 28 people were killed in 63 such incidents.
- There are lynchings across north India by ‘cow protection’ vigilantes. Even in Tamil Nadu in the south to Assam in the Northeast, men and women have been lynched on suspicion that they were out to kidnap children.

### Why India needs an anti lynching law?

- Killing of another human being by a murderous crowd out to enforce mob justice or avert an imagined crime takes an **extraordinary toll of the civilities of wider society**.
- In cases like these, when there exists no codified law, **delivering justice is almost impossible**.
- **Existing legal provisions not enough:-**
  - **It fills a void in criminal jurisprudence.** It is true that at present there is no law that criminalises mob killings.
  - The existing legal provisions do not deal specifically with lynching as an offence and there is no provision for compensation, no provision for rehabilitation of the families, there is no provision for speedy justice.
  - The Indian Penal Code has provisions for unlawful assembly, rioting, and murder but nothing that takes cognisance of a group of people coming together to kill (a lynch mob).
    - The Indian Penal Code (IPC) has no mention of the word ‘lynching’, and any such case is covered under Section 302 (murder), 307 (attempt to murder), 323 (causing voluntary hurt) 147 (rioting), 148 (rioting armed with deadly weapons) and 149 (unlawful assembly).
  - It is possible, under Section 223 (a) of the **Criminal Procedure Code (CrPC)**, to prosecute together two or more people accused of the same offence committed in the course of the “same transaction”. But the provision falls far short of an adequate legal framework for prosecuting lynch mobs.
- **A legislation is needed for the following reasons:-**
  - **Legislation** fixes command responsibility for communal incidents. It recognises that targeted communal violence disproportionately victimises minorities and it creates a mechanism to insulate investigations of communal violence from political interference.
  - By preparing a separate draft law, all the various facets of a mob lynching can be punished without having to tie together different provisions to build a case. It will also be able to tackle issues such as the dissemination of false rumours and exhortation of mobs.



- Socio economically the society coherence is disturbed due to mob lynchings and insecurities rise in minorities so legal protection is needed.

#### **However an anti lynching law is not a solution because :-**

- There is a potential for abuse.
- The underlying premise that a generic anti-lynching law could address India's lynching problem.
- **Major reason for the recent rise in lynchings is impunity.**
- The lynch mobs that murdered several people were confident of getting away with it. So far, the state has done little to shake that confidence. So a law alone might not help.
- The problem is not mob lynching per se but the mob lynching of minorities, for that is where impunity kicks in.
- **Some provisions of Indian penal code can be applied:-**
  - Depending on the facts of the case, other charges such as attempted murder ,causing hurt (Section 323) or grievous hurt (Section 325), or culpable homicide (Section 304), can all apply to mob lynching cases.
  - Current law also covers the special circumstances that relate to lynchings – the involvement of a mob, a common purpose, the violence of the mob, and the influencing of the mob by a person or persons.

#### **Way forward:-**

- India already has an antidote to combat the impunity enjoyed by anti-minority lynch mobs.
  - The first is the Prevention of Communal and Targeted Violence (Access to Justice and Reparations) Bill, 2011, or the Anti-Communal Violence Bill.
  - The other is police reforms, which are pending despite the Supreme Court ordering their implementation.

Q) Ujjwala scheme has brought about a transformational change for its intended beneficiaries. Critically examine. (250 words)

#### The hindu

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

*Ujjwala scheme has completed two years and there have been contrasting reports on the measure of success of the scheme. From the point of view of mains, high focus government scheme like Ujjwala is quite important.*

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

*The question expects us to assess the pros and cons of the scheme and its implementation and examine whether it has indeed made a transformational impact on the lives of its intended beneficiaries.*

##### **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 .*

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

**Introduction** – Mention the details of Ujjwala scheme.

**Body** – Highlight the potential positives of Ujjwala scheme , the vision at the time it was brought in – address the health woes, environment etc. For that to happen, consistent use of LPG cylinder is reqd, and merely an increase in number of initial users who might switch as soon as they have to bear the cost might not yield a lot of benefit. highlight how the government is providing financial support and ensuring continuity. Also examine how the scheme is not fully capable of delivering the benefits, and the issues due to which this is so.

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



### Ujjwala scheme:-

- The scheme aims to protect women and children from the smoke emitted from households using firewood for cooking purposes.
- Under the scheme, families below the poverty line are to be provided with LPG connections with a support of Rs. 1,600 per connection in the next three years.
- The ambitious scheme also laid down a condition **that the LPG connections will be issued in the name of the women of the households**. The scheme promises to install five crore connections by the end of 2019.

### Positives:-

- **Women benefitted:-**
  - In just two years, India's Pradhan Mantri Ujjwala Yojana has **provided some 37 million women living below the poverty line with free LPG connections** to support them to switch to clean household energy use.
  - **Major step to reduce indoor air pollution**, drudgery faced by women, and one that promises to extend LPG access.
- **Increase in LPG penetration:-**
  - Pradhan Mantri Ujjwala Yojana (PMUY) completed two years of operation. **During this time the number of LPG connections has crossed 4 crore, and LPG penetration in India has risen from 56% in 2014 to 80%.**
  - One in five Ujjwala customers who enrolled in May 2016 is using seven cylinders annually, thus matching the national per capita consumption of 6.8 cylinders in 2017-18.
- **More time given to family:-**
  - Benefits such as customers being able to devote more time towards children, the elderly and sick, along with reduced drudgery and gains in health are visible.
- The programme has also witnessed the emergence of a peer learning platform: **the Pradhan Mantri LPG Panchayat**.
  - By sharing the vision of early adopters and ironing out service issues, the LPG Panchayats being held at village levels across India are helping more and more people appreciate the advantages of clean fuel.
- **Adoption of LPG has received a boost with supplies ramping up and service improving:-**
  - In April 2014, there were 13,896 LPG distributors across India. This number is now 20,227. Another 3,750 distributorships will be commissioned in 2018-19.
  - Similarly, the loan deferment policy, which has allowed the recovery of loan amounts from Ujjwala customers, has been deferred for their next six refills starting April 1, 2018. **This allows customers to avail of the subsidy during this period.**
- **Fuel use reduced:-**
  - According to the World Health Organization, solid fuel use is responsible for about 13% of all mortality and morbidity in India and causes about 40% of all pulmonary disorders, nearly 30% of cataract incidences, and over 20% each of ischemic heart disease, lung cancer and lower respiratory infection.
  - About 75 crore Indians, especially women and girls, are exposed to severe household air pollution (HAP) from the use of solid fuels such as biomass, dung cakes and coal for cooking. A report from the Ministry of Health & Family Welfare places HAP as the second leading risk factor contributing to India's disease burden.

### Negatives:-

- The **cost for each LPG connection is between Rs 3,100-Rs 3,200**. Initially, under this scheme, per family indemnity of Rs 1,600 was being offered and families were paying Rs 1,500 for an LPG stove and gas cylinder.
- Another hurdle in the successful implementation of the scheme is that a **section of villagers doesn't consider LPG as primary cooking fuel**.
  - To make food in the villages, wood and dung extract is still considered cheap and effective. These are age-old practices and mindsets take a long to change.



#### ▪ Safety issues:-

- Among the surveyed states, the perception of LPG being unsafe is 46 percent. In states like Gujarat, Jharkhand, Odisha, Rajasthan and Uttar Pradesh, 50 percent or more households mentioned safety as a barrier.

#### ▪ Low awareness:-

- Low awareness with regard to advantages of LPG as a cooking fuel has been cited as a spanner towards the adoption of LPG. The report states that non-familiarity about operating an LPG stove is a concern expressed by 35 percent of the surveyed households.

#### ▪ Refill issues:-

- It is not easy to get the LPG cylinder refilled especially in rural areas.

#### Way forward:-

- Truly smokeless kitchens can be realized only if the government follows up with measures that go beyond connections to actual usage of LPG. This may require concerted efforts cutting across Ministries beyond petroleum and natural gas and including those of health, rural development and women and child welfare.

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

Q) India does not figure very high in terms of sporting achievement, but disproportionately high on athletes accused of doping. Examine why and discuss probable solutions to tackle the doping menace. (250 words)

#### Indian express

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

*Close on the heels of the recently concluded Commonwealth Games at Gold Coast, Australia, where the Indian contingent got rapped for alleged violations of the “No Needle Policy”, the Athletics Federation of India (AFI) has reportedly decided to implement a similar policy. This provides an opportune moment to analyze why so many Indian athletes are caught for doping and way of addressing this menace.*

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

*Following points are to be incorporated in your answer*

- *The status quo of doping in India*
- *The causes behind the high incidents of doping*
- *How to deal with it – steps required to check doping*
- *Performance of Indian sports regulatory agencies in checking this menace*

##### **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 – highlight the possible steps to address doping.*

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

**Introduction** – *Highlight the case in commonwealth which has again brought focus on the issue*

##### **Body**

- *Discuss the status quo of how many athletes caught and accused for doping*
- *Discuss the reasons behind the high number*



- *Discuss how sports regulatory agencies are tackling the issue*
- *Discuss what more should be done to address doping*

**Conclusion** – *discuss the way forward for ensuring that this issue is brought under control*

#### **Background:-**

- Some of the Indian athletes were sent home from the recent Commonwealth Games for breaching the ‘no-needles’ policy of the Commonwealth Games Federation.
- India had dropped from third to sixth place on the recently released World Anti-Doping Agency’s (WADA) 2016 List of Offenders. **From 120 sportspersons in 2015, only 69 were found guilty in the subsequent year.**

#### **Why high number of Indian athletes are accused of doping:-**

- Doping is a malaise that has afflicted Indian sports for far too long. India has reacted to this malaise mostly by sweeping it under the carpet.
- Over 91 Indian athletes from various different sporting events have failed dope tests. While the vast majority are track and field athletes (30), the other sports involved include weight-lifting, wrestling, power-lifting, bodybuilding, judo, boxing and various others.
- The reasons for the malaise are many :-
  - Peer pressure
  - Irresponsible advisers and fellow athletes
  - Unscrupulous coaches
  - Easy availability
  - Poorly administered federations
  - Human fallibility.
- **An athlete accused of inadvertent doping cannot get supplements tested for contamination, having no access to authorised laboratories.** The National Dope-Testing Laboratory (NDTL) is accessible only to NADA or the government.
- Low-key school and college competitions have become breeding grounds for dope cheats.
- **Lack of awareness:-**
  - Most of these athletes were not well-educated. They just take what their coaches give them.
  - **Harmless food supplements like proteins or vitamins used by athletes are often from unreliable sources like private shops or online purchase.**

#### **Current measures taken :-**

- Draft legislation is being framed to criminalise the anti-doping rule violation.
- It has been more than 11 years since the UNESCO brought forward the International Convention against Doping in Sport. It has been nine-and-a-half years since India ratified that convention and it has been four years since a draft National sports development bill mentioned the convention
- Indian anti-doping rules mirror the WADA code and prescribe a framework of strict liability. For this, the athlete first needs to establish how the prohibited substance entered his/her system. In reality, it disables an athlete caught in inadvertent doping.

#### **What needs to be done?**

- Any anti-doping initiative should aggressively **focus not only on detection but also on education and awareness.**
- Athletes, support staff, federations, sports medical personnel must be equipped with well-conceived literature, consultation and workshops.
- NADA’s efforts need to be supplemented by a **cadre of indigenous anti-doping experts.**



- The government **should create a source for safe permitted supplements. It would curb accidental doping.**
- **A framework must be created to constructively counsel athletes to understand the real causes, degrees of fault and administrative lapses.** Merely subjecting them to an arduous legal process before NADA is not a long-term solution.
- The culture of casual doping amongst athletes needs to change.
- There is a need to recognise the socio-cultural reality of our sportspersons.

#### **Conclusion:**

- Making doping a criminal offence, as was once proposed, is an untenable idea which would subject athletes to an already crippled criminal justice system. A nation with a burgeoning young population cannot let inertia put it on a murky sporting track.

Q) There is little reason to celebrate the findings of the recent report from the World Health Organisation about the decreasing incidence of smoking in India. Critically analyze. (250 words)

#### The hindu

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

*A recent report by the World Health Organisation, indicating a sharp decline in the number of tobacco smokers in India, is a welcome news. However, India is also home to 66% of the world's smokeless-tobacco users. This could offset the gains already made by India and can also lead to a lackadaisical approach on part of the government and policymakers. The question 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 the key findings of the recent report of World Health Organisation, vis a vis India ( its achievements), and also bring forth reasons as to why it's not yet time to celebrate our achievement. We have to form a personal opinion on the overall issue.*

##### **Directive word**

*Critically analyse- here we have to identify all the key aspects of the question and frame our answer accordingly. The key demand here is to highlight India's achievements in reducing the prevalence of smoking, as per the recent World Health Organisation report; and then discuss as to why India has fewer reasons to celebrate its achievements.*

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

**Introduction** – *mention the recently released report of World Health Organisation and briefly discuss India's achievements as per this report. Mention the reduction of the prevalence of smoking in India and the projected decline by 2025.*

##### **Body–**

- *Briefly discuss in points the positive effect of India's achievement. e.g reduce expenditure on a bad habit, reduced health expenditure, reduced mortality, increased productivity etc.*
- *Discuss in points, why it's not time to celebrate for India. E.g mention the number of smokeless tobacco users in the country, high proportion of adolescents among them, loopholes in the 2011 Food Safety and Standards Regulations- leaves unflavoured items, such as khaini or surthi, out of regulatory purview, mislabelling of smokeless tobacco is common etc.*

**Conclusion–** *mention the need to complement the efforts directed at reducing the prevalence of tobacco smoking with the more serious problem of smokeless tobacco in India.*



### Background :-

- WHO report released recently suggests that India's efforts to cut the prevalence of cigarette smoking are paying off. Between 2000 and 2015, this fell from 19.4% to 11.5%. By 2025, the report projected, it could drop to 8.5%, putting India well in line to meeting its 2025 target under a WHO global plan to tackle non-communicable diseases.
- However the use of smokeless tobacco is still largely prevalent in India.

### Positive effect of India's achievement:-

- Tobacco causes many health issues. With a favourable report people would spend less on this particular bad habit which leads to reduced out of pocket expenditure for health issues
- This will also lead to reduced mortality which will ultimately help in increasing productivity etc.

### However celebrating too early if of very little use :-

- **No global data available on smokeless tobacco:-**
  - Smokeless tobacco is the bigger scourge in the country. The WHO report doesn't model usage trends in this segment because of the paucity of global data. Other data, however, suggest that India is lagging on this front.
- **Failure of laws:-**
  - Even though there is a 2011 government ban on the sale of food items with tobacco or nicotine in them, the consumption of gutkha, khaini and zarda continues to be rampant.
  - The Global Adult Tobacco Survey in 2016, for example, found that 29.6% of Indian men and 12.8% of Indian women were users. Children are victims of this lethal addiction too.
  - The food safety rules target pre-mixed tobacco products, such as gutkha, which contains lime, sugar and other spices. **This leaves unflavoured items, such as khaini or surthi, out of regulatory purview.**
- **Productivity of youth lost:-**
  - Given that 66% of the world's smokeless-tobacco users are in India, a sizeable chunk of this number would be Indian teenagers. Against this background, the drop in cigarette smoking rates gives India little cause to celebrate.
- **Huge health impact:-**
  - Gutkha and other chewable tobacco items are equally harmful compared to cigarettes. Surveys show that these products are sometimes mixed with carcinogenic compounds called nitrosamines.
- **Mislabelling:-**
  - Meanwhile, mislabelling of smokeless tobacco is common. Even when a product contains tobacco, it is passed off as being tobacco-free.
  - One of the tactics of the tobacco industry is to use flavours such as cardamom and saffron to attract youngsters, triggering life-long addiction.
- **Large segment of population affected:-**
  - Smokeless tobacco is cheaper source for consumers who are mostly from the low-income segment of society.

### Measures needed:-

- India should consider alternative regulatory measures, which will better achieve the objective of reducing tobacco consumption and be less investment-restrictive as well. One such measure is adopting **plain packaging regulation**.
- Another effective measure is to **increase taxes on tobacco products**.
- It is important to establish appropriate **data management, monitoring, and evaluation systems**.



- In addition, **oral cancer control policies** should be implemented to change the lifestyle and behavior of high-risk populations.

Q) India needs a third generation right to food legislation to address failings in its food security programme. Comment. (250 words)

The hindu

### Why this question

*National Food Security Act is a historic legislation, reflecting the evolution of the first generation and the second generation of food security agendas/concepts. It is opined that the situation has reached where the Indian food security programme needs to undergo the third generation reform. The question is related to GS2 syllabus under the following heading-*

*Issues relating to poverty and hunger.*

*And to GS3 syllabus under the following heading-*

*Issues related to direct and indirect farm subsidies and minimum support prices; Public Distribution System- objectives, functioning, limitations, revamping; issues of buffer stocks and food security; Technology missions; economics of animal-rearing.*

### Key demand of the question

*The question wants us to highlight the feelings in India's food security programme and express your opinion on, whether India needs a third generation right to food legislation.*

### Directive word

*Comment- we have to express our personal opinion on the issue. However, our opinion should reflect our understanding of the failings/ issues in India's food security programme and need for 3rd Generation legislative reforms in India's food security programme.*

### Structure of the answer

**Introduction-** *Mention the first ( problem of supply) and second generation (the problem of physical and economic access) reforms in the history of India's food security programme.*

### Body-

- 1. Discuss in points the issues associated with India's food security programme. e.g whole population is not covered, right to nutritious/ wholesome food not guaranteed, people like the homeless, helpless migrants still lack the access to food, a claim under the Act would not be available in times of "war, flood, drought, fire, cyclone or earthquake, the NFSA is framed in such a way that the courts can't go beyond the provisions of the NFSA in terms of what it could order the government to give citizens etc.*
- 2. discuss the issue of environmental degradation, climate change, increased incidence of disasters, and high vulnerability of Indian population, particularly those belonging to the lower segments, which demands to include stability of food supplies.*

**Conclusion-***mention the right to food as a basic human right and also mention India's commitments under the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights and mention how the third generation reforms would bring out the true spirit of the NFSA.*

### Background:-

- The right to food is a well established principle of international human rights law.As a state party to the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, India has the obligation to ensure the right to be free from hunger and the right to adequate food.
- In India in the first generation reforms there was problem of supply and in the second generation reforms there was a shift of the frame from the problem of availability to the problem of access.



### **India's Food security programme:-**

- India's current understanding of food security includes the four dimensions of access, availability, utilisation and stability
- India's National Food Security Act has two goals: increasing access to food and supporting its farmers

### **Issues with Indian food security programme and why third generation right to food legislation is needed:-**

- **Failure of government efforts:-**
  - In spite of ample quantities of grain, and a variety of government efforts such as the Public Distribution System, people were dying of starvation because they were unable to physically or financially (or both) reach this food.
  - Farm policies have resulted in unsteady output, low yield, non-uniform quality and volatile prices.
  - There are multiple schemes to address malnutrition. These include Public Distribution System, Midday Meal Scheme, Integrated Child Development Programme and so on.

These are implemented by as many ministries as there are schemes but **there is little coordination. Programme implementation is tardy and not uniform across the country.**

- **National food security act:-**
  - It does not guarantee a universal right to food. Instead, it limits the right to food to those identified on the basis of certain criteria.
  - It also specifies that a claim under the Act would not be available in times of war, flood, drought, fire, cyclone or earthquake. Right to food becomes most valuable in exactly these circumstances, so it is questionable whether the Act is effective in guaranteeing the right that it is meant to.
  - It does not look at food security in a more comprehensive manner.
  - The framing of the NFSA as being the final word on government commitments to provide food security to citizens might instead have the result of limiting the courts with respect to how far citizen entitlements can be extended.
  - **NFSA predominantly mentions just rice and wheat**
  - It is largely **silent on the issue of stability of food supplies**
- **India's grim performance in multiple indicators:-**
  - The Food and Agriculture Organisation (FAO) of the United Nations, in its report depicted that 5 per cent of the population is undernourished in India.
  - Also, 51.4 per cent of women in reproductive age between 15 and 49 years are anaemic.
- Further, 38.4 per cent of the children aged under five are stunted while many suffer from wasting, meaning their weight is too low for their height.
  - Malnourished children have a higher risk of death from common childhood illnesses such as diarrhea, pneumonia, and malaria.
  - The Global Hunger Index 2016 ranked India at 97 out of 118 countries
- **Structural issues in agriculture:-**
  - **Fragmented landholding, monsoon dependence, inadequate irrigation, lack of technology inputs, poor state of rural infrastructure** and so on have not been sorted out.
  - India's agricultural system is an example of growth without equity and little distributive justice, an important cause of its poor nutrition status.
- **Climate change:-**
  - Besides, there are the upcoming challenges like land constraints, looming water shortage and climate change.



- Continued grain mono-cropping (rice-wheat-rice cycle) in certain regions has resulted serious deterioration of soil health and alarming decline in the water table. In other words, an **environmental disaster is waiting to happen.**
- **Nutrition issues:-**
  - There is pervasive under-nutrition especially in rural areas with PEM (protein and energy malnutrition). **Government policies support subsidised delivery of calories but not proteins.**
  - Despite growing production, India's protein use has gradually declined in the last 20 years.
  - India's agriculture and food policies (covering production, processing and consumption) in recent years have focused on two fine cereals, rice and wheat and have paid considerably less attention to nutritious coarse cereals (nutri-cereals), pulses and oilseeds
  - The country faces the risk of moving towards nutrition insecurity. Inter-State variations in the nutrition status are stark. **The long-term implications of under-nutrition are serious given the age profile of the population.**

#### Reforms needed are:-

- **Long term measures:-**
  - **There is a need to frame a third generation food security law, recognise and mainstream issues including increasing natural disasters and climate adaptation.** Such a framework would robustly address the challenges facing the country's food security across all the dimensions and make a coordinated effort to resolve them.
  - **Food security brings together diverse issues such as inequality, food diversity, indigenous rights and environmental justice.** Given the current crises in India, it is time India prepares a third generation right to food legislation that recognises climate change.
  - **Involve corporate sector:-**
    - India can extend calls to corporate sector, especially those in the food industry, to contribute in **creating a network of food banks in poor regions in coordination with local administration.**
    - With the issue of lack of access of adequate food among urban poor encourage hotels industry to form network to distribute surplus food.
  - **Comprehensive approach by integrating technologies, policies, institutions and agri infrastructure is necessary** to usher in a new green revolution, in eastern India this time
  - **Reforms in PDS needed:-**
    - Some of the people below poverty line households were non-beneficiaries as they did not possess ration cards. **Such unintended omissions could be minimised by strengthening the identification mechanism.**
    - The density of fair price shops is still lower so **efforts are needed to widen the distribution network to remote corners to enhance access.**
    - There is still room for minimising wastage and losses resulting from poor handling and storage of grains. **Continued research and improvements in logistics throughout the distribution chain is imperative.**
    - Appropriate choice of food including bio fortified food, if distributed, can help in addressing recalcitrant micronutrient deficiencies such as vitamin A and anaemia.
  - **National nutrition mission:-**
    - **Since each state has invested heavily in PDS and revamping is already under way, it would be cost-effective to make it as a platform to achieve some of the proposed goals under National nutrition mission.**
    - The respective states can provide necessary nutrients such as pulses and millets to women along with grains and possibly promote dietary diversification as per the culture, tastes and preferences of people.



- There is a need to **recognise the close relationship between agriculture, nutrition and health.**
- **Short term measures :-**
  - **Setting up affordable food canteens on the lines of Chennai's Amma Canteen could be one way.**
  - Agriculture is basically cereals-driven. Pulses and edible oils should be included in the national food security programme.
    - Turn policy focus slightly away from fine cereals to nutri-cereals, pulses, oilseeds, milk, poultry and fish
    - Include pulses and edible oil under the public distribution system and National Food Security Act
    - Encourage food fortification; and
    - Raise protein and micro-nutrient content in MDM and ICDS foods.

Q) Analyze how Samagra Shiksha Abhiyan is an improvement over its constituent schemes? (250 words)

### Financial express

#### **Why this question**

*Samagra Shiksha Abhiyan aims at unifying learning from pre-school to class 12 levels by treating education holistically as continuum from pre-school to class 12. It encapsulates elements of previous scheme and focuses on digital education by giving emphasis on integration of two Ts – Teacher and Technology. The scheme thus tries to create a paradigm shift in education system and how it does so needs to be analyzed in depth.*

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

*The question focuses on analyzing the improvements made in the current scheme with respect to its constituent schemes. Thus the positives of the scheme has to be brought out. In case, we feel that there are certain shortcomings, those can be highlighted as well.*

#### **Directive word**

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

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

**Introduction** – Explain Samagra Shiksha Abhiyan.

**Body** – Analyze how SSA is an improvement over the previous schemes. Bring out points like holistic assessment, focus on teacher quality, incentivizing states for good performance, incorporation of technology etc. Highlight any shortcomings that you feel are there.

**Conclusion** – Mention that SSA is in tune with the need of the hour and requires sound implementation.

#### **Samagra shiksha abhiyan:-**

- The Union Ministry of Human Resource Development (HRD) launched Samagra Shiksha scheme to **improve quality of school education.**
- **Aim:-**
  - The scheme aims at improving quality of education, enhancing learning outcomes and using technology to empower children and teachers.
  - Samagra Shiksha Scheme aims at unifying learning from pre-school to class 12 levels by treating education holistically as continuum from pre-school to class 12. It encapsulates elements of previous scheme and focuses on digital education by giving emphasis on integration of two Ts – Teacher and Technology.



- The scheme subsumes three existing schemes: Sarva Shiksha Abhiyan (SSA), Rashtriya Madhyamik Shiksha Abhiyan (RMSA) and Teacher Education (TE) to treat school education holistically, from pre-school to Class XII.
- **Objectives of scheme**
  - Provision of quality education
  - Enhancing learning outcomes of students
  - Bridging social and gender gaps in school education
  - Promoting vocationalisation of education
  - Strengthening teacher education institutions like SCERTs and Diets to improve quality of teachers
  - Providing annual grant of Rs 5,000 to Rs 20,000 per school for strengthening of libraries

#### **How is it better than previous schemes:-**

- **Holistic assessment:-**
  - It is the first integrated scheme extending unified support to states from pre-school to senior secondary levels. **It is paradigm shift in conceptual design of school education by treating school holistically as continuum** from pre-school, primary, upper primary, secondary and senior secondary levels.
- **The scheme builds on grade-wise, subject-wise Learning Outcomes and largest National Achievement Survey (NAS)-2017-18** to strategize district level interventions for improving quality of education. It will help to shift **focus of student learning from content to competencies**.
- The **scheme envisages active participation of all stakeholders** especially parents, school management committee (SMC) members, community and state functionaries towards efforts to ensure quality education to children.
- **It also extends benefits of Kasturba Gandhi Balika Vidyalaya scheme**, under which girls from disadvantaged sections are provided education with hostel facility from class 6-8 to class 6-12.
- **Teacher quality:-**
  - The scheme focuses on **strengthening teachers**, the crucial pillar of education system by making SCERTs and DIETs nodal agencies for teacher training. These institutions will be strengthened to emphasize integration of in-service and pre-service training structures in states to make it need-focused and dynamic. This will **strengthen quality of teaching** in schools across levels.
- Getting rid of the segmented approach to school education policy should prove a blessing, especially in tackling high middle-school dropout ratios.
- **States :-**
  - This scheme will enable reaping the benefits of technology and widen the access to good quality education across all States and UTs and across all sections of the society.
  - The grants given to states are performance based thus ensuring competitive federalism for getting funds

#### **Criticism:-**

- It is criticized as old wine in a new bottle:-
  - The new scheme is similar to SSA and the RMSA, is designed to ensure the opening of new and upgraded schools from Class 1 to 12, with an addition of giving preference to children from areas affected by Left-Wing Extremism, border areas, and backward blocks.
  - Transport facility, which existed in the previous schemes, is part of the new scheme as well, along with the provision of free books and uniforms.
  - Other things in common include the reimbursement of 25 per cent of the admission fees for economically weaker sections, and the intervention for enhancement of learning outcomes and developing modules for teacher-learning.
  - Digital initiatives in schools are also more or less the same as the previous schemes



### **Conclusion:-**

Despite some concerns it is a comprehensive programme which is required to give push to the holistic approach to education.

Q) India suffers from a huge malnourishment problem, which in turn is related to a number of factors. Discuss the initiatives taken by the government to address the issue. (250 words)

*Yojana magazine, May 2018 (Nutrition) issue*

#### **Why this question**

*Malnourishment is a multi-dimensional problem and India is home to the largest number of malnourished children. The government has taken various initiatives to address the important dimensions of the problem. 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.*

*Issues relating to poverty and hunger.*

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

*The question simply wants us to discuss the initiatives taken by the government of to address the issue of malnourishment in India. However, we have to discuss the programs/ initiatives in relation to all the dimensions of the problem-health, hygiene, intake, quality etc.*

#### **Directive word**

*Discuss- This is an all-encompassing directive and it directs us to be exhaustive in our approach to the answer. We have to write at length about all the important initiatives taken by the govt to address the multidimensional issue of poverty.*

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

**Introduction-***mention that malnourishment is a multidimensional problem (poverty, undernourished mother, sanitation, lack of awareness etc) and present some statistics about malnourishment in India.*

#### **Body-**

- *Discuss in points various initiatives taken by the govt to address the issue in all its dimensions. Briefly discuss the aims of those initiatives.*

*E.g ICDS, Indira Gandhi Matritva Sahyog Yojana, Reproductive Child Health RCH-II, National Rural Health Mission (NRHM), Janani Suraksha Yojana (JSY), Rajiv Gandhi National Creche Scheme, Total Sanitation Campaign, National Rural Drinking Water Programme, Mid day Meals, Sarva Shiksha Abhiyan (SSA), Rajiv Gandhi Scheme for the Empowerment of Adolescent Girls (RGSEAG), Kishori Shakti Yojana, NRHM, MNREGS, Skill Development Mission, Women Welfare and Support Programme, Adult Literacy Programme, TPDS, AAY etc.*

**Conclusion-***give your suggestions ( e.g need for coherence and linking together all initiatives, increased spending on health and nutrition etc) and form a fair and a balanced conclusion on the above issue.*

### **Background :-**

- India is home to over 40 million stunted and 17 million wasted children (under-five years).

### **Factors responsible for high malnutrition in India:-**

- The **problem of malnutrition is intergenerational and is dependent on multiple factors** such as
  - Optimal Infant and Young Child Feeding (IYCF) practices



- Immunisation
- Institutional Delivery
- Early Childhood Development
- Food Fortification
- Deworming
- Access to safe drinking water and proper sanitation (WASH)
- Dietary Diversification and other related factors i..e. Socio-behavioural aspects.
- **Mothers:-**
  - Many children are born to anaemic and malnourished teenage mothers. Indeed, 33.6 per cent of Indian women are chronically undernourished and 55 per cent are anaemic.
- **Lack of food security:-**
  - The dismal health of Indian women and children is primarily due to lack of food security.
  - Nearly one-third of adults in the country have a body mass index (BMI) below normal just because they do not have enough food to eat.
- **Failure of government approaches:-**
  - India already has two robust national programmes addressing malnutrition the Integrated Child Development Service (ICDS) and the National Health Mission but these do not yet reach enough people.
- The delivery system is also inadequate and plagued by inefficiency and corruption. **Some analysts estimate that 40 per cent of the subsidised food never reaches the intended recipients**
- **Disease spread:-**
  - Most child deaths in India occur from treatable diseases like pneumonia, diarrhea, malaria and complications at birth. The child may eventually die of a disease, but that disease becomes lethal because the child is malnourished and unable to put up resistance to it.
- **Poverty:-**
  - The staff of ICDS places part of the blame of malnutrition on parents being inattentive to the needs of their children, but crushing poverty forces most women to leave their young children at home and work in the fields during the agricultural seasons.
- **Regional disparities** in the availability of food and varying food habits lead to the differential status of undernutrition which is substantially higher in rural than in urban areas. This demands a region-specific action plan with significant investments in human resources with critical health investments at the local levels.
- **Lack of nutrition:-**
  - Significant cause of malnutrition is also the deliberate failure of malnourished people to choose nutritious food.
  - An international study found that the poor in developing countries had enough money to increase their food spending by as much as 30 per cent but that this money was spent on alcohol, tobacco and festivals instead.

#### **Initiatives taken by government:-**

- **ICDS:-**
  - High priority was accorded to reducing undernutrition in preschool children. The Integrated Child Development Scheme (ICDS) was aimed at providing food supplements to children from poor and marginalised sections to bridge the gap between requirement and actual dietary intake.
  - Another component of ICDS programme was weighing children for early detection of growth faltering and undernutrition.



- **Universal Salt Iodisation:-**
  - National Iodine Deficiency Control Programme (NIDDCP) was initiated in 1992 with the goal that all salt for human consumption will be iodised to ensure universal household access to iodised salt.
- There are a number of existing programmes targeting nutrition outcomes, directly or indirectly. These include the National Health Mission – Janani Suraksha Yojana, the National Rural Drinking Water Programme, Matritva Sahyog Yojana, SABLA for adolescent girls, Mid-day Meal Scheme, Targeted Public Distribution System, National Food Security Mission, MGNREGA and the National Rural Livelihoods Mission among others.
- **National Nutrition Mission :-**
  - NNM has introduced a central nodal agency with extensive financial resources to coordinate various central and state government schemes and imbue them with additional financial resources.
  - The programme will cover all states and districts in a phased manner.
  - The core strategy of the mission is to create decentralised governance systems with flexibility given to states, districts and local level with robust monitoring, accountability and incentive frameworks that will encourage local solutions.
  - More than 10 crore people are likely to be benefitted by this programme.
- **POSHAN Abhiyaan -PM's Overarching Scheme for Holistic Nourishment from Jhunjhunu in Rajasthan.**
  - The programme through the use of technology, a targeted approach and convergence strives to reduce the level of stunting, undernutrition, anemia and low birthweight in children, as also, focus on adolescent girls, pregnant women and lactating mothers, thus holistically addressing malnutrition.
  - The programme aims to ensure service delivery and interventions by use of technology, behavioural change through convergence and lays-down specific targets to be achieved across different monitoring parameters over the next few years.
- Indian Government has taken important steps, such as **the release of fortification standards for five staples by the Food Safety and Standards Authority of India (FSSAI)** to fight micronutrient malnutrition, release of food composition tables by the National Institute of Nutrition to increase focus on dietary diversity, and now, the release of nutrition data to address the issue of malnutrition more holistically.
- The **Sustainable Development Goal (SDG)-2 goal, which aims to “end hunger, achieve food security and improved nutrition and promote sustainable agriculture”, is a priority area for India**, which can offer key solutions for hunger and poverty eradication and also tackle the issue of malnutrition and undernourishment in the country.

#### Way forward:-

- Package of basic measures like including programmes to encourage mothers to exclusively breastfeed their children for up to six months, fortifying basic foods with essential minerals and vitamins, and increased cash transfers with payments targeted at the poorest families can turn the tide.
- Some other recommendations are for universal access to infant and young childcare, including ICDS and crèches, provisions to provide biannual critical nutrient supplements and programmes aimed at deworming children.
- In the area of maternal care, the strategy proposes that the government provide nutritional support in particular, the adequate consumption of iodised salt to mothers during pregnancy and lactation.
- India is facing a double-burden of malnutrition: Over-nutrition and under-nutrition existing simultaneously, **there is a pressing need for a multi-sectoral approach along with nutrition-sensitive and nutrition-specific interventions to address the problems holistically.**
  - For this, there is a need to reiterate the priorities which may include, **spreading of knowledge and awareness regarding safe food, diversifying food baskets, putting women and children at the centre of any nutritional intervention and leverage on modern technologies to impart nutrition-linked messages and sustainable agricultural practices.**



- **Strengthen and restructure ICDS and leverage PDS :-**
  - ICDS needs to be in mission mode, with a sanction of adequate financial resources (from the central government) and decision-making authority.
- **Extend coverage of food fortification of staples:-**
  - Currently, fortification of staples is limited to the mandatory iodisation of salt. However, the Food Safety and Standards Authority of India (FSSAI) is in the process of formulating draft standards for the fortification of foodgrains which will add to the nutrient value.
  - This would help in providing sufficient calories and micronutrients to a large number of children under-five.
- **Target multiple contributing factors**, for example, WASH – The underlying drivers for India's 'hidden hunger' challenges are complex and go beyond direct nutritional inputs. The push for toilet construction must be combined with a strategy for behavioural change.
- **Align agricultural policy with national nutritional objectives** – Agriculture policy must be brought in tune with nutritional policy, with incentives provided for encouraging the production of nutrient-rich and local crops for self-consumption.

Q) Private sector can play a significant role in addressing the nutritional woes of India. Analyse. (250 words)

*Yojana magazine, May 2018 (Nutrition) issue*

### **Why this question**

*Although government has taken several measures and introduced many schemes to address the issue of malnutrition in India, the efforts have not been enough in addressing the problem. Therefore if private sector can supplement the role of the govt, then it would hasten India's progress towards a healthy society. 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.*

*Issues relating to poverty and hunger.*

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

*The question wants us to bring out the role private sector can play in addressing India's nutritional woes (malnourishment as well as obesity). We have to express our understanding of the issue and discuss how it can be done.*

### **Directive word**

*Analyze- We have to dig deep into the question and discuss the need to rope in private sector and the role it can play in addressing the nutritional problems of India.*

### **Structure of the answer**

**Introduction** – *Present some statistics about the severity of malnourishment in India- its prevalence, and also obesity. Mention the SDG of ending malnutrition by 2030.*

### **Body–**

- *Discuss the need to bring in private sector. E.g mention a few important govt schemes aimed at ending malnourishment and argue that despite so much efforts the progress has not been upto the mark; and given the severity of the problem and need to achieve SDG means that the efforts have to be scaled up.*
- *Discuss how private sector can play a role n addressing the nutritional problems of India.*
- *E.g Attracting/ influencing customers to purchase nutritional products, Tech-enabled nutrition awareness and service delivery, Influencing cooking practices through awareness programmes and strategies, Workplace nutrition programmes, CSR support for nutritional programmes etc.*



**Conclusion-** based on the above discussion, form a fair and a balanced opinion on the overall issue.

### **Background :-**

- Given that many child deaths are because of under nutrition, tackling it should be the highest of priorities for Indian decision makers. With this in mind, as most people, even the rural poor, purchase at least some of their food from markets, there is increasing interest in understanding how and when the private sector, might be effective in using the market to deliver nutritious foods to those most likely to suffer from undernutrition.

### **Why private role is needed :-**

- **Public health crisis:-**
  - The scale of malnutrition in India constitutes a public health crisis, which not only violates a fundamental right of humanity, but also undermines significant advances made in economic, social, and cultural indicators.
- An investment in nutrition is one of the most compelling economic investments, not to mention the substantial humanitarian returns: for every \$1 invested in nutrition, a country can get \$16 in returns (GNR, 2016).
- **Nutrition is not the priority:-**
  - Despite moderate progress over the past two decades, including the significance of the National Food Security Act 2013, which enshrines the basic right to food in law, nutrition has failed to attract priority status in the Government's health agenda.
- **Issues with government approach:-**
  - More specifically, the current institutional structure has so far failed to correctly map the time frame for focused intervention, and state spending directed at nutrition and micronutrient supplementation continues to be low.
  - These challenges are compounded by the continued lack of clarity in identifying the nodal ministry from which to coordinate the Government's various nutrition programmes, including the Integrated Child Development Scheme (ICDS) and the National Rural Health Mission (NRHM).
  - With current interventions retaining a focus on addressing malnutrition post-birth, the importance of intervening during the first 1,000 days of a child's life cannot be over emphasised.

### **How private sector can help :-**

- **Food fortification represents an opportunity ripe for private sector collaboration**, especially in the role for public-private partnerships (PPPs) to introduce the appropriate technology (for making nutritious food affordable), boosting the low levels of nutrition awareness in urban and rural communities, and supplementing government delivery systems.
- **Multi-sectoral partnerships are of critical importance in plugging delivery gaps:**
  - With the trend towards packaged food moving into the consumption basket of rural households, there exist increasing opportunities for the private sector to engage in food distribution and food fortification, provide micronutrient supplementation, and promote dietary diversification.
- While Anganwadi Centres represent an appropriate platform for such engagement, **common people do not understand complex communication**. This reinforces the need for private sector outreach interventions aimed at spreading awareness about the importance of the first 1,000 days of a child's life to households at the bottom of the socio-economic pyramid.
- **The private sector therefore has a key role to play in developing sustainable agriculture and delivering nutrition for all people**. As governments cannot feed people on a sustainable basis, they need to deal with structural conditions which constrain development while at the same time promote policies which will enable the private sector to continue to innovate and invest in the food and agriculture sector. This includes supporting local business development.



- **Attracting/ influencing customers to purchase nutritional products:-**
  - Due to their efficient marketing strategies private sector can play a significant role in educating customers about nutrition
- **Tech-enabled nutrition awareness and service delivery:-**
  - With advanced technologies like AI, Big data proper analysis can be done on nutrition to get more clarity and information and then target the people based on it.
- Influencing cooking practices through awareness programmes and strategies
- Workplace nutrition programmes
- CSR support for nutritional programmes

#### Issues:-

- **The food must be affordable.** Processed foods which have been fortified are often too expensive for the poorest and those most at risk of undernutrition.
- **The food must be safe and contain the nutrients that they claim to have:-**
  - When purchasing iodized salt or fortified flour, a consumer cannot tell if the product actually contains the nutrient which the package claims- they must trust that the claims are true and that someone is responsible for ensuring that manufactures are complying with regulations.
- **Nutritional content of foods is not the only factor motivating consumer choice:-**
  - In reality it is just one of the many factors people consider along with taste, ease of preparation, and cultural preference, among others.
- **The nutritious food must be available in the local market:-**
  - This can be a particular challenge in rural areas, where low population densities, high distribution costs, poor infrastructure and low purchasing power mean that it is often not financially viable for companies to distribute products in rural areas.

#### Way forward:-

- Three key actions are needed to result in 'better access of better food and nutrition for more people'
  - Connect agriculture, food and nutrition at all levels
  - Invest in new ideas and delivery models
  - Align agendas (including a One UN agenda on nutrition) and work together on the Zero Hunger Challenge .Make zero hunger a cross-sector objective and ensure the post-2015 MDG agenda includes nutrition security as an explicit part of food security and vice versa.
- **Boost private sector engagement in nutrition interventions :-** The government should facilitate PPPs in the sector that can leverage technological solutions for scaling up food fortification initiatives and complement the government's outreach efforts through mass awareness.

Q) How far do you agree with the view that healthcare expenditure is a major cause of poverty in India? Critically examine the steps taken in recent years to reduce the burden of expenses related to healthcare? (250 words)

#### Indian express

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

*The government has introduced several schemes and taken executive actions which would reduce Out of pocket expenditure on healthcare. One of the objectives is also to address poverty caused due to costly healthcare. Hence this question.*



### Key demand of the question

*The question expects us to examine the interrelationship between poverty and healthcare related costs. Thereafter it expects us to enlist the steps taken by the government and critical analysis of whether or not they would be helpful in addressing this issue.*

### Directive word

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

### Structure of the answer

**Introduction** – Highlight the key steps taken by the government to reduce cost of healthcare and the overall objective.

**Body** – Bring out how high cost of healthcare is a major reason for poverty in India. Post that, discuss the steps taken by the government in recent times to address this issue – Ayushman Bharat, capping of stent prices, national health policy etc. Assess how far these measures would help in bringing down healthcare cost.

**Conclusion** – Summarize your view and discuss the importance of success of these steps.

### Background:-

- Indian healthcare system can reasonably be characterised as low-cost by global standards, but it still is unaffordable to a majority of the Indian population.
- India accounts for over half of the estimated 100 million people pushed into poverty worldwide every year due to out-of-pocket expenses on healthcare, a joint report on universal health coverage by the World Health Organisation and World Bank has revealed.

### Healthcare expenditure is a major cause of poverty in India:-

- Approximately 63 million people fall into poverty each year due to **lack of financial protection for healthcare needs**.
- With a 22 per cent shortage of primary health centres and 32 per cent shortage of community health centres, it is estimated that **50 per cent of beneficiaries travel more than 100 kms to access quality care**.
- Household out-of-pocket (OOP) health expenditure in India is one of the highest in the world and constitute 71.1 per cent of the total expenditure on health while the public health expenditure remain low hovering around 1 per cent of the GDP.
  - Out of pocket expenditure **constitutes more than 60 per cent of all health expenses**, a major drawback in India where a large segment of the population is below the poverty line.
  - High out-of-pocket health expenditure is a major source of inequity in financing health care and its effect on households impoverishment varies across states and sub-groups.
  - **High OOP payment for health care and lack of comprehensive insurance coverage** has exposed vulnerable households to the risk of impoverishment. The OOP health care expenditure and its implication on impoverishment is a reflection of multifaceted interface of health system, economic structure, risk pooling mechanism, income distribution, living standard, financial coping strategies and disease burden.
  - Due to high out of pocket healthcare expenditure, about 7% population is pushed below the poverty threshold every year.
- With an estimated per capita income of less than \$3 a day, **private healthcare service is beyond the reach for almost 80% of the population**.
- Despite the enhanced share of states in central taxes after the 14th finance commission the increase in health budgets by some states has been marginal.



### Steps taken recently to reduce the burden of expenses related to healthcare:-

- **Rashtriya swasthya Bhima yojana:-**
  - Of the 59 million households eligible, over 36.3 million (61%) were covered by RSBY. However, it needs to cover a large proportion of the poor for its impact to be noticeable.
  - **Issues with this are:-**
    - Low enrolment, inadequate insurance cover and the lack of coverage for outpatient costs.
    - An insurance cover of Rs 30,000 is inadequate for a family of five.
    - The cost of hospitalisation increased 10.1% in rural areas and 10.7% in urban India in the decade ending 2014, but the RSBY insurance amount has remained the same over the nine years of the scheme's existence.
  - The **Pradhan Mantri Suraksha Bima Yojana** is an accident insurance scheme, which offers a one-year accidental death and disability cover, which can be renewed annually.
  - **Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY)** is a one-year life insurance scheme, renewable from year to year, offering coverage for death.
  - **The Pradhan Mantri Swasthya Suraksha Yojana (PMSSY)** was announced in 2003 with objectives of correcting regional imbalances in the availability of affordable/ reliable tertiary healthcare services and also to augment facilities for quality medical education in the country.
- **National health policy 2017:-**
  - These include the formulation of the **National Health Policy, 2017, enforcing a ceiling on the prices of cardiac stents and knee implants, financial aid to expecting mothers and a renewed focus on nutrition.**
- The **Ayushman Bharat (AB) Scheme** is another most significant of these programmes :-
  - Under the aegis of Ayushman Bharat, the National Health Protection Mission (NHPM) is envisaged as a game-changer for India's healthcare system.
  - It will add weight to the government's healthcare reforms and help it fulfill the country's SDG commitments.
  - AB-NHPM has evolved a structure that accommodates the unique features of state schemes while also providing flexibility to states to exercise their choice on the mode of implementation. It will merge the existing schemes into one large pool, remove inefficiencies and bring in economies of scale.
- **Generic medicine :-**
  - By promoting generic drug consumption, the government safeguards the health of its generic drug manufacturing industry one of the largest suppliers of low-cost medicines in the world.
  - The Government has launched '**Jan Aushadhi Scheme**' to make available quality generic medicines at affordable prices to all, especially the poor, throughout the country, through outlets known as Jan Aushadhi Stores (JASs).

### Criticism:-

- **Health insurance mandatory:-**
  - Currently, only around four per cent of the country's population has health insurance coverage. This has essentially led to a situation where out of pocket healthcare spending constitutes 86 per cent of total healthcare spends. **The reason for the low penetration of health insurance is because currently, it is optional.**
- **The GST factor :-**
  - The sale of healthcare equipment, devices and services to healthcare service providers, such as hospitals and diagnostic clinics, is chargeable to indirect taxes. However, the final sale of patient care /diagnostic



services by the hospitals/clinics is exempt from indirect taxes (such as VAT and service tax). **This results in accumulation of indirect taxes at the level of hospitals and clinics.**

- Since healthcare providers are unable to pass on these taxes to the patient, they will have no option but to pay these taxes into their fees/charges that they charge to the patient. This will lead to an increase in healthcare costs for the patient.
- **Indian private healthcare system has a similar Diagnosis-Related Group(DRG)-based cost structure called 'package'.**
  - While the 'package' model promotes low-cost healthcare since hospitals can gain competitive advantage by offering a lower-rate package for the same DRG, negative externalities sometimes overrun its positive aspects.
  - In an attempt to keep the cost of the 'package' low and homogenous, 'package' charges are typically not adjusted for age or pre-existing co-morbidities that may drive up the cost of the procedure.
- **The focus of the National health protection scheme Mission** seems to be on hospitalisation (including pre and post hospitalisation charges). However, most of the out of the pocket expenditure made by consumers is actually on buying medicines (52%) as seen earlier. Further, these purchases are mostly made for patients who do not need hospitalization.
- There are three fundamental areas of concern for generic medicine :-
  - The first relates to the **efficacy of Indian-made drugs**. Often times, such drugs have been found to contain less than the required amount of active pharmaceutical ingredient (API), rendering them ineffective.
  - Closely linked to the issue of efficacy is **the lack of data integrity**. The poorly managed documentation practices of Indian generic firms featured as the primary criticism flagged by foreign regulatory authorities.
    - The lack of reliable and complete data on the test results of specific drug batches, along with inconsistencies in the records presented, meant that inspection and verification of drug quality was extremely difficult.
  - **Another aspect relates to the hygiene standards of the manufacturing plants**. Individuals suffering from illness are especially susceptible to infections, and inspections of generic drug plants reveal pest infestations and dilapidated infrastructure.

#### Way forward:-

- **Reducing cost of healthcare services needs to be given top priority if the country aims to achieve UHC by 2030:-**
  - India needs a holistic and balanced approach to bring down the cost of healthcare services through rational policies, health schemes, innovations and solutions.
  - Apart from price control measures, India needs to explore other mechanisms to ensure affordable services through overall asset management by taking innovative 'digital health' initiatives and systematically focusing on 'prevention and wellness'.
- The Government can also explore making health insurance coverage mandatory for all citizens in a phased manner, initially covering the organised sector.
- **Domestic manufacturing :-**
  - To help encourage domestic manufacture of MRI devices, as a part of the 'Make in India' strategy and make technology more accessible and affordable, **there is a need to lower the existing rate of customs duty as it would take around 2-3 years for domestic manufacturers to introduce this technology to India, given the need for investments.**
  - It is also important to create an environment supportive of domestic manufacture of essential items, but care must be taken to import high-tech medical equipment, like Linear Accelerator, PET-CT, MRI, heavy duty blood testing automated analysers and their reagents, at nominal rate of import duty so that high quality diagnostics and treatment are available to the masses at affordable prices.



- **Engaging private sector network's capacity :-**
  - The private sector can play an effective role in supporting this endeavour. While unethical profiteering is deplorable, it has been proved that new solutions and innovations offer enough scope for the private sector to cut down prices to a reasonable level, which can help achieve accessibility and affordability without compromising on the minimum standards of quality.
  - With proper asset management, activity-based costing and new IT-driven solutions in admission, transfer and discharge and focus on other areas can bring in the desired reduction in costs.
- **GST on sale of healthcare equipment/devices, healthcare insurance and other services be put under 0 to five per cent slab** and the process to avail input credit should also be simplified. Currently, products and services offered by the healthcare sector mostly fall under the 12 per cent or 18 per cent GST slab.
- **International lessons:-**
  - India can look into Vietnam's compulsory, state-run health insurance policy. It covers both inpatient and outpatient costs after the policy was reformed in 2002 to include outpatient costs. The change resulted in lower out-of-pocket expenditure even though it led to longer hospital stays. It also resulted in fewer days of missed school and work.
  - Experts also recommend the strengthening of primary care in order to bring down out-of-pocket expenditure. Neighbouring nations Sri Lanka and Thailand have both strengthened their primary health care system to provide better coverage.
- **States:-**
  - The number one priority must, thus, be the replication of the Tamil Nadu/Rajasthan model of free medicines in all states, and pharmaceutical PSUs must be re-energised and reinvented instead of the government disinvesting in them.

Q) Discuss the role of Central Bureau of Health Intelligence (CBHI) in strengthening the Health Information system in the country. (250 words)

[Reference](#)

[Reference](#)

### Why this question

*The question is related to GS-2 syllabus under the following headings-*

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

*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 write at length about the role of CBHI in strengthening the health information system in India. We have to discuss all the related aspects of the question (CBHI) and be as exhaustive as possible ( of course within the word limit).*

### Directive word

*Discuss- This is an all-encompassing directive and here we have to write about the nature of CBHI, its vision and important activities it performs.*

### Structure of the answer

**Introduction** – *Mention that CBHI was established in 1961 by an Act of Parliament on the recommendation of Mudaliar committee. It is the Health Intelligence Wing under Directorate General of Health Services (Dte.GHS), Ministry of Health & Family Welfare (MoHFW).*



### Body-

- *Briefly discuss the vision of the CBHI and relate it to the importance of the work. We have to discuss why having a robust Health Management Information System (HMIS) is important.*
- *Discuss in points the important activities undertaken by CBHI. e.g National Health Profile, information on reform initiatives for Health Sector Policy Reform Option Database, National Health Resource Repository, Training and education, Collaboration with international bodies etc.*

**Conclusion-** *Reiterate the need for a strong HMIS in the country and suggest (if possible) how CBHI can be made more effective. Else, just conclude with a fair and a balanced opinion on the CBHI.*

### Background:-

- Health Management Information Systems is one of the six building blocks essential for health system strengthening. HMIS is a data collection system specifically designed to support planning, management, and decision making in health facilities and organizations.
- The health information system provides the underpinnings for decision-making and has four key functions: data generation, compilation, analysis and synthesis, and communication and use.
- The health information system collects data from the health sector and other relevant sectors, analyses the data and ensures their overall quality, relevance and timeliness, and converts data into information for health-related decision-making.

### Central Bureau of Health Intelligence:-

- CBHI, established in 1961, is the health intelligence wing of the Director General of Health Services in the Ministry of Health & FW, GOI with the vision to have a strong Health Management Information System in entire country.
- This national institution is headed by a SAG level medical officer with specialization in public health administration of Central Health Services (CHS), supported by officers from Indian Statistical Services as well as CHS through its field survey and training units.
- The Mission of CBHI is to strengthen Health Information system in each of the district in the country up to facility level for evidence based decision making in the Health Sector.

### Central bureau of health intelligence:

- The objective of CBHI is to
  - To collect, analyze & disseminate Health Sector related data of the country for evidence based policy decisions, planning and research activities
  - To identify & disseminate innovative practices for Health Sector Reforms
  - To develop Human resource for scientifically maintaining medical records in both Government & private medical Institutes in India
  - To carry out Need Based Operational Research for Efficient implementation of Health Information System & Implementation of Family of International Classifications in India
  - To sensitize & create a pool of Master Trainers in Health sector for implementation of Family of International Classification in India
  - To collaborate with National & International Institutes for imparting knowledge & skill development
  - To function as collaborating centre for WHO FIC in India & SEARO countries.

### Major Activities of CBHI

- CBHI collects primary as well as secondary data on various communicable and non-communicable diseases, human resource in health sector and health infrastructure from various Government organizations/ departments to maintain and disseminate Health Statistics through its annual publication “**National Health Profile**”.
- **CBHI collects the information on reform initiatives for Health Sector Policy Reform Option Database (HS-PROD).**
  - CBHI solicits information on such reforms from State/UT governments, health program managers, researchers, teachers and institutions in order to regularly update this national database.



### ▪ National Level Man-power Development Training Programs:-

- For capacity building and human resources development in health sector, CBHI conducts in-service training programme for the officers and the staff working in various Medical Record Department & health institutions of the Central/State governments, ESI, Defense and Railways and well as private health institutions through its various training centres.
- CBHI Provides Internship and Health Management Programmes for the students of National Universities and Institutes and also collaborates with international bodies etc.
- Understanding the need of timely and accurate health resources data from both public and private sector, CBHI conceptualized the framework of making a National Health Resources Repository (NHRR), where both public and private sector data resides.

Q) Health infrastructure is an important indicator for understanding the health care delivery provisions and welfare mechanism in a country. Critically analyze, in the light of the findings of National Health Profile- 2018. (250 words)

### Reference

### Reference

#### **Why this question**

*CBHI has recently released the annual National Health Profile for the year 2018. The report throws light on the state of health infrastructure in the country. The issue is related to GS-2 syllabus under the following heading –*

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

*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 bring out the overall importance of a robust and efficient health infrastructure for a country/ society. It wants us to highlight the status of health infrastructure in India as revealed by the NHP-2018. Thus we have to correlate both the aspects and discuss what should be done in this regard.*

#### **Directive word**

*Critically analyze- we have to dig deep into the question, identify and deliberate upon its key demands. Based on our discussion, we have to form a personal opinion in the form of a way-forward.*

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

**Introduction**– *Briefly discuss the performance of India globally, in terms of various health/ socio-economic parameters like HDI, Hunger index, TB, Malnourishment, IMR, MMR etc. Also mention that poor health infrastructure is one of the most critical factor hampering India's development and constitutional goals.*

#### **Body-**

- *Bring out the overall status of health infrastructure in the country as depicted by NHP-2018. E.g Educational infrastructure vs service infrastructure; increase in no. of medical and dental colleges, lack of hospitals including mental hospitals and blood banks in the country, south vs north difference in infrastructure etc.*
- *Discuss what should be done in this regard; e.g increasing health spending by the govt, increase private sector participation and investment, proper insurance policies, improve basic infrastructure to make it attractive for private sector participation, medical tourism, open date etc.*



**Conclusion**– mention the Ayushman Bharat scheme and other such schemes, which need to be consolidated, backed by adequate resources and periodically revised in order to achieve the SDGs.

#### **Background:-**

- Health plays an important role in the development of any society. Unfortunately, health infrastructure and health scenario in India is very poor.
- Across the country, the bed-to-people ratio is 1:422. The existing record of Government hospitals is worse. Thirty five per cent of patients in private hospitals belong to lower income groups with many of them not having any insurance cover.
- According to studies conducted by FICCI, about 7-8 per cent of households are pushed below the poverty line due to expenses incurred on health care. These facts point to critical gaps in infrastructure, especially with respect to the availability of healthcare centres and well-trained staff.

#### **National health profile 2018 findings:-**

- The National Health Profile covers demographic, socio-economic, health status and health finance indicators, along with comprehensive information on health infrastructure and human resources in health.
- There are noteworthy improvements in health indicators such as life expectancy, infant mortality rate (IMR) and maternal mortality rate (MMR) due to increasing penetration of healthcare services across the country, extensive health campaigns, sanitation drives, increase in the number of government and private hospitals in India, improved immunisation, growing literacy etc. Initiatives such as Janani Shishu Suraksha Karyakarm, Janani Suraksha Yojana, Reproductive, Maternal, New-borns, Child and Adolescent Health Services and national programmes to curb incidences of diseases such as polio, HIV, TB, leprosy etc have played pivotal roles in improving India's health indicators.
- It has divided health Infrastructure indicators is subdivided into two categories viz. educational infrastructure and service in
- **Educational infrastructure:-**
  - Medical education infrastructures in the country have shown rapid growth during the last 26 years.
  - There has been a marked improvement in the Dentist to population Ratio.
  - Medical education infrastructure in the country has shown rapid growth during the last 20 years. The country has 476 medical colleges, 313 Colleges for BDS courses and 249 colleges which conduct MDS courses. There has been a total admission of 52,646 in 476 Medical Colleges & 27060 in BDS and 6233 in MDS during 2017-18.
- **Ayush:-**
  - India, with its kaleidoscopic variety and rich cultural heritage, is proud of some unique medicinal forms that look at health, disease and causes of disease in completely different ways.
  - Best known as the AYUSH, its main focus is on holistic health and well-being of humans. **Over the years with gaining popularity, there is a steady rise in total number of registered AYUSH Doctors in India**
- **Health finance:-**
  - The North Eastern states had the highest public health expenditure as a percentage of GSDP in 2015- 16 (2.76%).
  - With the government sparing just 1.3 per cent of the GDP for public healthcare, way less than the global average of 6 per cent, there remains a severe scarcity of doctors in the country and people continue to incur heavy medical expenditure across rural and urban hospitals.
- **Insurance:-**
  - Around 43 crore individuals were covered under any health insurance in the year 2016-17. This amounts to 34% of the total population of India. 79% of them were covered by public insurance companies



- **Non communicable diseases:-**
  - After completion of 70 years of independence, India has witnessed remarkable progress in the health status of its population.
  - Changes have been seen in economic development, nutritional status, fertility and mortality rates and consequently, the disease profile has changed considerably.
  - Though there have been substantial achievements in controlling communicable diseases, still they contribute significantly to disease burden of the country.
  - **Decline in morbidity and mortality from communicable diseases have been accompanied by a gradual shift to, and accelerated rise in the prevalence of, chronic non-communicable diseases (NCDs) such as cardiovascular disease (CVD), diabetes, chronic obstructive pulmonary disease (COPD), cancers, mental health disorders and injuries.**
- According to the report, one allopathic government doctor in India, on an average, attends to a population of 11,082, which is 10 times more than the WHO recommended a doctor-population ratio of 1:1,000.
- **Infant and maternal mortality**
  - Along with the life expectancy rate, there is noteworthy progress in health indicators such as the infant mortality rate and maternal mortality rate (MMR) in the country.
- NHP mentions that as per the SRS Statistical Report of 2016 by the Registrar General of India, **the TFR in 12 India states has fallen below two children per woman.**
- **Regional disparities:-**
  - Huge disparity in the availability of healthcare resources continues to exist in India. The rural urban divide is considerable when it comes to healthcare access. Fairly-developed states like Kerala, Maharashtra and Tamil Nadu have brought down their IMR, TFR and MMR rates and states like Assam, Jharkhand continue to grapple with these issues even today.

#### Way forward:-

- To tackle the above mentioned challenges, **private hospital chains should set base in emerging cities to provide health-related infrastructure.**
- The Government should come up with **investment-friendly policies in the health sector.** Tax holidays, land bank to support builders of hospitals, special interest rates and loans from banks, benefits for setting up of private practices, hospitals, diagnostic centres and pharmaceuticals, can change the face of healthcare infrastructure in India.
- The **revenue earned from Medical Tourism could help subsidise** medical costs for poorer patients.
- **Easing of regulations in opening and governing of medical colleges** is another policy change warranted in this sector.
- Better compilation of per capita expenditure data of patients and availability of beds at the regional or local levels within states can help investors set up hospitals for the needy. The **Government should demarcate health circles and priority areas for intervention, based on available information, indexed with health standards of each particular area.**

#### Conclusion:-

- Universal access to health care is a well-articulated goal for both global institutions and national governments. India's National Health Policy, 2017 envisions the goal of attaining highest possible level of health and well-being for all at for all ages through a preventive and promotive health care orientation in all developmental policies, and universal access to good quality health care services without financial hardship to the citizens.
- Ayushman Bharat Mission, world's largest health scheme announced in the Union Budget 2018-19, is the latest initiative for expanding the health insurance net and targets 10 crore poor and deprived rural families. These need to be efficiently implemented to achieve sustainable development goals.



Q) India's health care system closely resembles the national health service of UK but only in intent and not in implementation. Critically Analyze. (250 words)

### The hindu

#### **Why this question**

*With several crucial health reforms on the anvil, benchmarking against global best practice in healthcare can only give us better ideas to make our reforms more effective.*

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

*The question expects us to analyze how the Indian design of healthcare system is closely related to the national health service of UK, the shortcomings in our implementation which have obstructed us from achieving the same result as NHS in UK and lessons we can learn from the same. We also need to bring out the other viewpoint that comparing the results of the two would be as different as comparing apples and oranges.*

#### **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. 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 what NHS is and the principles on which Indian healthcare system was designed.

**Body** – Bring out the point of similarities in vision of NHS and Indian healthcare system. Highlight the reality of both these systems in present times. Explain that NHS has made healthcare affordable, universal etc which we have failed to do. Examine the reasons why – multiplicity of regulatory agencies, poor spending on healthcare, rise of private players etc. Also discuss the alternate viewpoint that challenges of UK and India differ significantly in terms of resources available, complexity in terms of burden of diseases, economic strata of patients, paucity of infrastructure etc and hence like to like comparison can not be done.

**Conclusion** – present a fair and balanced view, discuss the lessons learnt and way forward.

#### **Background:-**

- The deaths of more than 70 children in Uttar Pradesh last year reflect the appalling state of public health in India. According to the latest Global Burden of Disease Study, which ranks countries on the basis of a range of health indicators, India has the 154th rank, much below China, Sri Lanka and Bangladesh.

#### **National health service of UK:-**

- NHS is a single powerful, organised system owned and driven smoothly by the government and works as the heart and brain of healthcare sector in the UK
- All the medical facilities are owned by the government and the people working in the NHS are employed directly by the government.
- One of the best part of NHS is that it is totally financed out of taxation. Every health service is provided free of cost to all the permanent UK residents.
- The major player in healthcare sector of UK is the NHS, even though the private agencies exists. The cost of healthcare services provided by the private agencies is met by the private health insurance schemes.

#### **How Indian healthcare system resembles National health service of UK:-**

- The founding principles of health care for India were established through the Bhole Committee. Here, **health care was envisaged as comprehensive, universal and free at the point of delivery, based on a government-led service, and to be paid from tax-funded revenues. These policies were adopted from the National Health Service (NHS).**



### **They are not similar due to issues in implementation:-**

- The UK health systems provide universal coverage for the population. Relative to other countries, the **NHS provides highly equitable care**. It also performs well internationally on a number of reported measures of experience and access. Indian health care system performance is abysmal.
- **Public health care failure in India:-**
  - India's health model has declined because of chaotic, mismanaged, unregulated and discriminatory policies and the priorities of successive governments.
  - The complex and multiple levels of healthcare authorities each with different set of goal and programmes makes the Indian healthcare system a complete mess.
  - Lack of proper regulation and name-sake public hospitals are indirectly helping the private corporate hospitals.
  - The common man has to either be satisfied with the poor quality health service that is available at the public hospitals or else he has to spend money from his own pocket to get good quality services from the private hospitals.
  - Without providing good facilities like safe drinking water, proper waste disposal system, ensuring quality nutrition, healthy environment etc, India is looking at development from a wrong perspective.
- **Private sector domination in India:-**
  - Due to regressive policies India has created a system in the form of the urban private sector, which is responsible for most health care in India. The private sector over-medicalises and overcharges the patients to meet management targets,
  - There has been a paradigm shift from a 'service' to a fee-for-service model of health care. All this disorganisation has led to a trust deficit between patient and doctor.
- **Health care in India is changing from a conservative, clinical, affordable, accountable, patient-centric British model to a more investigative, aggressive, expensive, commercial and insurance-driven American system**, without the safety mechanisms of either.
- **Financing:-**
  - India has one of the highest (86%) out-of-pocket (private) expenditures on health care in the world. With little or no health insurance, this leads to approximately 40 million people falling below the poverty line every year.
  - States have been reducing their health-care spending efforts in relation to total government spending. In 2013-14, the per capita public expenditure on health in U.P. was Rs.452.
- **General physician:-**
  - In UK, every person has to consult the General Practitioner (GP) doctor with whom he/she has registered. No patient can go directly to a specialist doctor.
  - This is unlike the case in India where the patient decides which specialist he wants for specific diseases. The GP doctors in UK act as both a guide and a filter to the appropriate specialist.
  - By giving more importance to the concept of family doctors and GPs, NHS has moved far away from the consumer driven healthcare market.
- **Basic investigation:-**
  - **A patient might need to wait for weeks or even months to get a basic investigation done in UK.** But here in India, investigations ranging from routine blood tests to MRI scans can be done at patient's will anytime he wants. Most of such investigations done by the patients in India are in fact a waste of time and money.



#### ▪ **Medicines:-**

- Pharmacies in UK do not sell medications unless there is registered doctor's prescription. The number of private pharmacies working outside the NHS hospitals have a contract with the NHS to issue drugs only in a systematic and well organised manner.
- On the other hand, the vast majority of pharmacies in India are owned privately. Any person can get any sort of medicine for "over the counter" purchase and the worst part is that prescriptions are not even required.
- Healthcare provider's revenue is just the premium, and no other costs are paid. The NHS does not pay for any excess diagnostic tests/or treatment administered. **There is, thus, no incentive to provide excessive treatment which is the case in India.**

#### **Even UK health system suffers from the following issues:-**

- When the UK is compared to other Western European economies, UK also has fewer doctors per thousand population and fewer hospital beds per thousand population. Again these are problems India faces and to a greater degree. The UK also struggles with rising demand as the population demographic becomes older and more people survive but with long-term diseases.
- The root of the crisis inadequate funding . Funding has failed to keep up with the needs of a system pressurised by an expanding and ageing population, and advancing medical technology.
- Adding to this are the cuts that have been made to social care budgets across the country.

#### **However challenges of UK and India differ significantly in terms of :-**

- Resources available
- **Extremely high disease burden for India:-**
  - India still faces many communicable diseases (malaria, dengue and tuberculosis) which require a robust public health system. Along with non-communicable diseases (diabetes, heart disease and cancer) also on the rise, this is a double burden.
- Economic strata of patients, paucity of infrastructure etc and hence like to like comparison can not be done between UK and Indian healthcare systems.

#### **Way forward:-**

- **International lessons:-**
  - For instance, Thailand has enacted a law to make quality health care a constitutionally guaranteed right. Unlike in India, Thailand has undertaken structural reforms in the health sector to achieve the goals stated in the Health Act. Even before it started reforms to attain universal health coverage, it began massive investments to build public health facilities in rural areas.
- Both countries need to invest in prevention as well as cure, both need to recognise the huge benefits of primary care in the community as well as hi-tech hospitals and they both need to disinvest in treatments which don't work.
- Both countries need to ensure that the private sector supplements the government sector, rather than being a substitute for it.

Q) The controversy surrounding India's most successful DDT programme affirms that several policy changes are required to be made by India . Comment. Also, discuss the legal mechanism in place to regulate organ transplantation in India. (250 words)

[The hindu](#)

[Reference](#)

[Reference](#)

[Reference](#)



### Key demand of the question.

*India has one of the most successful DDT programs in the world in the form of DDT programme of Tamil Nadu. However, the issue has been in news recently for various reasons. It is important to know about the legal context, performance and various issues affecting the programme. 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.*

*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 wants us to write in detail about the country's most successful DDT programme, and discuss the changes required in such programmes along with proper arguments justifying it. We also have to write in detail about the legal mechanism in place in India to regulate organ transplantation.*

### Directive word

*Comment- we have to express our knowledge and understanding of the issue and form an opinion on whether some policy changes are required to be made by India in the context of the controversy arising out of the country's most successful DDT program.*

*Discuss- we have to write in detail about the legal mechanism in place in India to regulate organ transplantation.*

### Structure of the answer

**Introduction-** *mention that Tamil Nadu's DDT program is one of the most successful DDT programs in the world. Also, briefly discuss the recent controversy arising out of the program.*

### Body-

- *Discuss the issues arising from organ transplantation like Tamilnadu's DDT program and discuss why India needs to bring in some policy changes to solve the problem. E.g more subscription of wealthy, foreign donors; commercial transplantation scandals, high costs of transplantation, high demand for organs but limited capacity to pay etc.*
- *Then highlight the required policy changes. e.g building the capacity of public hospitals, subsidising transplantation, enabling affirmative action in the allocation process in favour of public hospitals etc.*
- *Mention that health is a state subject then many states have ratified the Transplantation of Human Organs Act, 1994 and the Transplantation of Human Organs Rules – 1995. Also, discuss the salient provisions of this legal mechanism.*

**Conclusion–** *draw a fair, balanced and concise conclusion on the given issue.*

### Background:-

- Tamil Nadu's deceased donor programme is one of the best in the country and that public credibility is key to its continuing success.
- Recently in a leaked message the head of the National Organ and Tissue Transplant Organisation (NOTTO) claimed that foreign patients who are waiting for a donor heart transplant are being prioritised over Indian patients by private hospitals in Chennai.



### Issues with organ transplantation in India:-

- **Private sector domination:-**
  - Organ transplantation in India (this includes Tamil Nadu) **largely became a private sector activity**. Hence while the act of donation is a public act and the organs a public good, from that point onwards whatever happens is largely under the private sector. The rules of market medicine thus dictate who the organs go to.
- **Foreigners:-**
  - **Unlike the liver and kidneys, a heart transplant cannot be performed with a living donor. Incidentally, around 20% of living donor liver transplants performed in some of the large centres in India are also on foreigners.**
  - So patients with advanced heart failure from certain countries which do not have a deceased donor programme have no option but to try their luck in India.
  - As these are largely performed in corporate hospitals, the **costs in India are well beyond a large majority of the local population**.
- Even with the current practice of allocating an organ to a foreigner when there is no suitable Indian patient, **one-third of all hearts and lungs are still not being used due to “lack of a suitable recipient”**.
- An additional issue with heart and lung transplantation is the **strict criteria for size and quality and the very tight timeframes within which these organs should be transplanted**.
- **Shortage of organs, lack of transplant facilities and high cost of transplant in private facilities are major barriers for renal transplantation in India.** The DDT rate in India is now 0.34 per million population, among the lowest in the world.
- **Post-transplant immunological and pathological surveillance** of recipients remains a challenge due to the scarcity of infrastructure and other facilities.
- **Advanced immunological facilities for screening and matching** are available only in the private sector and those available in a few flagship government hospitals charge a fee for the tests.

### Several policy changes are required to be made by India:-

- **Develop a system of zonalisation** across the country so that more efficient sharing of organs across States is feasible, possibly with the development of a publicly-funded air ambulance service. **This will significantly benefit transplant programmes in government hospitals.**
- The process should be **made more transparent and accessible to the public**. If donation and the allocation of each organ can be tracked, that will be a strong deterrent to mischief. **Most importantly, the outcome of every transplant should be monitored.**
- **Strengthening the capacity of the public sector, subsidising transplantation and perhaps enabling affirmative action in the allocation process** in favour of public hospitals.
- One of the secrets behind Europe’s high donation rates is **public trust in their respective nationalised health schemes. India needs to ensure that.**
- Emphasis must be **placed on road safety**, less frequent road traffic accidents and higher organ harvestation rates from potential donors

### Legal mechanism in place to regulate organ transplantation in India:-

- The primary legislation related to organ donation and transplantation in India, Transplantation of Human Organs Act, was passed in 1994 and is **aimed at regulation of removal, storage and transplantation of human organs for therapeutic purposes and for prevention of commercial dealings in human organs**. After this deal, the concept of brain death was legalized for the first time in India.
- According to Organ Transplant Laws, no money exchange between the donor and the recipient was allowed. According to the 1994 Act, the unrelated donor had to file an affidavit in the court of a magistrate stating that the organ is being donated out of affection. Later, the donor had to undergo a few tests before the transplant. The Authorization Committee checked all the supplied documents.



- An amendment to the act was proposed by the states of Goa, Himachal Pradesh and West Bengal in 2009 to address inadequacies in the efficacy, relevance and impact of the Act.
- **The Transplantation of Human Organs (Amendment) Bill, 2009**
  - The bill made amendments in the Transplantation of Human Organs Act, 1994.
  - Along with human organs, the Bill also regularized the transplantation of tissues of the human body.
  - The act permitted donations from living persons who are near relatives. This act also added grandparents and grandchildren to the list of near relative.
  - The doctor had to inform the patient or his relatives about the possibility of organ donation and made sure that they given their consent to it.
  - If the organ of the donor and the recipient does not match medically, the bill gave a permission to swap organs with another pair of such a person.
  - The bill made an increase in the penalty for illegal removal of human organs and for receiving or making payment for a human organ.
- The amendment to the Act was passed by the parliament in 2011, and the rules were notified in 2014. **The same is adopted by the proposing states and union territories by default and may be adopted by other states by passing a resolution.**
- **The main provisions of the Act (including the amendments and rules of 2014) are as follows:**
  - **A.** Brain death identified as a form of death. Process and criteria for brain death certification defined
  - **B.** Allows transplantation of human organs and tissues from living donors and cadavers (after cardiac or brain death)
  - **C.** Regulatory and advisory bodies for monitoring transplantation activity and their constitution defined.
  - **D.** Living donors are classified as either a near relative or a non-related donor
  - **E.** Swap Transplantation: When a near relative living donor is medically incompatible with the recipient, the pair is permitted to do a swap transplant with another related unmatched donor/recipient pair.
  - **F.** Authorization for organ donation after brain death.

#### Conclusion:-

- If the state governments implement comprehensive strategies to increase donation through a proactive approach, together with the help of transplant teams, donation coordinators, and intensivists, in the coming decade, the organ donation rate can parallel the organ demand facing the country.

Q) Creation of a body like Higher education Commission of India (HECI) is a welcome move in the path of reforming higher education in India. Discuss. (250 words)

[Economic times](#)

[The hindu](#)

[Pib](#)

#### **Why this question**

*The government has expressed its intention to bring in the Higher Education Commission of India (Repeal of University Grants Commission Act) Bill, 2018, which will replace UGC with HECI. It will bring substantial and much required reform in the higher education regulation of India. 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 write in detail about the salient provisions of the Higher Education Commission of India (Repeal of University Grants Commission Act) Bill 2018 and How is HECI, the body proposed by the bill better than UGC.

### Directive word

Discuss- This is an all encompassing directive which mandates us to write in detail about all the important and related aspects of the question – salient provisions of the given bill and discuss how they aim to reform the higher education in India.

### Structure of the answer

**Introduction** – mention that Higher Education Commission of India (Repeal of University Grants Commission Act) Bill 2018 which seeks to repeal UGC Act and provides for setting up of HECI has been placed in public domain for comments and suggestions.

### Body-

- Discuss the salient provisions of HECI bill and how the proposed body HECI will be better than UGC. e.g The new regime separates the academic and funding aspects of higher education with no powers of grant with HECI; regime of transparent public disclosure vs inspection system in UGC; more powers than UGC like power to shut down bogus and sub-standard academic institutions etc.
- Mention the other provisions of the bill which will help reforming higher education in India. E.g roadmap for mentoring of institutions found failing in maintaining the required academic standards, Code of Good Practices covering promotion of research, teaching and learning; making education affordable to all etc.

**Conclusion-** mention that this is a welcome step and should be complemented by reforming other bodies like AICTE, NCTE etc.

### Background:-

- **Higher Education Commission of India (Repeal of University Grants Commission Act) Bill 2018** which seeks to repeal UGC Act and provides for setting up of **Higher Education Commission of India** has been prepared by the Ministry of HRD and placed in public domain for comments and suggestions recently.
- Government recently announced a complete overhaul of the apex higher education regulator- **University Grants Commission**, repeal of the **UGC Act**, 1951 and a fresh legislation to set up the Higher Education Commission of India (HECI)

### Higher education commission of India:-

- Focus of Higher Education Commission of India will be on improving academic standards and the quality of Higher Education.

### Why it is a welcome move in reforming higher education:-

- **Better administration:-**
  - Centre has embarked on a process of reform of the regulatory agencies for better administration of the higher education sector. In fulfilment of the above, draft Act is in accordance with the commitment of Government for reforming the regulatory systems that provide for more autonomy and facilitate holistic growth of the education system which provides greater opportunities to the Indian students at more affordable cost.
- **Less Government and more Governance:**
  - Downsizing the scope of the Regulator. No more interference in the management issues of the educational institutions.
  - **Key thrust areas of the HECI will be downsizing over governance of institutions, bring in disclosure based regulatory regime and powers of enforcement of regulations.**



- **Separation of grant functions:**
  - The grant functions would be carried out by the HRD Ministry, and the HECI would focus only on academic matters.
- **End of Inspection Raj:**
  - Regulation is done through transparent public disclosures, merit-based decision making on matters regarding standards and quality in higher education
- **Focus on academic quality:**
  - HECI is tasked with the mandate of improving academic standards with specific focus on learning outcomes, evaluation of academic performance by institutions, mentoring of institutions, training of teachers, promote use of educational technology etc.
  - It will develop norms for setting standards for opening and closure of institutions, provide for greater flexibility and autonomy to institutions, lay standards for appointments to critical leadership positions at the institutional level irrespective of University started under any Law (including State Law)
  - The Commission shall have the power to grant authorization for starting of academic operations on the basis of their compliance with norms of academic quality.
- **Takes away funding powers from the proposed regulator and gives it powers to ensure academic quality and even close down bogus institutions.**
- **Powers to enforce :**
  - The Regulator will have powers to enforce compliance to the academic quality standards and will have the power to order closure of sub-standard and bogus institutions. Non-compliance could result in fines or jail sentence.
  - **The HECI will also be backed with penal powers to order closure of institutes that violate set norms,** imposition of fines where necessary and provisions for imprisonment up to three years where necessary.
  - The Bill also provides for the penal provisions, which albeit graded in nature, will cover withdrawal of power to grant degrees/ diplomas or direction to cease academic operations and in cases of wilful non-compliance, may result in prosecution sanction as per the Criminal Procedure Code with a punishment of imprisonment for a term which may extend up to 3 years.
- HECI is tasked with the mandate of improving academic standards with specific focus on learning outcomes, evaluation of academic performance by institutions, mentoring of institutions, training of teachers, promote use of educational technology etc.
- HECI will also set standards for opening and closure of institutes, **provide greater flexibility and autonomy to institutes** and lays standards for appointments to critical leadership positions at institutions across spectrums and even for those falling under state laws.
- The UGC and its regulatory regime have been criticised by a number of committees and their reports for its restrictive and suffocating processes. **Several committees including the Prof Yash Pal committee and the National Knowledge Commission have recommended a single education regulator to rid higher education of red tape and lethargy.**
- **Other provisions in the bill are:–**
  - It will also have the powers to revoke authorization granting to a higher education institution where there is a case of wilful or continuous default in compliance with the norms / regulations.
  - It will also have the power to recommend closure of institutions which fail to adhere to minimum standards without affecting students interest.
  - The Commission will encourage higher education institutions to formulate a Code of Good Practices covering promotion of research, teaching and learning.



- The Commission will also specify norms and processes for fixing of fee chargeable by higher education institutions and advise the Central Government or the State Governments, as the case may be, regarding steps to be taken for making education affordable to all
- The Commission will monitor, through a national data base, all matters covering the development of emerging fields of knowledge and balanced growth of higher education institutions in all spheres and specially in promotion of academic quality in higher education.

#### **Conclusion:-**

- India's higher education needed reforms immediately and higher education commission is the step in the right direction.

*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) In using VVPAT machines to reassure sceptics about an election's integrity, the ECI has introduced a new element, and cost, to the process, which needs to be urgently addressed. Comment. (250 words)

#### The hindu

#### **Why this question**

*Electronic voting machines have made the election process simpler and more convenient. However, using of Voter-Verifiable Paper Audit Trails (VVPAT) has added complexity to the system whose failure is manifested in glitches observed in the recent elections. The issue is related to the 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 express our knowledge as well as opinion on the given issue- how the introduction of VVPATs has introduced a new element, and cost to the election process and how should we proceed further in this matter.*

#### **Directive word**

*Comment- we have to express our understanding of the issue and after discussing the relevant material, we have to present our opinion on what should be done in this matter.*

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

**Introduction-** *Briefly describe the VVPAT system and how it works.*

#### **Body –**

*Discuss why VVPAT system was introduced- to allay the fears about the hacking of EVMS.*

*Discuss the failure rates and reasons for failure- Lack of familiarity with VVPAT system, Hot weather etc.*

*Discuss how should we proceed further in this matter- e.g deploying the VVPAT machines in a limited, statistically significant, randomly chosen set of polling booths or giving up VVPAT altogether. Also, add reasons for your opinion.*

**Conclusion-** *Bring out a fair, concise and a balanced opinion on the given issue in the form of a summary of the above-held discussion. Mention the harms of frequent glitches on the voters trust and on the functioning of the democracy to bring out an urgency in dealing with the mater.*



### Background:-

- Recently there have been high incidences of glitches in the Voter Verifiable Paper Audit Trail (VVPAT) machines in the by-elections in UP and Maharashtra and this has become a major cause of concern for the Election Commission of India.

### VVPAT system:-

- Voter Verifiable Paper Audit Trail (VVPAT) machines are used during election process to verify that the vote polled by a voter goes to the correct candidate. VVPATs are a second line of verification.
- **VVPAT system gives instant feedback** to the voter showing that the vote polled has in fact been allotted against the candidate chosen.

### Working:-

- After a voter presses the button on the EVM against the chosen candidate, the VVPAT prints a slip containing name of the candidate and the election symbol and drops it automatically into a sealed box.
- The machines give the chance for the voter to verify their vote. The machine is placed in a glass case in a way that only the voter can see it. The slip is displayed to the voter for seven seconds after which the VVPAT machine cuts it and drops in into the storage box with a beep. The machines can be accessed, though, by the polling officials and not by the voter.

### Why was it implemented:-

- The VVPAT was added to the EVM **to audit the voter tallies** stored in the machine.
- This system was deemed necessary **as many political parties complained about the possible hacking of EVMs.**
- VVPAT implementation was **hastened to bring back trust in the election process.**
- **Supreme Court of India** has for long held a supportive and extra cautious stand when it comes to voting. It had directed the EC in 2013 to introduce VVPAT in Lok Sabha Elections 2014 to **improve voter confidence and ensuring transparency of voting**

### Glitches seen in this system:-

- **Machine malfunction and subsequent delays in polling** have been recurring issues since VVPAT implementation.
  - **The VVPAT** is also prone to malfunctions, a few being paper jamming, running out of battery and unavailability of ink and electricity, which is true for the elections cast in rural areas of India.
  - Even the stored ballot paper or the audit can be tampered with as the VVPAT does not offer any solution to differentiate between a legitimate and fraudulent ballot.
- Close to 4.2% of the VVPAT machines deployed in the Karnataka elections recently developed glitches during the testing as well as polling processes.
- **ECI has suggested that**
  - These machines were more prone to malfunctioning **due to their sensitivity to extreme weather conditions and exposure to light.**
  - It also blamed the **relative inexperience of polling officers** handling them, compared to the ballot and control units for the electronic voting machines (EVMs) that have been in use for much longer.
- The use of these machines has added to the **complexity** of an otherwise simple, single programmable-chip based system, and rendered it prone to more glitches.
- In using VVPAT machines to reassure skeptics about an election's integrity, the ECI has introduced a new element, and **cost, to the process.**
- **Few voters actually notice if the printout doesn't match their vote.**
  - A research conducted in Georgia suggests that a considerable amount of voters do not even verify their vote as the verification is voluntary and not necessary.



- In case the voter does detect a discrepancy, they have to go through the arduous process of casting the vote again which **can compromise the secrecy of the vote**.
- Observing the pattern of the paper audit of the voter can lead to “ballot stuffing.” There are inherent storage concerns too since the ballot paper is printed on thermal paper whose print fades with time.

#### **Way forward:-**

- ECI should consider deploying the VVPAT machines in a limited, statistically significant, randomly chosen set of polling booths. This will reduce the possibility of glitches affecting the polling process as well-tested machines could be deployed to such booths.
- Counting of VVPAT slips by randomly choosing one booth from each constituency need to be done.
- In a country where 1.3 million EVMs are not VVPAT equipped, it would take time before the technical issues have been ironed out. If the inherent lacunae are solved, VVPAT can be an effective alternative. This would entail that it becomes **audio verified, independent of battery and include the usage of sustainable inks and employment of more efficient workforce to manage errors**.

Q) Critically analyze the benefits offered by the open-data policy and data-driven governance, in the context of India. (250 words)

#### The hindu

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

*Huge amount of data is generated in an economy, related to its natural resources, human resources, interventions made for any specific cause, result of those interventions etc. This data, collected and stored could be shared with the public as open data and such type of governance will accelerate the whole economy and bring necessary reforms in governance also. The issue 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 deliberate on the benefits of open data policy and open data governance. It also wants us to dig deep into the issue and highlight the challenges involved in this regard.*

##### **Directive word**

*Critically analyze- we have to dig deep into the issue, identify the main aspects related to the key demand of the question. Here we not only have to discuss the benefits of open data policy and governance but also discuss the challenge involved inform our personal opinion on the issue.*

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

**Introduction**– *highlight the huge amount of data collected by public authorities in India and bring out a brief description of open data policy and open data governance.*

##### **Body –**

- *Discuss in points, the benefits of open data policy. E.g such data collected by governments are for citizen welfare; hence they have an implicit right to benefit from the information; this will make governance more transparent and accountable; it will spur innovative solutions for our social and economic problems etc.*
- *Mention that Indian government already shares some data with the public and bring out that these efforts need to be further built upon (highlight the deficiencies like limited data sets, lack of obligation to do so etc.) in order to reap the full benefits of open data policy and governance.*

**Conclusion**- *briefly describe and feel free to further modify the 5C framework, as discussed in the article, attached to the question.*



### **Background:-**

- Currently, information is being collected by different government departments right from the panchayat to the state level. Although, most of it remains restricted within departments and is used largely to cull out reports or monitor performance.
- There are issues in timely collection of information while in some areas the quality of data collected is questionable, thereby delaying analysis.

### **Open government data:-**

- Open government data means publishing information collected by the government in its entirety, such as government budgets, spending records, health-care measures, climate records, and farming and agricultural produce statistics.
- Open government data is a silent but powerful movement unfolding globally. Over 100 governments have already signed a charter to proactively share data collected by various government departments, for public consumption.
- With choice and information-sharing now redefining consumer behaviour, every company is looking to embrace or at least look like it is embracing the new paradigm of data-driven innovation.

### **Benefits with open data policy and data driven governance:-**

- **Citizen welfare at large:-**
  - Such data collected by governments are for **citizen welfare** hence they have an implicit right to benefit from the information.
  - **Data driven governance aims to improve the last-mile linkage of individuals to schemes and empower communities** and service providers through data collection, analysis, and improvisation. The Digital India and Smart Cities initiatives of the government also include efforts to utilise data to design, plan, implement, manage, and govern programmes.
  - Data sets such as government budget usage, welfare schemes and subsidies increase **transparency and thereby build trust**.
  - It will help citizens, and the variety of civil society organizations in India currently working, despite difficulties, with government data everything from electoral candidate data and legislations to municipal body phone numbers and public transport route information can be found out.
  - Most importantly OGD can be seen as a step in delivering the promises of the Right to Information Act, and a step towards greater transparency and importantly, accountability.
- **Technology:-**
  - **It paves the way to develop technology-led innovations which can unlock massive economic value**, thereby benefitting even the poorest of poor, the under-represented and the marginalised.
  - Commitment to use information technology, open source data, and proper governance **will play an important role in determining the improvement in human development indices**. Requisite investments in technology, capacity building, a centralised mandate, and structures to facilitate data sharing can **help to bring plans and participation closer to reality**.
- **Crop insurance:-**
  - Availability of data on yearly produce of crops, soil data health cards and meteorological data sets can help companies develop customised crop insurance solutions with specific risk-based pricing.
- **Education:-**
  - Data points around progress in literacy rates, demographic data and density of educators can help develop customised solutions for villages.
- **Health:-**
  - Similarly, information on availability of facilities in public hospitals, current occupancy rates, hospital and demographic data can pave the way for curated health-care applications.



- **Economical:-**
  - Research by PwC in Australia estimated that open data can add an additional 1.5% to the country's GDP. In the Indian context, this could conservatively translate to about \$22 billion.
  - A case in point here is Transport for London which has digitised and shared only about 80 data sets, yet this has led to the creation of multiple technology applications for city transport and maps, unlocking estimated economic benefits and savings for the city to the tune of £130 million.
- Open government data can create political accountability, generate economic value, and **improve the quality of federal initiatives**. Many experts believe that government reforms must aim to work with data to assess the impact of services, **make informed decisions, improve monitoring programmes, and improve systemic efficiencies**.
- When data is opened up to the public, **citizens have the chance to reclaim their decision-making role**.
- **Help government itself:-**
  - It will benefit government itself, by reducing the burden of locating information both for internal use, as well as for responding to RTIs and streamlining its own information gathering and processing procedures.
  - It will expose incorrect and outdated data, which the government itself is often not in an easy position to detect.
- **Inconsistencies in data will be made easier to spot if the information is made available freely, for many people to inspect**

#### Measures taken:-

- Government of India is working towards an Open Data Policy, under the Department of Information and Technology (DIT) to encourage sharing information between departments and across ministries.
- India currently houses more than 1.6 lakh data resources and has published over 4,015 application programme interfaces (APIs) from across 100-plus departments. As a result, India's global ranking by the Global Open Data Barometer has improved.
- City Data for India Initiative was launched by Tata Trusts in association with World Council on City Data (WCCD) and Price water house Coopers (PwC), India in 2016 with an objective of creating a culture of data driven decision making in Indian cities

#### Issues:-

- **Execution issues:-**
  - A closer analysis of the Open Data project shows good intent but sporadic execution. Hence, while India publishes data points, **very little of it is getting utilised by data consumers**, scientists and corporates. The socio-economic impact is limited.
- **Privacy issues:-**
  - **Datafication of businesses has also brought to the fore the criticality of developing data management, storage and privacy laws.** The European Union with its General Data Protection Regulation has been a front-runner and other countries, including India, have also adopted a collaborative model to develop privacy laws, which includes deliberations with creators of data (the consumer) and users (corporates).
- **There are many challenges that must be addressed while moving towards opening up of governmental data.**
- **Currently the entire infrastructure of information gathering, processing, sharing is to be found wanting.**
- There is insufficient standardization.
- Issues of privacy are importantly implicated, especially since there is no written law on privacy in India, and data anonymisation is seldom practiced.
- Even with anonymization, privacy is still an issue because of community level concerns (e.g., showing in which villages HIV positive people are concentrated, even if individuals are not mentioned) which might not matter as much in a more individualistic society.



### Way forward:-

- The first step is to ensure **completeness of data stacks opened for use either through machine-readable formats**
  - Completeness would imply a data set. For example, soil data cards will have data on all relevant aspects as well as current emerging technologies such as Blockchain and the Internet of Things to provide the opportunity to automate data collection.
- **Comprehensiveness of a data stack or various data sets is essential.**
  - For example, a comprehensive agri-data set would have digitised data sets on soil data, rainfall, crop production as well as market rates. Currently, data sets shared in India are somewhat disjointed and not comprehensive.
- **Clustering of relevant data sets and APIs would be the next step.** This would mean combining data sets which can lead to the creation of applications such as farm insurance from weather, soil and crop cycle/sale data.
- **Building anchor cases or use-cases to encourage data usage.** Taking the Aadhaar case further, its API has led to the development of market applications, an Aadhaar-enabled payment system, and direct benefit transfers among others which are clearly pushing the financial inclusion drive.
- The final step would be setting up a **comprehensive governance framework which includes an open data council with cross-sector representation** to monitor, regulate and build usage after proportionate oversight.
  - **Actively engaging policy makers and researchers with the processed data is crucial to bring in cross-sectoral transformation.** In many states, municipal commissioners are partnering with external agencies to collate standardised city data. This can help Indian cities understand how they rank vis-à-vis other cities around the world.
- **Technological companies and start-ups, which can offer solutions in data cleaning and analytics as well as statistical agencies and can manage massive, complex data, need to be encouraged.**

Q) LIMBS will play a key role in reducing the litigation burden. Examine. (250 words)

### Financial express

#### **Why this question**

*Whenever we talk of judicial reforms, easing the litigation burden is an important concern. The role of LIMBS in their regard is crucial and needs to be examined in depth.*

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

*The question wants us to describe what is LIMBS, how can it help in reducing the litigation burden, its shortcomings and the way forward.*

#### **Directive word**

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

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

**Introduction** – explain what LIMBS is – Legal Information Management and Briefing System (LIMBS) is a web based application created by the Department of Legal Affairs under the Ministry of Law and Justice, to make the legal data available at one single point and streamline the procedure of litigation matters conducted on behalf of Union of India

**Body** – Bring out the need for limbs in fulfilling objectives of “Minimum government, maximum governance”, “Digital India”, “Ease of doing business” and enhance the Transaction Capacity Governance of the government with an efficient legal framework for speedy resolution of disputes. LIMBS reduces the huge expenditures involved in resolving the cases, saves time and makes the working of different departments under a ministry, efficient.

*Examine the impact that LIMBS can have on the judicial process and the risks that might arise.*



**Conclusion** – *Emphasize on the role of LIMBS and discuss the way forward.*

#### **LIMBS:-**

- **Legal Information Management and Briefing System (LIMBS)** is a web based application created by the Department of Legal Affairs under the **Ministry of Law and Justice**, to make the legal data available at one single point and streamline the procedure of litigation matters conducted on behalf of Union of India.
- The application serves a wide range of requirements of various departments and administrative authorities for effective handling of court matters.
- **LIMBS being a repository of data, gathers information** relating to various departments, tribunals and categorizes them into groups of customized Management Information System (MIS) reports that can be accessed through a user-friendly drop down menu.
- At the moment, this is about civil cases and about the union government though there is no reason why the idea cannot be extended to criminal cases and state governments.
- Earlier, information about cases involving 64 ministries/departments was scattered in different places, typically, in the form of physical files. That information is now available on a single platform, in electronic form
- Some data will no doubt be in the public domain, but not everything. An advocate, an arbitrator, or a new user from a ministry/department can log in. A ministry's designated nodal officer authenticates the user's credentials and only authenticated users are allowed to access the website and enter the case details.
- Centre and the States were responsible for over 46% of the 3 crore plus cases pending before the Courts across the country. This was revealed through statistics provided by the Legal Information Management and Briefing System (LIMBS).

#### **Need for LIMBS:-**

- This expedites different levels of administration by sending timely alerts for catalyzing actions by concerned functionaries in a given case.
- About 46% of the cases pending in various courts across the country are those in which the Government is a litigant. The executive power must be put to use to reduce further grievances of future litigants and the government must alter its image of being a compulsive litigant, as a petitioner or a respondent.
- The court cases on behalf of the Union of India are taken care of by the concerned departments themselves and there is no unified system for collecting information with regard to pendency and status of these cases before various courts.
- Though certain departments have made their own arrangements by developing systems for handling the cases related to their department, centralized data with effect to this is unavailable.
- The National Litigation Policy of 2010 is ineffective to a large extent due to ambiguity.
- LIMBS would help the government in achieving its objectives of "Minimum government, maximum governance", "Digital India", "Ease of doing business" and enhance the Transaction Capacity Governance of the government with an efficient legal framework for speedy resolution of disputes.
- LIMBS reduces the huge expenditures involved in resolving the cases, saves time and makes the working of different departments under a ministry, efficient.
- **Once data are available in this form, several questions can be asked about the cases like the types of cases, financial implication etc**
- LIMBS is meant to improve the Union government's handling of cases and would lead to some reduction of cases in courts.

However LIMBS is in its infancy. To make the working of the government, more coordinated and to achieve the desired results, various departments must submit the data as early as possible in a time bound and integrated manner.



Q) India's poor ranking on Press Freedom Index reflects the growing threat to freedom of press. Examine. Also discuss press reforms required to bring back the lost trust in media such that it functions effectively as the fourth pillar of democracy? (250 words)

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

The question expects us to examine the situation related to freedom of press in India, the causes why it is under threat and the impact that it would have. In the second part, we need to bring out the press reforms required for media to regain the lost trust and function effectively as the fourth pillar of democracy.

### **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 India has fallen on the press freedom index with its position only slightly above Pakistan, which does not portend well with respect to press freedom in India.

**Body** – Bring out the status quo of press freedom in India. Examine the reasons why it is under threat. Discuss the impact that new forms of technology like social media has had on press freedom. Highlight the impact lack of freedom of press would have on democracy.

In the next part, discuss the reforms such as Leveson committee reforms etc which would help strengthen freedom of press by imparting greater credibility to media.

**Conclusion** – Discuss the importance of press freedom for democracy and the necessity of undertaking press reform asap.

### **Background:-**

- Press Freedom is the indicator of Democracy. Balanced, free and fair press can take the country forward. The recently released Press Freedom Index, in which India slipped two places to rank 138th among 180 countries. It measures the **level of freedom** available to journalists and not the quality of journalism.

### **Growing threat to freedom of press:-**

- India slipped two points on the World Press Freedom Index ranking and India's ranking reflects growing bitterness towards journalists.
- The antagonism towards the media which is openly encouraged by political leaders poses a great threat to democracy.
- Government's pressure on the name of Regulation, bombardment of fake news and over influence of Social media is dangerous for the occupation. Security of journalists is the biggest issue. **Killings and Assaults on the Journalists covering sensitive issues are very common.**
- Section 124a of IPC under which sedition is punishable by life imprisonment**
  - Although no journalist has been imprisoned under Section 124a of IPC for 'sedition', the law encourages self-censorship. **Also, the coverage of regions regarded as sensitive by the authority like Kashmir is quite difficult in India.**
  - Foreign reporters are barred from the region and the Internet is often disconnected there.
  - Kashmiri journalists working for local media outlets are often the targets of violence by soldiers acting with the central government's tacit consent
- The killing of journalists in connection with their work**
  - One of the reasons India's rating was downgraded were the incidents of murder of journalists.



- **Hate speech targeting journalists shared and amplified on social networks**
  - It suggests scary picture especially in democratic countries where political leaders are openly threatening journalists, even incarcerating them if they refuse to offer their loyalty.
  - India fared poorly on indicators such as hate speeches attacks on journalists on social media, trolling them and targeting their reputation. It also mentions that at least 4 journalists were gunned down in India in 2017.

#### **Fourth pillar of democracy is not working well:-**

- **Survey conducted by Edelman, Indian media has been losing its credibility and trust among the people.**
  - The study has noticed a sharp drop in trust over the past two years in television news in India.
  - Study indicates a bright future of the Indian newspaper industry. According to the Trust Barometer Survey, **people trusted newspapers more than any other medium.**
- **Corruption-paid news, advertorials and fake news**
  - Competition for instant and quick news and reporting without first checking the facts. For example, reporting of GPS nano chips in new 500 and 2000 notes.
- **Corporate interest:-**
  - Corporate and political power has overwhelmed large sections of the media, both print and visual
  - Corporates have financial stakes in either print or visual media leading to biased reporting.
  - Overemphasis on TRP's because they determine advertising revenue.
- **Role of social media:-**
  - **Social media enables antisocial people to become social.** It helps lone wolves find the pack. More than a means to perform socially deviant roles collectively, **social media offers a platform to do it anonymously.** The Spreading of fake news further degraded the condition.
- **Credibility issue:-**
  - Biasness of reporters, editors etc have dented the image of news channels and newspapers.
- **Weak regulation:-**
  - Only a self regulating body like PCI (press council of India) has little power or legislative backup to regulate the press.
- **Media Sensationalism, Lack of Media Ethics, Profit/Self-Interests v/s Public Interest, Senior Journalists** are not stepping up/not taking initiatives to correct the wrongdoings in their respective media houses [silent/mute spectators] are other issues.

#### **Reforms needed:-**

- Workplace Harassment, Insecurity of Jobs, Gaps in Pay are the other areas which needs improvement.
- Ownership restrictions on holdings have to be legislated.
- Senior print and television journalists must speak write and expose very clearly the issues plaguing the press in India.
- Implementing the recommendations of TRAI with regard to media ownership and investment disclosure norms would help in maintaining transparency required for the news media sector.
- Basic regulation for digital media outlets like compulsory and online registration of details need to be implemented strictly.
- Robust surveillance and compliance mechanism need to be implemented effectively so that source of news is verified before
- Journalists must resist the urge to sensationalise matters. They must keep a global perspective, and pay attention to the words they use, the examples they cite, and the images they display.



- They must avoid speculation and finger-pointing in the immediate confusion following an attack when nothing is known, yet the demand for information is perhaps the strongest of all.
- They must consider carefully the fact that there is something inherent in terrorism as a violent act that provokes a fear in many that is far disproportionate to the actual level of risk.
- And most of all, they must avoid fostering division and hatred and radicalisation at both margins of society.

#### **Conclusion:-**

- In the interest of democracy it is essential that the exchange of ideas take place in an uninhibited manner where all citizens can access information free of bias and prejudice.

#### ***Topic –Role of civil services in a democracy.***

Q) The government ought to reassess the entire structure of the civil service, instead of taking steps in fits and starts, to make public services more management-oriented and relevant to present challenges. Critically analyse. (250 words)

#### **Indian express**

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

*Off late, there have been several attempts by the government and Niti Ayog to bring about reforms in the civil service structure, design and recruitment process to bring it in tune with the aspirations of modern India. This question enables you to take a holistic view of the entire debate surrounding these reforms and understand how close it will bring us to the requirements of an aspirational India.*

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

*The question essentially deals with the kind of civil services reforms in the country. It also asks us to examine whether the current step of taking scattered reform measures would enable us to transform public services in the manner required. Thus we have to first analyze the requirement of the kind of reforms required in civil services to keep it relevant to address present challenges. Thereafter we need to analyze whether the steps being pondered upon by the government will take us there. Finally we should discuss some of the holistic reforms required.*

##### **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** – *Talk about the changes in consideration which has brought attention to civil services reforms.*

##### **Body**

*Examine the nature of civil services required to deal with the present challenges and aspirations. Based on that we will have an idea of the kind of reforms required. Here we might mention the areas where reforms are required – recruitment, performance management, role etc*

*Thereafter, we will analyze the steps under consideration such as lateral entry and examination process reforms and analyze whether they are sufficient to achieve our aims.*

*Finally, we will talk about the reforms required as suggested by 2nd ARC, Prakash Singh Case etc to bring about a holistic change in civil services*

**Conclusion** – *We will give our view based on the summary of arguments made above.*



### Background:-

- It is widely recognised that the civil services have contributed to stability in terms of maintenance of peace, the conduct of fair elections, managing disasters and the preservation of the unity of the nation, providing stability and maintaining order in a vast country prone to various conflicts ethnic, communal, regional etc.
- Nonetheless there are certain concerns about the performance of the civil service in the context of realizing a results-oriented government

### Recent initiatives :-

- The government's proposal to revise the present system of recruitment to the country's elite civil services.
- The NITI Aayog has recommended that the government take recourse to lateral entry at all levels of the administration.
- According to a recent order from the government, background checks by the **Intelligence Bureau** has been made mandatory for candidates shortlisted to fill posts of heads of various regulatory bodies and tribunals
- Verification of character and antecedents of the shortlisted candidates shall be made by the administrative ministry/department through Intelligence Bureau

### These reforms are not enough and there are issues with these :-

#### 1. Issues with the government proposal regarding recruitment:

- Legal issues :-
  - **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 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:-
  - **It will be impossible to do the kind of rigorous and objective evaluation that is required under the government's new proposal** when the foundation course is conducted in training academies situated elsewhere.
- 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 and **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 :
  - 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.
- 2. The nation is changing rapidly and the objective of governance has changed to seeking and managing equitable economic growth. Yet, **the bureaucratic infrastructure has remained more or less the same and grounded in the mistrust of citizens**.
- 3. **Only around 10 per cent of officers remain current in their knowledge** and exert themselves to keep the administrative system in shape.
- 4. **Malady of non-performance** arises from the fact that not all positions in governments at the Centre and in the States are meaningful. There is a bloated bureaucracy, and portfolios are created only to accommodate officers.
- 5. **Lack of integrity** is undeniably not the monopoly of any one service.
- 6. Even the **second ARC** has recognised that inefficiency, corruption and delays have become, in public perception, the hallmarks of public administration in India.
- 7. A Hong Kong-based organisation in its study in 2012, rated Indian bureaucrats high on the index of red tape among other bureaucracies of Asian countries (9.21 points out of 10). It revealed that working with the civil servants in India is a slow and painful process.
- 8. Major reason for the dilution of bureaucratic excellence is the **poor encouragement the system provides for meritocracy**.
- 9. It has been pointed out that the Civil Service in India is **more concerned with the internal processes than with results**.
- 10. The systemic rigidities, needless complexities and over-centralization in the policy and management structures within which the civil service functions are too complex and often too constraining.
- 11. The **structures are based on hierarchies** and there are a large number of veto points to be negotiated for a decision to eventually emerge.
- 12. To compound it, the size and the number of ministries and departments have both overloaded the decision-making system and **diminished the capacities of the individual civil servants to fulfill their operational responsibilities**.
- 13. On the other hand, the perception is that **they resist change** as they are wedded to their privileges and prospects and thereby have become ends in themselves.

#### **How to make public service more management oriented and in sync with present challenges :-**

- Civil servants should view civil society organisations and the private sector as partners in the process of the country's governance.
- There is need to shift from pre-eminence of governance to effective governance with a focus on decentralization and citizen-centricity.
- **Reshape recruitment and promotion processes**
  - Reforms are required in the field of recruitment of civil servants so that right people could be recruited who can ensure smooth functioning of democracy.
  - Training of civil servants should be able to bring about behavioural and attitudinal changes.



- The induction of officers of the State Civil Services into the IAS should be done by the UPSC on the basis of a common examination.
- **Baswan committee:-**
  - The suggestion to remove the optional paper is being considered a major reform for which the Baswan Committee depended on the feedback from aspirants
  - 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.
- **Broader reforms:-**
  - Improve performance-based assessment of individual officers
  - Adopt safeguards that promote accountability while protecting bureaucrats from political meddling.
  - The **development work needs some flexibility from a strict observance of rigid rules and regulations.** Rigid rule bound bureaucracies should be changed into flexible and action-oriented.
  - **Administrative procedures, rules and regulations need to be simplified** so that red tapism could be minimized; decentralization of authority and collegiate decision making; de-emphasis of hierarchy in the administrative structure
  - **Adoption of modern management techniques** such as management by objectives; elimination of corruption so as to secure clean, honest, impartial and efficient administration; creation of new work culture and encouraging creative
- **Second ARC recommendations:-**
  - **Capacity Building**
    - Every government servant should undergo a mandatory training at the induction stage and also periodically during his/her career. Successful completion of these trainings should be a minimum necessary condition for confirmation in service and subsequent promotions.
    - A monitoring mechanism should be set up for overseeing the implementation of the National Training Policy (1996).
    - The composition of governing bodies of the national training institutions such as the LBSNAA, SVPNPA, IGNSA and also the State Administrative Training Institutes should be broadened by inducting eminent experts.
  - **On Training**
    - Yugandhar Committee, 2003 recommended the need for three mid-career training programmes in the 12th, 20th and 28th years of service. Trainings at these 3 stages was suggested as there is a “major shift” in the nature of work of the officer, at these stages of their career.
    - The Committee on Civil Services Reforms Hota Committee, 2004 emphasised the use of information and communication technologies (ICT) to transform Government by making it more accessible, effective and accountable.
      - It stressed on the need to recognise that e-governance is about discarding old procedures and transforming the process of decision making and that technology is merely a tool and a catalyst for such transformations.

Q) Lateral entry in government at Joint Secretary Level comes not a day too soon. Critically analyze. (250 words)

[Financial express](#)

[Indian express](#)



### Why this question

*Lateral entry in government service is an idea often discussed and has finally been implemented. Analyzing this decision is important for mains.*

### Key demand of the question

*The question expects us to discuss the pros and cons of the move and express our opinion on whether lateral entry is much needed at present.*

### 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** – Mention the advertisement by Gol regarding lateral entry.

**Body** – Discuss the pros and cons of the move. In pros section analyze the recommendations of the various committees which have analyzed this question, our past experiences, requirement in modern economy where state has taken the key seat, in depth knowledge of subjects for policy making etc. Discuss the cons such as lack of on ground experience, little idea about the administrative leviathan etc. Present your view on whether the move is a right one considering the time we live in.

**Conclusion** – Mention the way forward.

### Background:-

- The lateral-entry idea is most recently mooted by NITI Aayog in its Three Year Action Agenda and Indian government acted on it. While the first Administrative Reforms Commission (ARC), in 1965, had outlined the need for administrative services personnel to have specialised skills, the second ARC, in 2005, had recommended that a transparent method of doing this be institutionalised.

### It is a very good idea:-

- Earlier experiences showed good results:-
  - Lateral entry has been used in the past to harness top talent from outside the civil services. Mr. Manmohan Singh, Nandan Nilekani, Ahluwalia etc served at various positions in the government and have showed promising results on ground .
- Helps in getting private sector expertise:-
  - Various private sector experts have also been appointed as officers on special duty, ranked between under-secretary and secretary, to ministers. Institutionalising lateral entry, thus, makes it easier for the country to benefit from private sector/non-UPSC talent.
- Deals with vacancy issue as well:-
  - The move will also address the drying up of the talent pool at the top level as there is an overall shortfall of about 20% in just IAS officers in 24 state cadres. The 2016 BS Baswan committee report pointed out that many large states suffer from a pronounced deficit of IAS officers, leading to their reluctance to depute officers for central posting.
- **Lateral entry will also address many structural problems** the present system suffers from:-
  - For instance, the seniority criteria in promotions has meant many talented lower ranked officers take a long time to get appointed to posts where their skills could have significant impact in the immediate run.
- **Focuses on merit:-**
  - While the education threshold for eligibility in the current notification is set at the graduate-degree level, higher qualifications will be an advantage. The call is for outstanding individuals with expertise in the relevant fields.



- **Specialists:-**
  - The move could be a significant step towards fulfilling the longstanding need for domain specialists in positions crucial to policy-making and implementation of government schemes.
  - Specialists coming from outside are likely to bring fresh ideas and help improve outcomes.
  - Complexities of policy-making are such that senior civil servants are required to have in-depth knowledge of the areas they administer. This can be provided by lateral entry.
  - This will force all other services to specialise. The department-hopping will stop, and officers will prefer to build their expertise in one or two sectors where they are best suited. A spirit of competition will also emerge.
- **International examples:-**
  - In the United States for instance, presidents have appointed people to their cabinet who have vast private sector experience along with government service.
  - Through the past decades it has become clear that the quality and content of decision making in China has been upgraded substantially by bringing in higher levels of specialised expertise for different sectors of the economy

#### The idea is criticized due to the following reasons:-

- Lateral entry system is a disruption as there is a risk that due process might not be followed and ill-qualified, political appointees will land up in senior positions of the government and hurt public interest.
- Lateral entry does open the risk and prospect of powerful corporate groups placing their men in key positions of government.
- Also people who are recruited in this way might lack ground experience and also have little idea about the administrative leviathan

#### Conclusion :-

- The method should be transparent so as to build trust with the establishment bureaucrats and the public at large
- Bringing in subject matter experts is welcome, provided they are not bound by the government rulebook and are allowed to implement their solutions effectively.

Q) Several of India's developmental challenges are a direct outcome of the failure of IAS system. Critically comment. (250 words)

[Epw](#)

#### **Why this question**

*With the recent news of lateral entry in government service capturing headlines, the focus shifts to performance of IAS officers and whether they have dutifully performed the role that was envisaged of them – becoming the iron frame. Answer to this question would automatically help us do a critical analysis of lateral entry in civil services.*

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

*The question expects us to critically comment on whether several of India's developmental challenges like malnutrition, poor learning levels etc are a result of the faults within the IAS system.*

#### **Directive word**

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



### Structure of the answer

**Introduction** – You can start with explaining the vision of sardar Patel regarding the role of civil services in democracy.

**Body** – Focus should be on examining how far the IAS have helped the country in carrying out projects and running administration so that the fruits of development are enjoyed by everyone. We should also bring out the failures of IAS system such as myopic understanding of their role, bend under political pressure etc which have led to sub-optimal results in several critical challenges like malnutrition etc.

**Conclusion** – give a fair and balanced view along with the way forward which is unleashing civil services reforms.

### India's developmental challenges are due to failure of IAS system:-

- Loss of innovation:-
  - Despite initial competence and enthusiasm, **the hard reality is that many civil servants in the course of the 30 years of their career lose much of their dynamism and innovativeness**, with no faith in their own contribution to public welfare.
- **The fatal failing of the Indian bureaucracy has been its low level of professional competence.**
  - The IAS officer spends more than half of their tenure on policy desks where domain knowledge is a vital prerequisite. However, quick transfers from one post to the other in many states dampens the desire to learn.
  - In Uttar Pradesh (UP) the average tenure of an IAS officer in the last 10 years is said to be as low as six months.
- Experts criticize that this service has been primarily responsible for India's failure to achieve Millennium Development Goals (MDGs) in hunger, health, malnutrition, sanitation, and gender, as most **IAS officers could neither design effective programmes nor can they implement them with accountability.**
- At present, **officials at all levels spend a great deal of time in collecting and submitting information**, but these are not used for taking corrective and remedial action or for analysis, but only for forwarding to a higher level, or for answering Parliament/assembly questions
- Due to the control that the IAS lobby exerts on the system, **a large number of redundant posts in the super-time and superior scales have been created to ensure them quick promotions.** Often a senior post has been split, thus diluting and diminishing the scale of responsibilities attached with the post.
- **Corruption and politicisation of the civil services** have become more entrenched in the Indian Administrative Service (IAS).
  - **Unfortunately, the IAS faces a number of serious challenges from diminishing human capital to political interference** that, if left unaddressed, will lead to further institutional decline. While a competent, functional IAS may not be a sufficient condition for improving key development and governance outcomes, it is likely a necessary one.
- A Hong Kong-based organisation, in its study in 2012, **rated Indian bureaucrats high on the index of red tape among other bureaucracies of Asian countries** . It revealed that working with the civil servants in India is a slow and painful process
- Older officers who enter the service as part of larger cadres **face limited career prospects and are less effective at improving economic outcomes.**
- Nearly seven decades following independence, India's steel frame is exhibiting considerable signs of strain. **Even insiders agree that the apex civil service is not functioning anywhere close to its highest capacity.**

### IAS has contributed a lot for development of the country:-

- Historically, the IAS was needed because India is a union of states, has a federal system, with all essential subjects with which the people are concerned, such as education, health, agriculture, water, housing, and police, being dealt with at the state level, but largely supervised and funded by the centre.



- A common civil service not only facilitates coordination, but also helps in national integration as almost half the IAS cadre in each state consists of outsiders. A rigorous process of recruitment for the higher civil services ensures that the best talent available in society joins the civil service in India.
- It has played a crucial and storied role in **managing natural disasters, preserving law and order during episodes of political instability, and conducting free and fair elections.**
- District magistrates oversee revenue collection, law enforcement, and crisis administration, making them among the most powerful bureaucrats in the country.
- They also are responsible for supervising all infrastructure development projects and working with district-level agencies to implement centrally sponsored schemes like the Pradhan Mantri Gram Sadak Yojana, an all-India rural roads program, or the National Rural Employment Guarantee Scheme, a federal workfare program and the largest social-sector scheme in the world

#### **Reforms needed:-**

- **Lateral entry:-**
  - **Internal specialisation must be promoted by insisting on stable tenure in the states so that there is incentive for the Indian Administrative Service officers to acquire expertise in their chosen sectors.**
  - Also, the IAS officers should take the entry of the outsiders as a challenge, because if they do not improve their performance, there could be repetition of such recruitment every year.
- After the first 10 years of service, **each IAS officer should be encouraged to specialise in one or two chosen sectors by not only giving them long tenures, but** even permitting them to join academic or research organisations where they could improve their intellectual skills.
- **Developing a new administrative culture is the need of the hour.** To ensure a flexible and simplified structure and procedure we need to imbibe the spirit of development administration.
- Immediate reforms should be brought about by the Government to reshape recruitment and promotion processes, improve performance-based assessment of individual officers, and adopt safeguards that promote accountability while protecting bureaucrats from political meddling.

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

Q) Behaviour change communication (BCC) could be the key to changing attitudes and behaviour patterns. What do you understand by BCC and discuss its role in improving our health. (250 words)

[The hindu](#)

[Wikipedia](#)

#### **Why this question**

*BCC has been universally accepted as an effective strategy to bring about changing attitudes and behaviour. It has become an important component of many government programs like the Swachh Bharat programme. BCC has been especially successful in controlling HIV infections. The issue is related to GS 2 syllabus under the following heading-*

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

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

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

*The question wants us to simply describe the meaning of the term BCC and then explain and give examples in support to show how it plays the role of improving our health.*



### Directive word

*Discuss- it is an all-encompassing directive. Where we have to describe the meaning of the term BCC, mention the steps in bringing a behaviour change and then write in detail about how BCC plays/ has played the role of improving our health.*

### Structure of the answer

**Introduction**– give a brief description of the term BCC.

### Body-

- *Describe the term further. (E.G SBCC employs a systematic process based on research and behaviour analysis, followed by planning, implementation, and monitoring and evaluation. Audiences are carefully segmented, messages and materials are pre-tested, and mass media, interpersonal channels and community mobilisation are used to achieve defined behavioural objectives.*
- *Mention the steps in bringing about a behavioural change.*
- *Unaware > Aware > Concerned > Knowledgeable > Motivated to change > Practicing trial behavior change.*
- *Discuss how BCC has played/ plays the role of protecting and improving our health. Give examples also, like HIV infection, Swachh Bharat programme etc.*

**Conclusion**– mention how BCC can be used to clean our environment, plant trees ( BHUTAN example) etc.

### **Behaviour change communication and its key to changing attitudes and behaviours:-**

- It is an interactive process of any intervention with individuals, communities and/or societies to develop communication strategies to promote positive behaviors which are appropriate to their settings and there by solve worlds most pressing health problems.
- This in turn provides a supportive environment which will enable people to initiate, sustain and maintain positive and desirable behaviour outcomes.
- It employs a systematic **process beginning with formative research and behaviour analysis, followed by communication planning, implementation, and monitoring and evaluation.**
- Audiences are carefully segmented, messages and materials are pre-tested, and mass media (which include radio, television, billboards, print material, internet), interpersonal channels (such as client-provider interaction, group presentations) and community mobilisation are used to achieve defined behavioral objectives.
- Strategic use of behaviour change communication (BCC) applies targeted messages and tailored approaches to promote healthy behaviours and reduced risk taking.
- SBCC is the comprehensive process in which one passes through the stages:
  - Unaware > Aware > Concerned > Knowledgeable > Motivated to change > Practicing trial behavior change > Sustained behavior change
- Research consistently shows evidence-based communication programs can increase knowledge, shift attitudes and cultural norms and produce changes in a wide variety of behaviours.

### **Role in improving human health :-**

- **BCC encompasses health communication, social and community mobilization, and it evolved from information, education and communication (IEC) strategies.**
  - With components ranging from interpersonal communication between a community health worker and her client to multi-level mass media campaigns, **evidence-based and theory-driven BCC interventions are an integral part of all types of health promotion and disease prevention**



- BCC is an effective tool for dealing with many community and group related problems. BCC has been adapted as an effective strategy for community mobilization, health and environment education and various public outreach programs.
- **BCC can be used**
  - To reach populations who remain at risk as transmission dynamics change (e.g. mobile populations)
  - To facilitate identification of people with asymptomatic infections and their compliance with treatment
  - To inform communities of the optimal timing of malaria control interventions
  - To explain changing diagnostic concerns (e.g. increasing false negatives as parasite density and multiplicity of infections fall) and treatment guidelines.
- India has seen success with this method regarding nutrition for expectant mothers.
- **SBCC has proven effective in several health areas, such as increasing the use of family planning methods, reducing the spread of malaria and other infectious diseases, and improving newborn and maternal health.**
- **HIV/AIDS:-**
  - Behaviour Change Communication is a process of working with individuals, communities and societies to **develop communication strategies to promote positive behaviours in HIV and AIDS prevention** and to provide a supportive environment which will enable people to initiate and sustain positive behaviours.
  - BCC constitutes of effective communication which is central to the success of interventions to reduce the risk of HIV infection. It plays a role to:
    - Increase knowledge
    - Stimulate community dialogue
    - Promote essential attitude change
    - Advocate for policy changes
    - Create a demand for information and services
    - Reduce stigma and discrimination
    - Promote services for prevention and care
- **Malaria control:-**
  - BCC is used in malaria control to encourage families to hang and use their nets regularly, care for them and repair them when they're torn, or to create demand for replacing nets on a continuous basis or as part of distribution campaigns.

#### **Challenges:-**

- A critical element of BCC is having requisite infrastructure. In this case it would mean installation of waste receptacles, proper collection and management, and proper policing.

#### **Way forward:-**

- “Success Factors” for effective BCC based on experience from Bhutan
  - Clear messages
  - Target audiences
  - Contextualised and evidence-based
  - Monitoring and follow-up
  - Political will and linking with others
  - Long-term campaign / perspective
  - No BCC without services



- Good design and communication objectives
- Capacity and good facilitation
- Community participation
- Behaviour change communication is essential in making water and sanitation campaigns successful. Bhutan has high coverage rates, basic sanitation coverage of 95 percent, improved sanitation coverage of 60 percent and 97 percent access to safe drinking water. India can learn from Bhutan experience.
- Specific strategies must be designed for high-risk groups such as women, young people, injecting drug abusers, homosexuals and HIV positive groups.

*Topic: India and its neighbourhood 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. Important International institutions, agencies and fora- their structure, mandate.*

Q) India should not focus too much on joining NSG. Examine in the light of the evolution of India as a responsible nuclear power. (250 words)

### The hindu

#### **Why this question**

*India recently celebrated the 20th anniversary of Pokhran tests- officially declared India as a nuclear power. The journey thereafter has not been smooth but why large India has successfully managed to establish its image as a responsible nuclear power. The issue is related to GS 2 syllabus under the following heading –*

*India and its neighbourhood 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.*

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

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

*The question wants us to write in detail about the evolution of India's nuclear programme and strategy thank you reasons for why India should not worry too much about joining NSG.*

#### **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. Here we have to give reasons in support of the statement that India should not invest too much energy in its bid to join NSG. We have to see how India could achieve the desired objectives without being a member of NSG.*

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

**Introduction** – give a brief description of NSG- 1968 requirement.

#### **Body-**

*Discuss in paragraphs, how India reacted post-Pokhran tests. We have to lay stress on presenting those aspects/facts/ arguments which establish the opinion that India should not invest too much energy in pursuing NSG membership.*

*e.g India's no first use policy, adherence to the terms of NPT without being a member, India-US Nuclear deal and the 2008 NSG waiver which enables India to effectively harness nuclear energy for peaceful purposes.*



**Conclusion-** *give a fair, concise and a balanced conclusion on the above issue.*

### **Background:-**

- Between May 11th – 13th of 1998 India took a leap into the unknown world of nuclear weapon powers with the five tests at Pokhran .Recently India completed 20 years of conducting this tests.

### **India has been a responsible power :-**

- Today India occupies a special position as a responsible state with advanced nuclear technology.
- This status is a product and a reflection of the steady attempt by India to shift attention away from its nuclear weapons and towards its civil nuclear technology.
- 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.
- India published a draft nuclear doctrine within five years of testing when none of the other nuclear weapon states has an explicitly published doctrine
  - Even the US first published its Nuclear Posture Review in 1994.
- 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 declared a moratorium on testing after the two series of tests in Pokhran.
- **There is no Evidence of India's involvement in illegal nuclear proliferation.** This has earned India Civil nuclear deals with nations like Japan.
- India is not in the company of the other two self-declared nuclear weapons powers, Pakistan and North Korea. This shows India's credibility in international arena.

### **So India need not focus on NSG :-**

- India has most of what it needs from the NSG **from the 2008 waiver,** certainly for the current desultory progress in nuclear power production.
  - This waiver enables India to effectively harness nuclear energy for peaceful purposes.
  - The waiver has allowed India to engage in civil nuclear commerce with a number of countries. It has entered into long-term nuclear fuel supply agreements with a number of supplier countries and is negotiating the supply of advanced nuclear reactors with Russia, France and the U.S.



- The waiver was not specific to the agreement with the U.S., it covered all the items in the NSG's lists, and it has no sunset clause
- **India needs no further waiver to import from willing exporters** anything it needs for IAEA-safeguarded civil nuclear facilities. From 2011, of course, this would exclude enrichment and reprocessing.
- **Neither China nor any other member can create problems for India within the terms of the waiver:** whether any member sells to India or not will be dependent entirely on other factors, including its domestic laws and the strength of India's bilateral relations
- India has already joined the MTCR, Wassenaar Arrangement and Australia Group in 2016, 2017 and 2018, respectively.
- No foreign nuclear reactor supplier is waiting for India to get a NSG membership.
- **India has agreements with Canada (April 2013) and Australia (November 2014), and other countries such as Kazakhstan have been supplying too**

#### **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) BIMSTEC is the “natural choices” for India to fulfil its foreign policy objectives in the neighbourhood towards the East. Critically analyze. (250 words)

#### Reference

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

*India's neighbourhood is undergoing deep consternation on account of China's increasingly assertive stand in South Asia, South China Sea, broader Indo Pacific and Bay of Bengal littorals. At a time when South Asian integration platform SAARC is in a state of limbo, India needs to focus on BIMSTEC as an organization which will yield goeconomic, geostrategic and geopolitical benefits.*

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

*The question asks us to critically analyze whether BIMSTEC is like a natural partner for India in achieving her foreign policy objectives. Here natural means that both have complementarities of interest that will prove beneficial to both. In order to comprehensively do a critical analysis we need to bring out the foreign policy interests and rationale of engaging more with the East, the benefits that can accrue to India, the benefits that will accrue to other members of BIMSTEC by strengthening this grouping. Since we have to do a critical analysis, we also need to bring out how focussing on this grouping will not lead to any concrete benefits for either partners. Finally we need to provide our view based on 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** – *Highlight that regional cooperation in South Asia is abysmal. Illustrate how SAARC has failed to provide any concrete economic, infrastructural or political benefits. This should establish the need for reforging certain regional partnerships.*



### Body of the answer

- Briefly provide an overview of the geopolitical realities of Asia Pacific and how different stakeholders are involved, which makes it necessary for India to showcase her skill at fast diplomacy.
- Thereafter delve deeper into the benefits that India will get by deeper integration with its Eastern neighbours. Highlight the geoeconomic, geopolitical and geostrategic foreign policy objectives that India will be able to achieve.
- Highlight how the relationship has mutual complementarities – trade, mutual security concerns, interest in maintaining freedom of navigation etc
- Point out some of the weaknesses of this regional grouping which might cause issues in the future for this regional grouping.

**Conclusion** – provide your view on the assertion made in the question by summarising your arguments above. Mention how India should approach it's relationship with BIMSTEC.

### Background:

- Recently, the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) has gained more favour as the preferred platform for regional cooperation in South Asia. Contrary to global patterns, South Asian countries have shown an increased interest in regional cooperation
- One of the reasons for BIMSTEC's popularity is that the member countries have generally cordial relationships, something patently missing among the SAARC countries.

### Indian foreign policy objectives towards the east:-

- The Look East Policy [LEP] now renamed the Act East Policy [AEP], was a course correction that began in the early 1990s. **The renewed vision to seek closer relations with countries in India's extended eastern neighbourhood was quintessentially India's response, to domestic economic challenges and the changing international order, marked by a unipolar world.**
- It is a **recognition of the fact that India's trade has shifted eastwards over 50% now.**
- The logical pull factors include **the Bay of Bengal littoral and Indo-Pacific region, comprising Australia, China, Bangladesh, Japan, Korea, Myanmar and the 10 ASEAN countries.**
- **ASEAN :-**
- The ASEAN region along with India, together comprises combined population of 1.85 billion people and combined GDP has been estimated to be over \$3.8 trillion. Investment from ASEAN into India has been over \$70 billion in the last 17 years, accounting for more than 17 percent of India's total Foreign Direct Investment (FDI).

### Why is BIMSTEC the natural choice :-

- BIMSTEC includes the countries of the Bay of Bengal region: five countries from South Asia and two from ASEAN. **The organisation is a bridge between South Asia and South East Asia.**
  - It includes all the major countries of South Asia, except Maldives, Afghanistan and Pakistan. Given this composition, BIMSTEC has emerged as a natural platform to test regional cooperation in the South Asian region.
- BIMSTEC's major strength comes from the fact that it includes two influential regional powers: **Thailand and India. This adds to the comfort of smaller neighbours by reducing the fear of dominance by one big power.**
- **BIMSTEC emerged out of the necessities of the member countries:-**
  - India was motivated to join BIMSTEC as it wanted to enhance its connectivity with ASEAN countries
  - For Thailand, BIMSTEC helps achieve the country's Look West Policy.
  - BIMSTEC also helps smaller countries such as Bangladesh, Nepal and Bhutan to develop connectivity with ASEAN countries, the hub of major economic activities globally.



- Myanmar sees itself as a gateway for BIMSTEC to ASEAN, primarily due to its strategic location between South and Southeast Asia.
- **The dormant status of SAARC** and the changes underway in the regional and global landscape triggered India's initiative to invite the BIMSTEC leadership. Its goals, therefore, are being redefined to add ballast to India's "Act East Policy".
- **Urgency of promoting regional and sub-regional cooperation via BIMSTEC and BBIN has to be seen in the context of China's BRI/OBOR** and the compelling strategic challenge posed by China's muscular geo-economic and geo-political interventions in Asia, particularly in India's neighbourhood.
- Though maritime disputes in the South China Sea attract global attention, **the Bay of Bengal has moved centre stage as the next strategic and economic arena in the Indo-Pacific region.**
- **BIMSTEC and ASEAN both have seminal roles, in re-integrating the Bay of Bengal as an economic hub and strategic space.** The salience of BIMSTEC has, therefore, grown for India to secure its strategic space in the neighbourhood and the Bay of Bengal region.
- **The BIMSTEC countries host a population of around 1.5 billion**, approximately 21% of global population, with cumulative GDP of US\$ 2.5 trillion. The annual GDP growth rate has averaged around 6%.
- The **development of the Northeastern region**, by opening up to Bangladesh and Myanmar, is another incentive for India.
- The ongoing **India-Myanmar-Thailand Trilateral Highway and the India-Myanmar Kaladan Multimodal Transit Transport Project** are expected to further augment connectivity and economic cooperation in the sub-region and beyond.

#### Concerns:-

- **Both Thailand and Myanmar are criticised for having ignored BIMSTEC in favour of ASEAN.**
- **BBIN Motor Vehicles Agreement [MVA] is an instrument that was conceived to transform and facilitate trade.** It has not yet been completely successful as Bhutan is worried about security and environmental fallout of such an agreement.
- BIMSTEC has identified 14 priority sectors and has signed an FTA (2004) and a Convention on Cooperation in Combating International Terrorism, Transnational Organized Crime and Illicit Drug Trafficking (2009). **The pace of implementation has been quite sluggish so far.**
- **Infrequency of the BIMSTEC summits**, the highest decision-making body of the organisation. In its 20 years of existence, the BIMSTEC summit has taken place only thrice.
- Landmark achievement for BIMSTEC was the establishment of a permanent secretariat in Dhaka. However, **the secretariat faces a severe resource crunch**, both in terms of money and manpower, which has adversely affected its performance.
- Observers of BIMSTEC consider the **lack of leadership as the major drawback.**

#### Way forward:-

- **India's SAGARMALA project**, still at an early stage, can be integrated into the cooperation framework of BIMSTEC.
- While India is the lead country for four priority sectors, namely, transportation and communication, environment and disaster management, tourism, and counter-terrorism and trans-national crime, BIMSTEC has to move into areas of strategic cooperation.
- The **Asia-Africa Growth Corridor [AAGC]** is another vision that can be dovetailed into BIMSTEC's Development and Cooperation Projects, Quality Infrastructure and Institutional Connectivity, Enhancing Capacities and Skills and People-to-People partnership.
- **BIMSTEC can function as the hub for connecting Asia-Pacific and the Bay of Bengal with Africa.** At some stage when tangible progress has been made, other countries in the region can be invited to join specific projects.
- **Consistency in the frequency of the summits to ensure regularity in decision-making**



- **Improving the capacity of the secretariat, both in terms of manpower and funding**
- **Ensuring tangible results/benefits**, which will add to the motivation of the countries to concentrate on BIMSTEC (projects in the areas of tourism, digital connectivity, energy connectivity and humanitarian assistance in disaster relief should be considered)
- **Empowering BIMSTEC to be a platform for dispute resolution among member countries.** This will require debates and discussions among the BIMSTEC countries to reach consensus.

#### **Conclusion:-**

- Finally, since the BIMSTEC region is notable for its diversity, the member states need to build on the regional synergies and work towards utilising the available resources in the most optimal manner. This would help build a stronger and a more dynamic BIMSTEC.

Q) Declaring Indian ocean a “zone of peace “ would be in the interest of all the stakeholders, including India. Critically Comment. (250 words)

#### The hindu

#### **Why this question**

*In 2015 India and Mauritius signed an agreement which gave India the right to build infrastructure on the small Mauritian archipelago of Agaléga. However, many small islands in Indian ocean have been historically exploited as Naval bases and there have been genuine apprehensions about India also building a Naval Base there. There are certain pros/ necessities as well as certain cons associated with the decision. the issue is related to GS2 syllabus under the following heading-*

*India and its neighbourhood- relations.*

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

*The question wants us to bring forth reasons/ explanation for, why declaring Indian ocean a “zone of peace “ would be in the interest of all the stakeholders. Here we also have to identify the stakeholders in the region. We have to form a balanced opinion, keeping in mind the interest of all those stakeholders.*

#### **Directive word**

*Critically comment – here we have to present our personal thoughts/ opinion on the given statement- Declaring Indian ocean a “zone of peace “. We have to give reasons in support of our answer/ opinion and we also have to look at the other side- hear the complexity personal interests of countries involved.*

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

**Introduction**– *mention the economic and strategic importance of Indian Ocean and mention some of the important Islands in the Indian Ocean like Seychelles, Hambantota, Diego Garcia, La Réunion which are also Naval bases of various world powers.*

#### **Body-**

- *Bring reasons for declaring Indian ocean as a zone of peace. e.g mention the pledge of 1970 Non-Aligned Movement (NAM) summit in Lusaka, Zambia; humanitarian and environmental issues associated with the militarization of small islands in the Indian Ocean, environmental threats faced by these islands are being total sidelined etc.*
- *Discuss why reaching such an agreement is a difficult task or what are the problems involved. the e.g rivalry between world powers amid huge economic and strategic significance of Indian Ocean, difficult to reverse historical agreements, rising tensions in the region, increasing Chinese naval presence which in turn has evoked India’s similar response.*

**Conclusion** – *based on your own opinion suggest the way forward.*



### Background:-

- **Indian Ocean is important for many reasons.**
  - It enjoys a privileged location at the crossroads of global trade, connecting the major engines of the international economy in the Northern Atlantic and Asia-Pacific.
  - The Indian Ocean is rich in natural resources. Forty per cent of the world's offshore oil production takes place in the Indian Ocean basin
- Historically there have been efforts to make areas in this region naval bases for instance **Chagos archipelago from Mauritian territory** by Great Britain, which was handed over to the U.S. On **Diego Garcia**, the U.S. built a major naval base, La Reunion became the centre of French naval military operations in the Indian Ocean and now assumption island and Agalega island for India.

### Zone of peace :-

- The idea of Indian ocean as zone of peace (IOZOP) goes back to the days of the 1964 Cairo Conference of the Non-Aligned Movement, which had expressed concern over the efforts of the imperialists to establish bases in the Indian Ocean and declared that the Indian Ocean should not be a battleground for the big powers.
- The Lusaka Declaration (1970) refined the idea further and it led to the UNGA resolution, which proposed the IOZOP strictly in the context of the raging Cold War at that time.

### Why Indian ocean should be declared as a zone of peace :-

- Proponents of the proposal believe that in the absence of military strength and influence to counter the growing Chinese presence in the region, **India should use the multilateral route to create a consensus for preventing the military activity of external powers in the region.**
- There are various **Humanitarian and environmental issues** associated with the militarization of small islands in the Indian Ocean
  - Due to increased militarization environmental threats faced by these islands like rise in sea level etc are total being sidelined .
- **Military influence too much:-**
  - Increasing Chinese presence and the threat of PLA-N bases in the IOR
  - The growing interests of other major powers (US, UK, Russia, France and Japan) in the region, and the many Chinese infrastructure projects in the region create an imperative for India to actively limit the military maritime activity of external powers in the region.
- **Can balance India and China:-**
  - With the kind of support China demonstrated in Kathmandu among the South Asian Association for Regional Cooperation (SAARC) countries, it is possible that the zone of peace idea will turn into a move to counter the U.S. as a foreign presence and to seek some balance between India and China in the Indian Ocean.

### Declaring Indian ocean as Zone of peace is mired with difficulties:-

- Attempting to limiting military maritime activity through the IOZOP route will ensure that while no military activity is ever practically curtailed, **Indian influence and credibility in the region will stand severely eroded.**
- The trouble with the IOZOP proposal is its **flawed premise** that by simply declaring the region a "Zone of Peace", foreign military presence and activity can be effectively halted.
- **International focus on India's naval acquisitions, present and future, may well become counterproductive.**
- The greatest resistance to the revival of the IOZOP will come from those who will argue that the idea itself is outdated as the **Cold War and great power rivalry are non-existent**



Q) Analyze the strategic content in India's Act East Policy? (250 words)

[Reference](#)

[Reference](#)

### Why this question

*Indo Pacific is the hub of geopolitics. 21st century is widely perceived to be Asian century and various countries in Asia and around the world are recalibrating their foreign policy to gain strategic advantage. India's Act East Policy is very important in this regard.*

### Key demand of the question

*The question is focussing specifically on the strategic angle in India's Act East policy. Thus, the overall strategic content of Act East Policy as well as the strategic content of India's relationship with other countries of ASEAN needs to be brought out. Along with that, how should India utilize it's Act East Policy to gain greater strategic advantage needs to be analyzed.*

### Directive word

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

### Structure of the answer

**Introduction** – Explain India's Act East Policy.

### Body

- *Discuss the strategic angle in India's Act East Policy.*
- *Focus on the individual countries in ASEAN and analyze how Act East Policy can be utilised to gain greater strategic foothold in the region*
- *Examine the threats related to security that India faces in the region.*
- *Analyze how India can better make use of its policy*

**Conclusion** – Present a fair and balanced summary of the arguments made above and paint a way forward for Indian foreign policy.

### Background:-

- India's Act East Policy acquired fresh momentum when India re-launched the original Look East Policy at the East Asia Summit in 2014. Most recently, the leaders of the ten Association of Southeast Asian Nations (ASEAN) countries were in India in 2018, a reflection of the growing strategic convergence between India and Southeast Asia in ensuring a free, open, and transparent Indo-Pacific.

### Strategic angle of act east policy:-

- **Indo pacific :-**
  - For India, the centrality of ASEAN and Southeast Asia is essential for peace and prosperity of the Indo-Pacific region. Its engagement with the 10-nation bloc is at the core of New Delhi's strategic perspective for the region and its 'Act East' policy.
  - Widening the security cooperation under the proposed quadrilateral coalition, officials of India, the US, Japan and Australia had held extensive talks on the sidelines of the ASEAN summit in Manila for pursuing common interests in the strategically important Indo-Pacific region.
- **China factor:-**
  - China's aggressive posturing in the South China Sea and growing influence in the Indian Ocean region, India's focus on act east policy is necessity.



- **Maritime goals:-**
  - India and the ASEAN countries are maritime nations, and their goal is to evolve a regional architecture based on the twin principles of shared security, and shared prosperity.
  - Both India and ASEAN share a common vision for global commerce and the maritime domain.
- Both the parties working closely with the regional bloc in a range of activities like developing a **blue economy, coastal surveillance, building off-shore patrolling capabilities, hydrographic services, and information sharing for increased maritime domain awareness.**
- **ASEAN:-**
  - Both India and ASEAN have a common vision for the future, built on commitment to inclusion and integration, belief in sovereign equality of all nations irrespective of size, and support for free and open pathways of commerce and engagement.
  - Along the way, from dialogue partners, ASEAN and India have become strategic partners.
  - Both have broad-based partnership through 30 mechanisms. Partnership in ASEAN-led institutions like the East Asia Summit, ADMM+ (ASEAN Defence Ministers Meeting-Plus) and ARF (ASEAN Regional Forum) is advancing peace and stability in the region.
  - Range of key issues including effectively tackling threat of terrorism, boosting maritime security cooperation and enhancing connectivity were the other areas of deliberations at the India-ASEAN commemorative summit .
  - **For Asean, India not only offers a huge domestic market with growing aspirational middle class** but also a growing working population which is not the case with other economies such as Korea, Japan or China where the working population is on the decline.
  - **Focusing on trade in services with Asean will give India an opportunity to use its competitive strength to become a services export hub** to the Asean region.
  - Further, being a part of the AEC (Asean Economic Community), RCEP and having strong relations with Asean through the existing FTA will not only **facilitate further economic reforms in India but also assist the country in establishing itself as a growing economic power in Asia.**
- **Indonesia:-**
  - Indonesia remains a key player within Southeast Asia for several reasons. **Most clearly, Indonesia will be essential in extending India's maritime outreach.** It has a total of maritime areas of 6,400,000 square kilometers, including its Exclusive Economic Zone (EEZ).
  - The distance from India's Andaman Islands to Indonesia's Aceh province is barely 80 nautical miles, underscoring the importance to both India and Indonesia of the importance of enhanced maritime cooperation for the continuing peace, stability and economic prosperity of the Indo-Pacific region.
  - The two navies have partnered in **naval exercises** for several years now with naval ships patrolling between the Andaman Sea and Malacca Straits.
  - Both countries emphasise also the importance of **rule of law**, in particular the 1982 UN Convention on the Law of Sea (UNCLOS)
  - Indonesia has also shown some interest in joining the Bay of Bengal initiative, which appears sensible both from an economic and security perspective.
  - India has also shown interest in joining the Malacca Straits Patrol (MSP), a four-nation arrangement between Indonesia, Malaysia, Singapore, and Thailand for exchange of intelligence, and coordinated air and sea patrol through the Malacca Straits.
- **Vietnam has extended an Indian oil concession in the South China Sea to India.**
- **Singapore:-**
  - Singapore is a window to the heritage of India's ties to the region, the progress of the present and the potential of the future. Singapore was a bridge between India and ASEAN.



- **RCEP:-**
  - India is also interested in the Regional Comprehensive Economic Partnership agreement, seeking a comprehensive, balanced and fair agreement for all 16 participants.
- **Myanmar and Thailand:-**
  - **Stronger relations between India and Myanmar have also helped to quell insurgency and extremism in the north-eastern states of India.** Peace, stability and security of north-east India will be further preserved and promoted with more robust ties and understanding with Myanmar
  - **Connectivity projects, viz., the Trilateral Highway between north-east India and Myanmar and onwards to Thailand (and Laos and Vietnam) as well as the Kaladan multi-modal transit and transport project,** have been under implementation for several years

#### Threats :-

- India's expectations regarding a more robust support for its regional outreach too have not been met.
- India's capacity to provide development assistance, market access and security guarantees remains limited
- ASEAN's inclination to harness New Delhi for regional stability remains circumscribed by its sensitivities to other powers.
- The interests and expectations of the two sides remain far from aligned, preventing them from having candid conversations and realistic assessments.
- Implementation of the projects has been very slow.
- Trade which is important for successful and long term strategic relationship is still low.
- Although India's declaratory commitment to security cooperation with the ASEAN has grown under the Look East and Act East policies, and its military capabilities have become considerable, **the Indian defence establishment has been disappointing in its delivery.**
- **Issues with RCEP:-**
  - 16-member RCEP free trade agreement (FTA) is mostly held up due to India's reluctance to substantially open up its market to China as **it has an unsustainably high trade deficit of \$63 billion in 2017-18** with China.
  - India needs to rethink joining the RCEP as it will be "disastrous" to provide more market access to China, which is a key player in the grouping
  - Many countries want India to open up its market for 92% of traded goods, **while India is only ready to offer market access up to a maximum of 85% items with deviations for countries like China, Australia and New Zealand** with whom it does not have an FTA.

#### Way forward:-

- India intends to extend the trilateral highway to Cambodia, Laos and Vietnam, and the proposed route from India to Vietnam will be known as the East-West Economic Corridor (EWEC).
- India needs to do a more convincing job as a beneficial strategic partner of ASEAN by boosting its domestic economic reforms agenda, enhancing connectivity within the region, and increasing its presence in regional institutions.

Q) Trace the developments that led to the collapse of the Soviet Union. (250 words)

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

*The question expects us to identify the major events that led to the collapse of USSR and the reason behind the same- what were the reasons behind those events and which instigated the collapse of the Soviet Union.*



### *Structure of the answer*

**Introduction** – Describe the macro picture when the disintegration of Soviet Union took place.

### **Body**

- Trace the developments which led to the disintegration like – crisis in socialist bloc, fall of Berlin wall, economic and political reforms, coup, opposition to coup etc
- Trace the major reasons like economic weaknesses, structural reforms, nationalism etc

**Conclusion** – Discuss the impact that the disintegration had on the world and on Russia.

### **Background:-**

- The Union of Soviet Socialist Republics (USSR) was a confederation of 15 republics with Russia as the leader. USSR was a strong bloc with great control over global politics from 1922 to 1991, when it was disintegrated into smaller units. The collapse of the Soviet empire in 1989-91 has often been heralded in the West as a triumph of capitalism and democracy.

### **Developments that led to disintegration of USSR:-**

- **Crisis in the Socialist bloc:**
  - People in many east European countries started protest against their own governments and USSR. Without the right intervention from USSR at the right time, communist governments in the second world collapsed one after the other.
- **The fall of Berlin Wall:**
  - Germany was divided after the second world war – among the socialist USSR and the capitalist western regimes. The fall of Berlin led to a series of events including the disintegration of the USSR.
- **Economic and political reforms in USSR :**
  - Gorbachev identified the economic and political problems of USSR, and started a series of reforms like **Perestroika and Glasnost** with the intention to revive economy. This was a deviation from the communist policies, and was more closely associated with the market economy. Many communist leaders in USSR opposed reforms initiated by Gorbachev. They encouraged a coup in 1991.
  - **The second part of Gorbachev's plan, glasnost, addressed the personal restrictions of the Soviet people.** For decades, citizens lived without freedom of speech, the press or religion, and the State arrested millions of potential dissidents. Gorbachev's glasnost plan gave the Soviet people a voice they were free to express.
  - Gorbachev's reforms did more to hasten the fall of the Soviet Union than they did to save it. By loosening controls over the people and making reforms to the political and economic elites, the Soviet government appeared weak and vulnerable to the Soviet people. **They used their newfound powers to organize and critique the government, and in 1991, they successfully ended Soviet rule.**
- **Coup:** The coup of 1991.
- **Opposition against the coup :**
  - Boris Yelsin who won popular election in Russian Republic, protested against the coup and central control of USSR. Freedom for republics became the slogan.
  - Boris Yeltsin and the pluralist movement advocated democratization and rapid economic reforms while the hard-line Communist elite wanted to thwart Gorbachev's reform agenda.
- **Power shift from Soviet center to republics:**
  - Republics like Russia, Ukraine, Belarus emerged powerful. They declared that the soviet union was disbanded.



### **Factors which led to the disintegration of the USSR:-**

- **Economic Weakness**
  - The weakness of the economy was the major cause of dissatisfaction among the people in USSR. There was severe shortage of consumer items. The reason for economic weakness were the following.
    - Huge military spending.
    - Maintenance of satellite states in Eastern Europe.
    - Maintenance of the Central Asian Republics within the USSR.
- **Western aggression:-**
  - US under Reagan's leadership led to a massive increase in American military spending, as well as research into new and better weapons.
  - US supported the Strategic Defense Initiative (SDI), which nullified the Soviet nuclear arsenal by destroying missiles as they fell and made a nuclear war theoretically winnable for the United States.
  - US did not just attack the Soviets with military spending. He also attacked their economy. The United States isolated the Soviets from the rest of the world economy, and helped drive oil prices to their lowest levels in decades. Without oil revenue to keep their economy solvent, the Soviet Union began to crumble.
- **Political Un-accountability**
  - The communist party regime (single party rule) for around 70 years turned authoritarian. There was widespread corruption, nepotism and lack of transparency.
  - Gorbachev's decision to allow elections with a multi-party system and create a presidency for the Soviet Union began a slow process of democratization that eventually destabilized Communist control and contributed to the collapse of the Soviet Union.
- **Rise of nationalism**
  - Rise of nationalism among countries like Russia, Baltic republics (Estonia, Latvia, Lithuania), Ukraine, Georgia etc is the most important and immediate cause of disintegration of the USSR.

### **Conclusion:-**

- The fall of USSR led to end of many communist regimes in response to mass protests, end of cold war leading to unipolar world dominated by US etc.

Q) Discuss the structure, mandate and functions performed by United Nations High Commissioner for Refugees. (250 words)

[Wikipedia](#)

[Reference](#)

#### **Why this question**

*With increasing migration and displacement of people due to conflicts world over, the role of UNHCR has been recently criticized. The question is related to GS 2 syllabus under the following heading- Important International institutions, agencies and fora- their structure, mandate.*

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

*The question is straightforward. It simply wants us to discuss in detail about the structure of UNHCR, what is its mandate, what functions it performs.*

#### **Directive word**

*Discuss- we have to be exhaustive and write in detail about the key demand of the question- structure, mandate and functions.*



### Structure of the answer

**Introduction**– Give an account of the formation of UNHCR after world war 2.

### BODY–

- Discuss the structure of UNHCR- e.g The UN General Assembly elects High Commissioner every five years. High Commissioner is supported by the ‘Executive Committee to the High Commissioner’s Programme’ and he or she has to make annual reports to the UN General Assembly and needs to follow their directives.
- Mandate-discuss the concept of, persons of concern and elaborate it to cover the mandate of the organization.
- Functions- mention all the functions performed by UNHCR-.

**Conclusion**– Mention the need for greater support, enhanced mandate and more accountability for making UNHCR more effective as an organization.

### Background:-

- The office of the United Nations High Commissioner for Refugees (UNHCR) was created in 1950, during the aftermath of the Second World War, to help millions of Europeans who had fled or lost their homes.

### Structure:-

- UNHCR’s operational structure consists of the Division of International Protection, the Division of Programme Support and Management, the Division of External Relations, the Division of Information Systems and Telecommunications, the Division of Financial and Administrative Management, and the Division of Human Resources Management.
- Operations comprise Europe; the Americas; Africa; Asia and the Pacific; and the Middle East and North Africa.
- UNHCR now has more than 10,966 members of staff. We work in a total of 130 countries and our budget, which in its first year was USD \$300,000, grew to USD \$6.54 billion in 2016.
- The UN General Assembly elects High Commissioner every five years.
- High Commissioner is supported by the ‘Executive Committee to the High Commissioner’s Programme’ and he or she has to make annual reports to the UN General Assembly and needs to follow their directives

### Mandate:-

- **UNHCR, the UN Refugee Agency, is a United Nations programme with the mandate to **protect refugees, forcibly displaced communities and stateless people, and assist in their voluntary repatriation, local integration or resettlement to a third country.****
- Its mandate is to provide, on a non-political and humanitarian basis, international protection to refugees and to seek permanent solutions for them.

### Functions:-

- The agency is mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide. Its primary purpose is to safeguard the rights and well-being of refugees.
- It strives to ensure that everyone can exercise the right to seek asylum and find safe refuge in another state, with the option to return home voluntarily, integrate locally or to resettle in a third country.
- **Protection responsibilities have remained at the core of UNHCR’s work over the years:-**
  - These include continuing efforts to promote and extend the international legal framework, to develop and strengthen asylum systems, to improve protection standards, to seek durable solutions, and many other activities designed to ensure the safety and well-being of refugees.



- **Returnees:-**
  - The Executive Committee has endorsed UNHCR's activities to provide protection and assistance to returning refugees. UNHCR cares for "returnees" by monitoring their return and providing them with protection and assistance in their country of origin.
- **International Protection :-**
  - The General Assembly and Executive Committee have over the years consistently reiterated that international protection is the main function of UNHCR. The General Assembly has also reaffirmed the humanitarian, nonpolitical character of the Office and has encouraged States and other partners to cooperate fully with the Office in carrying out this function.
- **Assistance:-**
  - UNHCR has been called upon by the General Assembly to become the principal organization in coordinating assistance to refugees and other persons of concern. The Office has been encouraged to carry out this role in cooperation with a number of other relevant actors.
- **Durable Solutions**
  - Promoting durable solutions for refugees goes hand-in-hand with providing international protection. Seeking permanent solutions is explicitly referred to in UNHCR's Statute .
- **Coordination:-**
  - According to UNHCR's Statute, the Office has a role in coordinating with States and "private organizations concerned with the welfare of refugees". Over time UNHCR's role as a coordinator has changed and come to involve more than just organizations who have a direct concern for refugees. The Office has been asked to coordinate with a multitude of different actors that can help achieve the goals of the Office.
- **Development:-**
  - As a humanitarian organization, UNHCR is not specifically tasked to engage in development activities. However, because UNHCR has been given a primary role in promoting durable solutions for refugees, the Office has been asked to be a catalyst in promoting development, predominantly in areas to which refugees return
- **Non- refoulement :-**
  - The 1951 Refugee Convention also clearly establishes the principle of non-refoulement, according to which no person may be returned against his or her will to a territory where he or she may be exposed to persecution.
  - It means, when a person is compelled to leave his country of origin or nationality what is of immediate concern to him is that he should be admitted at the frontier and should not be sent back, nor be punished if he has crossed the frontier illegally.
- **Asylum**
  - The principle of non-refoulement constitutes the very basis of the institution of asylum

#### **Contribution:-**

- In 1956, during the **Hungarian Revolution**, 200,000 fled to neighbouring Austria. Recognising the Hungarians as 'prima facie' refugees, UNHCR led efforts to resettle them. This uprising and its aftermath shaped the way humanitarian organisations would deal with refugee crises in the future.
- During the 1960s, the decolonisation of **Africa** produced the first of that continent's numerous refugee crises. UNHCR also helped uprooted people in **Asia and Latin America** over the following two decades.
- The start of the 21st century has seen UNHCR help with major refugee crises in **Africa, the Middle East and Asia**. UNHCR has also been asked to use our expertise to help many internally displaced by conflict and expanded our role in helping stateless people.
- During its lifetime, UNHCR has helped well over 50 million refugees to successfully restart their lives.



- UNHCR has contributed to major international relief operations to help victims of natural disasters, including the 2004 Indian Ocean tsunami, the 2005 Pakistan earthquake, China's 2008 Sichuan earthquake and the 2013 Philippines typhoon.
- Some examples of UNHCR's engagement with the private sector include:
- In 2008 Microsoft provided key support for UNHCR's initiatives to increase the use of information communication technology (ICT) in operations and in refugee settings.

#### **Criticism:-**

- UNHCR has encouraged states to improve their data on naturalized refugees, but statistics are still only partial.
- Refugee agency should have been more assertive in opening doors in Europe in the immigration crisis recently, as it has done in past crises, such as the exodus from Hungary in 1956 and the plight of Vietnamese boat people in the 1970s and 1980s.
- The majority of the UN's humanitarian work is funded entirely by voluntary donations from individual governments and private donors, with agencies such as the UNHCR and UNICEF receiving none of the regular budget that member states pay into the UN's central coffers
- Another major crisis for the UN is feeding refugees, not only those recently displaced but people who are still unable to return home years after leaving.
- The UN's humanitarian agencies are on the verge of bankruptcy and unable to meet the basic needs of millions of people because of the size of the refugee crisis in the Middle East, Africa and Europe.

Q) Discuss the aims of the establishment of the Arab League and assess its role in safeguarding the interests of the Arab nations. (250 words)

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

*The question focuses on the objectives of establishment of Arab League and the role they played in safeguarding and promoting the interests of Arab Nations.*

#### **Directive word**

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

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

**Introduction** – Explain what is Arab League, when was it formed etc

**Body** – Discuss the broad objectives of formation of Arab League such as strengthen ties between member states and safeguard their independence and sovereignty; and a general concern with the affairs and interests of the Arab countries.

- *Thereafter, analyze how Arab League has worked to safeguard and promote the interests of Arab nations such as its role in Israel Palestine conflict, Arab unity etc.*
- *Discuss the impact that the working of the league has had on the polity, economy etc of Arab nations*

**Conclusion** – Give an overview of the role of Arab League, how it can be better leveraged to deal with the issues in Gulf countries.

#### **Arab league:-**

- The idea of the Arab League was mooted in 1942 by the British, who wanted to rally Arab countries against the Axis powers. However, the league did not take off until March 1945, just before the end of the Second World War.
- The League of Arab States, or Arab League, is a voluntary association of countries whose peoples are mainly Arabic speaking or where Arabic is an official language.



- It has 22 members including Palestine, which the League regards as an independent state.



#### Aims of the establishment of Arab league :-

- Its stated aims are to **strengthen ties among member states, coordinate their policies and direct them towards a common good.**
- The issues that dominated the league's agenda were freeing those Arab countries still under colonial rule, and preventing the Jewish community in Palestine from creating a Jewish state.
- Facilitate economic, cultural and scientific programs to promote interests of the Arab world.
- According to its charter, the founding members of the Arab League agreed to seek close cooperation on matters of economics, communication, culture, nationality, social welfare, and health.
- They renounced violence for the settlement of conflicts between members and empowered League offices to mediate in such disputes, as well as in those with non-members.
- Signatories agreed to collaborate in military affairs; this accord was strengthened with a 1950 pact committing members to treat acts of aggression on any member state as an act against all.

#### Performance of Arab league:-

##### **Positives:**

- Israel:-**
  - Economic boycott of Israel
  - Support to the oil boycott against the countries that supported Israel in the 1973 Arab-Israeli war which was initiated by the Arab oil-producing nation members of OPEC plus Egypt and Syria.
  - It has tried to resolve the Palestine-Israel conflict by taking steps such as formation of PLA in 1964 and Arab peace initiative 2002.
- Arab spring:-**
  - More recently the League has shown a greater sense of purpose since the "Arab spring" uprisings in early 2011. It backed UN action against Muammar Gaddafi's forces in Libya.
  - Supported a no-fly zone and the ouster of Muammar al-Qaddafi



#### ▪ **Syria:-**

- In Syria, it orchestrated a fact-finding mission to observe the conflict and called on President Bashar al-Assad to step down after months of deadly clashes with protesters.
- It also suspended Syria over its repressions of nationwide protests.
- The Arab League has created a few regional organizations to promote its aims, such as the Arab Telecommunications Union in 1953, the Arab Postal Union in 1954, the Arab Development Bank (later known as the Arab Financial Organization) in 1959, the Arab League Educational, Cultural and Scientific Organization in 1964, and the Arab Common Market in 1965
- Arab League has been a little more effective at lower levels, such as shaping school curricula, preserving manuscripts and translating modern technical terminology. It has helped to create a regional telecommunications union.
- Enhanced economic integration among members by formation of documents like Joint Arab Economic Charter.
- Launched ARABSAT satellites to improve communication within Arab World.

#### Criticism:-

- **The organization's inability to define terrorism** in a way that is compatible with the generally understood definition of this term.
- **Division among members is a big issue**
  - The Arab League's effectiveness has been severely hampered by divisions among member states.
  - For example, during the Cold War some members were Soviet-oriented while others fell within the Western camp. There has been rivalry over leadership, notably between Egypt and Iraq.
  - Then there have been the hostilities between traditional monarchies – such as Saudi Arabia, Jordan and Morocco – and new republics, or “revolutionary” states such as Egypt Baathist Syria and Iraq, and Libya
  - **Iraq:-**
    - The league was severely tested by the US-led attack on Saddam Hussein's Iraq, with some backing the war, some opposing it and others standing on the sidelines
  - Strategic implications of Mideast oil, and a U.S. policy of Soviet containment provided ample seeds of conflict for the newly formed League
  - Tensions between Sunni and Shia Muslims, exacerbated by wars in Syria and Iraq, are creating new fissures among Arabs.
- **Organisational issues:-**
  - Because decisions made by the Arab League are binding only on members who voted for them, these divisions have in effect crippled the league in the sphere of “high politics”.
  - The **Arab League has no mechanism to compel members compliance with its resolutions**, a void that has led critics like to describe the organization as a glorified debating society. The charter states that decisions reached by a majority shall bind only those states that accept them, which places a premium on national sovereignty and limits the League's ability to take collective action.
  - **While some actions are taken under the aegis of the Arab League, they are executed only by a small faction.** For instance during the Lebanese civil war, the Arab League had limited success trying to help negotiate a peace, but in the end it was the individual powers, in this case Syria and Saudi Arabia, that helped end the conflict by convening the Taif Agreement.
  - Thus it failed to coordinate foreign, defence or economic policies, rendering core league documents such as the Treaty of Joint Defence and Economic Cooperation and key bodies such as the Joint Defence Council completely ineffectual.
  - Weak organizational structure, lack of independence from individual Arab governments, institutional lethargy, or a malaise of noncooperation.



#### ▪ Palestine:-

- Where members do agree on a common position, such as support for the Palestinians under Israeli occupation, **this rarely ever goes beyond the issuing of declarations.**
- The Arab League's main failure since its establishment has been to find the right formula and strategy to address the Palestinian question, which at present is quickly moving toward an Israeli-imposed solution at the expense of the Palestinian people.
- League has **failed to be a decisive actor in Yemen and post-transition Libya.**

#### Way forward:-

- Until democracy is the mainstay of the Arab world, the League will continue to struggle with issues of legitimacy.
- Charter of the Arab League already provides for a Joint Defense Council, and it may be high time that a **collective Arab force becomes a reality instead of remaining possible only in principle.**
- Arab leaders have decided to agree on the principle of a joint Arab military force. With this they might play a greater role in international politics and try to yield greater influence than OPEC and GCC.

Q) Discuss the organizational structure, aims and mandate of Shanghai Cooperation Organization. (250 words)

#### Reference

#### Reference

#### **Why this question**

*Recently India and Pakistan attended the SCO meet for the first time, after their formal accession last year. This event will have significant impact on the peace, development and prosperity of not only the sub-continent, but also the entire Eurasia. The issue is related to GS-2 syllabus under the following heading-*

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

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

*The question simply wants us to write at length about the organizational structure of the SCO, what are its aims and what is its mandate.*

#### **Directive word**

*Discuss- As an all-encompassing directive, the question directs us to write in detail about the key demand of the question- organizational structure and mandate of the organization.*

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

**Introduction** – mention the year of formation and preferably enlist the members of the SCO.

**Body-** Take the help of the articles attached to the question in order to frame your answer.

- *Discuss the organizational structure of SCO. Preferably, draw an illustrative diagram to make a better presentation.*
- *Discuss the activities/ mandate of SCO.*

**Conclusion**– *Form a fair and a balanced opinion on the overall potential of SCO and briefly discuss the scope for India.*

#### **Shanghai cooperation organization:-**

- The Shanghai Cooperation Organization (SCO) is an intergovernmental organization composed of China, Russia, Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan founded in Shanghai in 2001.
- Originally formed as a confidence-building forum to demilitarize borders, **the organization's goals and agenda have since broadened to include increased military and counter terrorism cooperation and intelligence sharing.**



- The SCO has also intensified its focus on regional economic initiatives like the recently announced integration of the China-led Silk Road Economic Belt and the Russia-led Eurasian Economic Union.

#### Aims:-

- One of the organization's primary objectives is promoting cooperation on security-related issues, namely to combat the "three evils" of terrorism, separatism, and extremism.
- The organization adopts decisions made by consensus, and all member states must uphold the core principle of non-aggression and non-interference in internal affairs.
- The SCO's objectives are centred around cooperation between member nations on security-related concerns, military cooperation, intelligence sharing and counter-terrorism. **It is mainly aimed at military cooperation between the members and involves intelligence-sharing, counter-terrorism operations in Central Asia.**

#### Structure:-

- To implement the goals and objectives of the Shanghai Cooperation Organisation Charter, the following bodies shall operate within the Organisation:
  - **The Council of Heads of State is the top decision-making body in the SCO.** This council meets at the SCO summits, which are held each year in one of the member states' capital cities.
  - **The Council of Heads of Government is the second-highest council in the organisation.** This council also holds annual summits, at which time members discuss issues of multilateral cooperation. The council also approves the organisation's budget.
  - The Council of Foreign Ministers also hold regular meetings, where they discuss the current international situation and the SCO's interaction with other international organisations.
  - The Council of National Coordinators coordinates the multilateral cooperation of member states within the framework of the SCO's charter.
  - **The Secretariat of the SCO is the primary executive body of the organisation.**
    - It serves to implement organisational decisions and decrees, drafts proposed documents, function as a document depository for the organisation, arranges specific activities within the SCO framework, and promotes and disseminates information about the SCO.
    - The Regional Anti-Terrorist Structure (RATS), headquartered in Tashkent, Uzbekistan, is a permanent organ of the SCO which serves to promote cooperation of member states against the three evils of terrorism, separatism and extremism.

#### Mandate:-

##### Cooperation on security

- The SCO is primarily centered on its member nations Central Asian security-related concerns, often describing the main threats it confronts as being terrorism, separatism and extremism.
- Organisation is also redefining cyberwarfare, saying that the dissemination of information harmful to the spiritual, moral and cultural spheres of other states should be considered a security threat.

##### Military activities

- Over the past few years, the organisation's activities have expanded to include increased military cooperation, intelligence sharing, and counterterrorism.
- The SCO has served as a platform for larger military announcements by members. During the 2007 war games in Russia, both China and Russia used the occasion to announce that Russian strategic bombers would resume regular long-range patrols for the first time since the cold war.
- Cultural cooperation also occurs in the SCO framework.

#### Conclusion:-

- The geographical and strategic space which the SCO entails is of great importance for India. India's security, strategic, geopolitical, and economic interests are deeply intertwined with developments in the region.



- The chronic presence and increasing challenges of terrorism, radicalism, and instability still pose a grave threat to the sovereignty and integrity not only of India, but also of countries in its broader neighborhood. India's participation in the SCO will be helpful for fighting against these problems.
- India's getting a full membership in the SCO creates a win-win situation for the organization, for Central Asia, for China, and for Russia, as well as for India.
- Now, SCO has a huge potential to play a more substantive role in promoting peace, security, connectivity, economic development, trade, energy security, and investment within the region and beyond.

Q) Deepening defence ties with Vietnam will give boost to the India's Act East policy. Comment. (250 words)

### Reference

#### Why this question

Recently US passed Countering Americas Adversaries through Sanctions Act (CAATSA) which will complicate the defence ties between Vietnam and Russia. This gives India an important opportunity to further strengthen and deepen its defence cooperation with Vietnam. 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,

#### Key demand of the question.

The question wants us to express our knowledge and understanding of the nature of defence ties between India and Vietnam and present our opinion on how the ties can be further deepened.

#### Directive word

Comment- we have to express our understanding of the issue and deliberate upon the key demand of the question.

#### Structure of the answer

**Introduction-** Briefly discuss India's Act east policy, its aim. Also mention that Vietnam can be an important partner in achieving those aims.

#### Body-

Discuss the scope of deepening defence ties with Vietnam under the present circumstances- US has passed the CAATSA which will dilute Vietnam's engagement with Russia. Also discuss the tensions in the South China Sea and how that can be capitalised to strengthen defence cooperation between India and Vietnam.

Discuss in points, in what ways the defence ties can be strengthened. E.g Brahmos missile transfer, cyber security cooperation, commonality in military platforms which have the potential to attain a high degree of interoperability, Akash missile etc.

**Conclusion-** mention the need for superior industrial partnership, development of indigenous technologies and co-production in order to realise the required level of cooperation.

#### Background:-

- **Vietnam** has an important place in **India's** framework of **Act East policy** and **India's** relations with ASEAN

#### Deepening defence ties with vietnam:-

- **With the US bringing into force the 'Countering America's Adversaries Through Sanctions Act' (CAATSA)** a move that is likely to mount secondary sanctions on nations dealing with Russia in defence and energy a window of opportunity has opened for India.



- **Naval exercises:-**
  - Military exchanges between India and Vietnam are quite robust, with the two sides conducting their first-ever bilateral land warfare and naval exercises respectively earlier this year.
- **China:-**
  - Vietnam, which is under maritime pressure from China's revanchist activities in the South China Sea (SCS), wants India to deepen its military engagement further and sees defence industrial ties as a key component of the same.
  - Given India's own energy interests in Vietnam, as well as the need to uphold freedom of navigation in the SCS, bolstering Vietnamese defence capabilities makes strategic sense for India.
  - Vietnam also wants offensive strike systems such as the Brahmos anti-ship cruise missile to credibly deny Chinese access to its waters.
- **Training :-**
  - Defense ties have grown in recent years to include not just the traditional components in this realm of ties like exchanges and port calls but also the training of personnel, capacity-building funding and equipment, coast guard collaboration, and pacts on areas such as white shipping and outer space.
  - The armed forces of the two states have started cooperation in areas like information technology and the English-language training of Vietnamese Army personnel.
  - India is also involved in various training programs, besides helping Vietnam augment its cyber capabilities.
- **Defence infrastructure:-**
  - Army Software Park in Nha Trang that is being built with Indian financial support to the tune of \$5 million.
  - Convergent interests coupled with Vietnam's rising military expenditure means that India can build its own position in the global arms market by focusing on Vietnam. **At the moment, Indian defence transfers to Vietnam include the supply of some ten patrol boats** by L&T, with the sale facilitated by a \$100 million line of credit (LoC) extended by India, as well as upgrade packages for Vietnam's Russian-origin Petya Class Surface Combatants.
  - Given the pool of common Russian origin equipment operated by India and Vietnam, Indian companies that are upgrading such **equipment domestically can now see Vietnam as a future customer for similar services.**
  - The commonality in military platforms also suggests that the Indian and Vietnamese militaries have the potential to attain a high degree of interoperability.
  - Bharat Electronics Limited's (BEL) opening of a representative office in Hanoi assumes significance since the Vietnamese seem interested in inducting Indian-origin COMSEC and sensor equipment such as radars.
  - Predominantly indigenous weapons such as the Akash surface-to-air missile is also on offer to Vietnam.
  - **India on Saturday extended \$500 million Line of Credit to Vietnam for facilitating deeper defence cooperation** with the south east Asian nation, as the two countries elevated their ties to a Comprehensive Strategic Partnership to respond to emerging regional challenges.
- **Maritime security :-**
  - Two nations also have stakes in ensuring sea-lane security, as well as shared concerns about Chinese access to the Indian Ocean and the South China Sea. Hence, India is helping Vietnam to build capacity for repair and maintenance of its defense platforms. Conclusion:-

### Conclusion:-

- With its outreach to Hanoi, Delhi seems to ready to challenge Beijing on its own turf. And this stance is being welcomed by states like Vietnam who fear the growing aggression of China. A more engaged India will also lead to a more stable balance of power in the region.



Q) SCO provides immense opportunities for India provided India understands the dynamics of the region and of individual nations of SCO. Critically analyze the statement in light of the recently held SCO summit. (250 words)

The hindu

### Why this question

With the conclusion of the recent SCO summit, where India and Pakistan participated as full members for the first time, SCO has opened up several opportunities as well as certain risks to be mindful of. Analysing the impact that SCO would have on India's overall role in central Asian region and relations with member nations of SCO is important.

### Key demand of the question

The question expects us to analyze the opportunities that membership of SCO provides for India. However the question puts a rider that India has to understand the dynamics of Central Asian region and the member countries of SCO. We have to critically analyse this view, by providing arguments in favour of and against the given view. Finally we have to provide our 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** – Talk about the recent summit of SCO in Qingdao and the other geopolitical developments around the time which will have an impact on SCO and its members.

**Body** – Highlight the importance of SCO for India – focus on the advantages that India can gain in bilateral relations and in the larger Eurasian region. To critically analyze the view expressed in the question, we need to first analyze how understanding the dynamics of the region and of bilateral relations is important for gaining the maximum out of SCO. On the other hand, also point out that the opportunities for India groom SCO is going to be limited because of certain challenges – discuss the challenges.

**Conclusion** – provide a fair and balanced viewpoint and way forward.

### Background:-

- Recently held SCO summit is the first SCO summit attended by India as a full-fledged member

### Relevance of SCO to India :-

- SCO's relevance for India lies in geography, economics and geopolitics.
- SCO members occupy a huge landmass adjacent to India's extended neighbourhood, where India has important economic and security interests.
- With Pakistan joining the Organisation and Afghanistan and Iran knocking on the doors for membership, the logic of India's membership becomes stronger.

### Immense opportunities for India :-

- Russia pushed strongly for India to join it, to somewhat balance China's economic dominance in Central Asia.
- India Pakistan relationship :-**
  - Harmonious cooperation in the SCO may pave the way for an India-Pakistan rapprochement. SCO membership had facilitated resolution of China's boundary disputes with Russia and Central Asian countries.



- **Non western perspective on global issues:-**
  - Besides expanding opportunities for India in Central Asia, the SCO is a platform for articulating a non-Western as distinct from anti-Western perspective on global issues. This includes opposition to selective advocacy of regime change, self-serving homilies on human rights and intrusive advice on domestic policies. **It suits India that the SCO is not stridently anti-West in its pronouncements.**
- **Security is priority:-**
  - Qingdao Declaration by the SCO member states leaders calls for prioritising the implementation of the Cooperation Programme to **fight terrorism, separatism and extremism** for 2019-2021 and speeding up the coming into effect the SCO Convention on Countering Extremism.
  - India is believed to benefit from SCO's regional anti-terrorist structure that provides key intelligence inputs on terror outfits, cyber security and drug trafficking. Also, counter terror exercises and military drills that Indian army will be exposed to, are likely to infuse more energy into the army.
  - The SCO Anti-Drug Strategy for 2018-2023 and the Programme of Action for its implementation, as well as the Concept for the Prevention of the Abuse of Narcotic Drugs and Psychotropic Substances adopted at the Qingdao summit, reveal security to be a priority of the SCO.
- **Trade:-**
  - The memorandum of understanding (MoU) regarding export of non-Basmati rice, earlier denied access on phytosanitary grounds, was signed. **The MoU assumes significance in the light of India's widening trade deficit (which stood at \$51 billion in 2016-2017) with China, one of the world's biggest rice markets.**
  - In economic spirit, SCO holds immense opportunities for India to bolster its trade linkages with Central Asia, a resource rich region.
  - SCO membership is also positively linked with development of International North South Transport Corridor (INSTC) and the Chabahar port, both directed towards expanding transport and reducing costs of trade.
- **Hydrology:-**
  - Another MoU signed during the recent summit concerned the sharing of hydrological information on Brahmaputra
  - The agreement enables China to provide hydrological data in flood season from May 15 to October 15 every year.
  - It also enables the Chinese side to provide hydrological data if water level exceeds mutually agreed level during non-flood season.
- India would be **able to seek mutually beneficial partnerships with SCO members in human capital creation, technology, education, and policy convergence in regional trade.**

#### **Issues:-**

- **India- Pakistan:-**
  - SCO will **nudge both India and Pakistan to cooperate in sensitive areas.** One example is the Regional Anti-Terrorist Structure (RATS) of the SCO, which coordinates cooperation for security and stability, through intelligence-sharing on criminal and terrorist activities.
  - **Defence cooperation** : Enhanced linkages between armed forces is an SCO objective. India has agreed to participate in the SCO's counter-terrorism military exercises in Russia later this year, when Indian and Pakistani troops will operate together.
  - **Reconciling Indian and Pakistani perspectives in the SCO's initiatives on Afghanistan would be yet another challenge.**
- **Increasing Chinese dominance of the SCO:-**
  - There have been frequent instances of contradictions in the two nations international ambitions like China Pakistan Economic Corridor (CPEC), a part of which falls into Pakistan-occupied-Kashmir.



- Another example of China-India disagreement is India's NSG membership and China's constant denial of support.

#### **Way forward:-**

- In essence, a zealous partnership with old ally Russia, unexplored Central Asia and growth competitor China will act as a catalyst for India to extend markets, and establish geopolitical relations in extended neighbourhood.

Q) The UN SDG 2018 report calls for accelerated actions and a profound change that goes beyond business as usual. Analyze. (250 words)

#### The hindu

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

*The UN SDG form an important development agenda for all the countries of the world. Their progress is important as far as need for revision/ evaluation and UPSC exam is concerned. 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 discuss the findings of the UN SDG report, 2018 and bring out the need therefrom, of accelerated action in order to successfully achieve all the SDGs by 2030.*

##### **Directive word**

*Analyze- we have to identify all the key aspects of the question- what are the findings of the report and why there is a need for accelerated actions and profound change that goes beyond business as usual. We have to discuss the issues individually while maintaining a coherence between them.*

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

**Introduction**– *Mention that The Sustainable Development Goals (SDGs), otherwise known as the Global Goals, are a universal call to action ( in the form of 17 goals) to end poverty, protect the planet and ensure that all people enjoy peace and prosperity.*

##### **Body**–

- *Discuss in points the findings of the UN SDG report, 2018. E.g rise in hunger, rising water stress, environmental pollution, climate change and land-use associated land degradation, decreased child marriage incidence in India etc.*
- *Discuss the associated goals with the findings- e.g eliminating hunger and poverty, clean water and sanitation, responsible consumption and production, climate action etc.*

**Conclusion**– *mention the need for accelerated actions and closer cooperation between countries and stakeholders under the purview of goal 17 of SDG- partnership for goals.*

#### **Background :-**

- SDG Report presents an overview of progress toward achieving the Goals, which were unanimously adopted by countries in 2015.

#### **Report findings:-**

- A fast-changing climate, conflict, inequality, persistent pockets of poverty and hunger and rapid urbanization are challenging countries efforts to achieve the Sustainable Development Goals
- Sustainable Development Goals Report 2018 **found that conflict and climate change were major contributing factors leading to growing numbers of people facing hunger and forced displacement**, as well as curtailing progress towards universal access to basic water and sanitation services.



- **Hunger:-**
  - For the first time in more than a decade, there are now approximately 38 million more hungry people in the world, rising from 777 million in 2015 to 815 million in 2016. According to the report, conflict is now one of the main drivers of food insecurity in 18 countries.
- **Better lives:-**
  - Report found that more people are **leading better lives than they were just a decade ago**. The proportion of the world's workers living with their families on less than 1.90 per person a day declined significantly over the past two decades, falling from 26.9 per cent in 2000 to 9.2 per cent in 2017.
- **Electricity:-**
  - The under-five mortality rate dropped by almost 50 per cent and in the least developed countries, the proportion of population with access to electricity has more than doubled between 2000 and 2016.
- **Sanitation:-**
  - However, in 2015, 2.3 billion people still lacked even a basic level of sanitation service and 892 million people continued to practice open defecation.
- **Child marriages:-**
  - **Rates of child marriage have continued to decline around the world.**
  - South Asia, which includes India, has seen child marriage rates plunge, with a girl's risk of getting married in childhood dropping by 40% from 2000 to 2017.
- **Land degradation threatens the livelihoods of over one billion people**
- **Water scarcity:-**
  - On the other hand, water stress levels for many countries in the region are above 70%, indicating fast-approaching water scarcity.
- **Pollution:-**
  - More than nine out of 10 people living in urban areas around the world are breathing polluted air, with southern Asia scoring the worst in this area.

#### UN SDG 2018 report findings and goals :-

- **End poverty in all its forms everywhere:-**
  - While extreme poverty has eased considerably since 1990, pockets of the worst forms of poverty persist.
  - **Way forward:-**
    - Ending poverty requires universal social protection systems aimed at safeguarding all individuals throughout the life cycle. It also requires targeted measures to reduce vulnerability to disasters and to address specific underserved geographic areas within each country.
  - **End hunger, achieve food security and improved nutrition and promote sustainable agriculture**
    - After a prolonged decline, world hunger appears to be on the rise again. Conflict, drought and disasters linked to climate change are among the key factors causing this reversal in progress.
  - **Ensure healthy lives and promote well-being for all at all ages**
    - Many more people today are living healthier lives than in the past decade. Nevertheless, people are still suffering needlessly from preventable diseases, and too many are dying prematurely.
    - **Way forward:-**
      - Overcoming disease and ill health will require concerted and sustained efforts, focusing on population groups and regions that have been neglected.



- **Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all**
  - More than half of children and adolescents worldwide are not meeting minimum proficiency standards in reading and mathematics. Refocused efforts are needed to improve the quality of education. Disparities in education along the lines of gender, urban-rural location and other dimensions still run deep, and more investments in education infrastructure are required, particularly in LDCs.
- **Achieve gender equality and empower all women and girls**
  - While some forms of discrimination against women and girls are diminishing, gender inequality continues to hold women back and deprives them of basic rights and opportunities.
  - **Way forward:-**
    - Empowering women requires addressing structural issues such as unfair social norms and attitudes as well as developing progressive legal frameworks that promote equality between women and men.
- **Ensure availability and sustainable management of water and sanitation for all:-**
  - Too many people still lack access to safely managed water supplies and sanitation facilities.
  - **Way forward:-**
    - Water scarcity, flooding and lack of proper wastewater management also hinder social and economic development. Increasing water efficiency and improving water management are critical to balancing the competing and growing water demands from various sectors and users.
- **Ensure access to affordable, reliable, sustainable and modern energy for all**
  - Ensuring access to affordable, reliable and modern energy for all has come one step closer due to recent progress in electrification, particularly in LDCs, and improvements in industrial energy efficiency.
  - **Way forward:-**
    - However, national priorities and policy ambitions still need to be strengthened to put the world on track to meet the energy targets for 2030.
- **Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all**
  - Globally, labour productivity has increased and the unemployment rate has decreased.
  - **Way forward:-**
    - However, more progress is needed to increase employment opportunities, especially for young people, reduce informal employment and labour market inequality, promote safe and secure working environments, and improve access to financial services to ensure sustained and inclusive economic growth.
- **Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation**
  - **Way forward:-**
    - Steady progress has been made in the manufacturing industry. To achieve inclusive and sustainable industrialization, competitive economic forces need to be unleashed to generate employment and income, facilitate international trade and enable the efficient use of resources.



- **Reduce inequality within and among countries**
  - Efforts have been made in some countries to reduce income inequality, increase zero-tariff access for exports from LDCs and developing countries, and provide additional assistance to LDCs and small island developing States (SIDS). **However, progress will need to accelerate to reduce growing disparities within and among countries.**
- **Make cities and human settlements inclusive, safe, resilient and sustainable**
  - Many cities around the world are facing acute challenges in managing rapid urbanization from ensuring adequate housing and infrastructure to support growing populations, to confronting the environmental impact of urban sprawl, to reducing vulnerability to
- **Ensure sustainable consumption and production patterns**
  - Decoupling economic growth from resource use is one of the most critical and complex challenges facing humanity today.
  - Doing so effectively will require policies that create a conducive environment for such change, social and physical infrastructure and markets, and a profound transformation of business practices along global value chains.
- **Take urgent action to combat climate change and its impacts**
  - Analysis by the World Meteorological Organization shows that the five-year average global temperature from 2013 to 2017 was also the highest on record. The world continues to experience rising sea levels, extreme weather conditions and increasing concentrations of greenhouse gases.
  - **Way forward:-**
    - This calls for urgent and accelerated action by countries as they implement their commitments to the Paris Agreement on Climate
- **Conserve and sustainably use the oceans, seas and marine resources for sustainable development**
  - Advancing the sustainable use and conservation of the oceans continues to require effective strategies and management to combat the adverse effects of overfishing, growing ocean acidification and worsening coastal eutrophication.
  - The expansion of protected areas for marine biodiversity, intensification of research capacity and increases in ocean science funding remain critically important to preserve marine resources.
- **Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss**
  - Protection of forest and terrestrial ecosystems is on the rise, and forest loss has slowed. That said, other facets of terrestrial conservation continue to demand accelerated action to protect biodiversity, land productivity and genetic resources and to curtail the loss of species.
- **Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels**
  - Many regions of the world continue to suffer untold horrors as a result of armed conflict or other forms of violence that occur within



societies and at the domestic level. Advances in promoting the rule of law and access to justice are uneven.

- However, progress is being made in regulations to promote public access to information, albeit slowly, and in strengthening institutions upholding human rights at the national level.
- **Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development**
  - Goal 17 seeks to strengthen global partnerships to support and achieve the ambitious targets of the 2030 Agenda, bringing together national governments, the international community, civil society, the private sector and other actors.
  - **Way forward:-**
    - Despite advances in certain areas, more needs to be done to accelerate progress. All stakeholders will have to refocus and intensify their efforts on areas where progress has been slow.

#### **Way forward:-**

- As the global community moves forward to achieve the SDGs and address existing challenges, **reliable, timely, accessible and disaggregated data is critically needed**. This requires technology and innovation, increased resources and political commitment to build strong data and statistical systems in all countries.
- Achieving the 2030 Agenda requires accelerated actions by countries **along with collaborative partnerships among governments and stakeholders at all levels**.
  - **Sustainable and resilient societies will also require the establishment of strong national frameworks for sustainable consumption** and production, environmentally sensitive business practices and consumer behaviour, and adherence to international norms on the management of hazardous chemicals and wastes.

Q) Critically examine whether India should sign the COMCASA agreement. (250 words)

[The hindubusinessline](https://www.hindubusinessline.com)

#### Reference

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

*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 bring out and discuss the implications of signing the COMCASA and form a personal opinion on the issue.*

##### **Directive word'**

*Critically examine- We have to dig deep into the issue and bring out the causes/ implications of signing the agreement and then take an ultimate call on the issue.*

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

**Introduction**– *Expand the abv COMCASA and describe the nature of the agreement briefly.*

##### **Body**

- *Discuss the need to sign the agreement with US. e.g getting access to obtain critical, secure and encrypted defence technologies for precision armament, air-to-air missiles, space systems and*



*navigation systems that are critical components in platforms like fighter aircraft and unmanned aerial systems etc.*

- *Discuss the negative implications of signing the agreement. E.g loss of operational independence, fall in interoperability, need to upgrade whole weapon system suite/ machinery, estrangement with Russia etc.*

**Conclusion**– *based on the above discussion, form a fair, balanced and a concise opinion on the overall issue of signing COMCASA. If signed what precautions should be taken and what should be ensured etc.*

#### **COMCASA AGREEMENT:-**

- COMCASA is one of three foundational agreements that guide US high technology cooperation in defence sector with other countries.
- It was earlier called Communication and Information on Security Memorandum of Agreement (CISMOA) before name was changed to reflect its India-specific nature.
- Other two agreements are Logistics Exchange Memorandum of Agreement (LEMOA) and BECA.
- It will enable Indian military to obtain critical, secure and encrypted defence technologies from the other country.

#### **India needs to sign this agreement because:-**

- It is imperative for India to sign the mandatory three foundational pacts which allows greater **interoperability between critical technologies and smooth facilitation of classified information**.
- Furthermore, not signing COMCASA also means that certain things such as high-precision GPS or the latest guidance packages for US-origin air to air missiles will not be available to India,
- While Logistics security agreement gave both militaries access to each other's bases, **Comcasa would allow them to be the same communication network**.
- India has faced problems in fully exploiting the potential of US-sourced platforms because of restrictions in using compatible communication equipment. By signing the agreement this obstacle can be tackled.
- COMCASA is meant to facilitate use of high-end secured communication equipment to be installed on military platforms being sold to India by US to fully exploit their potential.
- It essentially provides legal framework for transfer of communication security equipment from US to India that will facilitate interoperability between armed forces of both countries and potentially with other militaries that use US-origin systems for secure data links.
- Interoperability in this case means that there will be access to encrypted and secret technologies or communications. India is currently dependent on commercially available and less secure communication systems on high-end US defence platforms like C-130Js and P8I maritime surveillance aircraft
- COMCASA creates the conditions for the Indian military to receive modern secure and net-enabled weapons systems such as precision armament, air-to-air missiles, space systems and navigation systems that are critical components in platforms like fighter aircraft and unmanned aerial systems. **Hitherto India has had to purchase more expensive commercial communications equipment, raising the overall acquisition price of a platform,**

#### **Why India should not sign :-**

- The US, however, tightly controls COMSEC technology and provides access to only those countries that have signed a CISMOA / COMCASA with it. The current denial of this COMSEC equipment to Indian military forces means that they cannot really exchange tactical information with even friendly regional forces that might use CISMOA/COMCASA covered communication systems.
- COMCASA and Basic Exchange and Cooperation Agreement for Geo-spatial Cooperation (BECA) are the two remaining pacts that were not signed due to severe criticism from within the government. It was feared that **signing these agreements would mean compromising India's age-old military ties with Russia and access to their weaponry systems.**



- Besides this, the agreement, which is largely operational with traditional US allies, does require granting periodic access to US personnel to inspect the equipment and ensure they remain secure.
- From an Indian perspective, COMCASA has the potential to compromise India's operational security while protecting that of the US.
- COMCASA may also increase pressure on India to source all of its COMSEC equipment from US vendors in the future.
- **COMCASA requires that US operators perform functions such as keying for the encryption.** Indian operators will not be allowed to even participate in the maintenance of these systems. So, India might not be comfortable with the presence of US designated personnel on Indian-procured US platforms for long durations of their operational life.
- In the COMCASA scheme of things, **the US might basically end up controlling the entire communications and message flow for the sake of 'interoperability'**. Long term analysis of the message flow could end up revealing tactical doctrines adopted by Indian forces in combat.
  - Since communication devices and links currently in use with Indian Forces cannot interact with US-provided systems, it implies that any attempt to establish interoperability between a part of India's inventory and participating US forces could actually lead to reduced 'intra-operability' within India's own military.
- COMCASA-covered equipment/platforms might become incompatible with the rest of India's inventory. This could lead to calls to 'overhaul' the Indian military's entire network to COMCASA-compliant standards through wholesale import of US systems.
- The fact that COMCASA could lead to the secrecy of tactical doctrines getting compromised besides imposing greater complexity costs on India's communication systems demands that a detailed study of the ground realities and practical implications of signing COMCASA be made prior to deciding on a course of action.

Q) Policies and politics of social justice have reached a dead end in contemporary India. This does not, however, mean a futile or wasted journey. Critically comment with respect to reservations as a policy for social justice. (250 words)

### Reference

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

*We have to critically comment on the main assertion of the question that while reservation policy have helped us bridge significant gaps, it has now reached a dead end and needs reinvention.*

#### **Directive word**

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

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

**Introduction** – *It should focus on introducing reservation as a policy of social justice by explaining it and the related constitutional provisions.*

**Body** – *Highlight how reservation policy has helped us achieve a lot and was required in light of the social realities of India during independence and the decades following it. Highlight what are the shortcomings in the policy due to which it is said that it had reached a dead end.*

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

#### **Background:-**

- 'Policies of social justice' refer to the entire gamut of affirmative action programmes aimed at redressing caste inequalities.



### Policies of social justice in India:-

- **Constitution:-**
  - India has been a democracy in search of both formal and substantive equality, hence, there has been efforts to address on an urgent basis the cause and plight of the historically disadvantaged groups.
  - **Article 15 (4) (added by the 1st Amendment to the Constitution), 16 (4), 46, 330, 332,341 and 342 form the core of the affirmative action policies in India's Constitution.**
  - Broadly speaking, three types of preferences are sanctioned by the Constitution.
    - First are reservations which cover (a) special representation rights of SCs and STs by way of reserved seats in the legislatures, and (b) quotas in government jobs and educational institutions. The reservation device is also used to a lesser extent in 'the distribution of land allotments, housing and other scarce resources
    - Second, preferences target a few groups- SCs, STs, and women- with regard to the provision of certain expenditures, services, and ameliorative schemes such as scholarships, grants, loans, land allotments, health care and legal aid.
    - Third, certain preferences take the form of special protections that safeguard vulnerable groups from oppression and exploitation, like measures to prohibit forced labour, measures to curb caste atrocities, etc.
  - The early 1990s, through a revision in the list of the group beneficiaries, affirmative action policies have been extended to include OBCs as well.
- **Legal provisions:-**
  - Many acts have been passed like prevention of SC/ST atrocities act ,73<sup>rd</sup>and 74<sup>th</sup> constitutional amendment act etc

### No, reservation has not reached an dead end:-

- Within parliamentary democracy, the politics of social justice is more 'successful' and powerful than ever before. **Any legislation that has to do with SC/ST reservations is passed by Parliament instantly and with unanimity.**
- No serious political party or government can afford to be seen as opposing reservations. It might thus seem that the politics of social justice is in good health and the policies of social justice are secure.
- Reservations were expected to provide opportunities in higher education and jobs to the identified backward classes and excluded populations. **This did not happen immediately, but by the 1990s significant changes were happening.**
- Between 1994 and 2004 in the premier all-India services (Indian Administrative Services (IAS), Indian Police Services (IPS), Indian Foreign Services (IFS)), which rank among the most coveted and sought after jobs in the country, on an average 12-15% vacancies were filled by SCs, and 6-8% by STs. At the beginning of 2005,
- Representation of SCs, and STs in central government services, Group A, was 11.9% and 4.3% respectively; in group B they were 13.7% and 4.5% respectively. **These numbers are significant as they show that identified beneficiaries now hold some prestigious positions in society and this has provided them the avenues for social mobility which didn't exist earlier.**
- Due to reservations many students from lower castes could get access to high quality education in top institutes of India leading to social mobility
- Due to stand up India Dalit entrepreneurs got a boost and confidence to take business as a career
- Even in social indicators there have been significant improvement in health and educational outcomes of the lower castes.
- The gap between upper and lower castes has reduced due to reservation.



### **The utility of reservation is futile now because:-**

- The success of politics of social justice is **limited to the accession of leaders from dalit-bahujan communities to governmental power**, detached from any substantive consequences for dalit-bahujan communities.
- On the other, the policies of social justice are **confined to implementation of reservations in government jobs and educational opportunities**. Both end up drawing upon, if not reinforcing, the same caste system that they set out to annihilate.
- There are **signs of stagnation in the politics as well as the policies of social justice**.
  - Thus the politics of social justice either faces a containment of political ambitions as in the case of most regional OBC parties. In either case, their capacity to use state power to push through policies of substantive social transformation is very limited.
  - This in turn is reflected in the stagnation of policy around the familiar issues of effective implementation of reservation in government jobs
- **Fragmentation of the idea of social justice:-**
  - The politics of various social groups and communities such as dalits, adivasis, OBCs and Muslims is articulated in isolation, if not in opposition, to one another.
- **Subversion of policies of social justice:-**
  - With respect to reservation for OBCs in the centrally administered higher education institutions the political and legal battle was won by proponents of an OBC quota. In effect, the new legislation has amounted to very little so far.
- The existing reservation policy that has failed to assimilate lowest castes/tribes within the mainstream economy and society, has **created a sense of dissatisfaction and injustice among those who are denied the benefits of reservation**.
- The policy has ended up as a tool that discriminates against the high caste youths in favour of the low caste youths, sometimes coming from the same economic background. The tool of **reservation has failed miserably in removing caste differences and has promoted the caste divide and caste conflicts**.
- It ended up giving preference to more or less the same class of SC/ST/OBC in school/college admission, in jobs and in promotions as well as subsidies in innumerable programmes and schemes, leaving out the poorer sections among them at the bottom.
- Recent study in Gujarat has shown that the SC, OBC and ST households at the bottom are still left out of the benefits of the rapid growth of the State.
- The present reservation system can harm the economic structure of the country as it could bring the efficiency of its labour.
- Today reservation policy has become a tool for politicians to gain vote banks

### **Way forward:-**

- Before extending reservation to more groups the entire policy needs to be properly examined and its benefits over a span of nearly 60 years need to be gauged.
- There is a need to address the anger and aspirations of poor families among unreserved communities.
- Along with improving school education outcomes a more rational model of reservation based on equity and common sense must be envisaged.

### **Conclusion:-**

- The idea of reservation policy should be maintained and the actual backward classes who are in real and not fiction denied access to education, job opportunities etc be benefitted.



Q) Conducting joint military exercises comes with its own benefits and pitfalls. Critically comment, in the context of India. (250 words)

### Reference

#### **Why this question**

*India has been conducting a lot of joint military exercises. Hence it is essential to understand their purpose as well as pitfalls associated with them. 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 bring out the benefits/ purpose of conducting joint military exercises and what downfalls it brings along. We have to discuss the issue in the context of Indian and its international relations.*

#### **Directive word**

*Critically comment- We have to express our understanding and knowledge on the issue by discussing the pros and cons of holding joint military exercises by India. After that, we have to form a personal opinion on the overall issue.*

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

**Introduction**– *Mention that India has conducted around 100 military exercises since last 6 years, with several countries ranging from Nepal to US and Myanmar to France.*

#### **Body**–

- *Discuss the purpose of joint military exercises. E.g to improve inter-coordination and interoperability; forging a bond between participating nations and enhance the level of cooperation between them; operational interaction with military professionals trained in an entirely different operational environment; involvement of their militaries in a joint exercise, rather than in war, is the best form of CBM etc.*
- *Discuss the limitations/ pitfalls of joint military exercises. E.g International military exercises are carried out within well-defined, pre-decided and mutually agreed rules of engagement (RoE)- which affects their significance; Each participant in an international exercise keeps certain capabilities out of bounds for the exercise in order to retain operational independence; Any leakage to a nation/organisation inimical to one's own could result in a security compromise etc.*

**Conclusion**– *mention that International defence cooperation is an imperative for building our capabilities to deal with how we envisage our current and emerging role in the international arena. International military exercises are, thus, efficient tools to engage partnering nations and enhance existing relationships. Gradually, multiservice and multinational exercises with an enhanced scope need to be organised in India to make the entire process of military engagement more efficient.*

#### **Background:-**

- Joint military exercises provide the necessary impetus to such an understanding and play a pivotal role in efficient aid disbursement in the provision of humanitarian assistance and conduct of disaster relief (HADR) situations.
- According to Military Balance 2017, over 100 international military exercises are carried out within one calendar year, with participation of almost all countries with recognisable military forces.
- Indian armed forces have been engaging a number of countries through regular international military exercises in India and abroad



### Benefits:-

- **Sharing of military training aspects through international military exercises is one of the most effective confidence-building measures (CBMs) between partners.** It helps in understanding the intent and perspectives of participants and normally gives a boost to bilateral ties.
  - The Hand-in-Hand series of exercises between the Indian Army and China undertaken every year and with the location alternating between India and China, are a perfect example of the power of international military exercises as a CBM.
- The long-term impact of international military exercises on participants is that it **allays fears and apprehensions between them and this**, in turn, assists in forging a bond of understanding as well as enhances the level of cooperation between them.
  - This cooperation in military affairs has the potential to expand to other arenas, especially related to technology, human resources, training, education and the economy. Mutual benefits from this expansion lead to greater synergy and a cohesive policy formulation.
- **International exercises assist in operational interaction** with military professionals trained in an entirely different operational environment. It helps in grooming combatants in tackling varied operational situations. This forms an important input for refining training methodology too.
- Another area of significance is the **force application planning process**. The process followed by each participant is different and thus assists in understanding the different routes and ways along with stabilising/destabilising factors. **This ultimately leads to a greater understanding of the force application methodology that can be employed in an operational scenario.**
- Interacting professionally in an operational situation as part of international military exercise, **highlights the weaknesses of tactical employment plans carried out by the country's own forces** as participants from different countries have been trained differently.
- Additionally, **empirical data can be obtained to support a theoretical comparative analysis of the combat equipment of participants.**
- Forces that need to operate in an overlapping operational environment for war or for humanitarian and disaster relief need to have common operating processes to obviate the risk of sub-optimal operational efficiency. **International military exercises are ideal tools for formulating, testing and finalising such interoperable processes between the partners.**
- **Learning experience :-**
  - Interaction with military operators and forces which have directly or indirectly participated in significant military events is of immense military value for learning the outcome of various strategies and tactics. Such interaction takes place through visits and seminars but is most productive during an international military exercise.
  - For example, various techniques of 'Broadcast Control' found their way into the IAF through lessons learnt from international exercises with the French Air Force, the UK's Royal Air Force (RAF) and USAF.
- Exposure during international military exercises **induces a systematic change in the work culture and operational thought process.**
- These exercises actively support military diplomacy along with other aspects such as military training, port calls, delegation visits, and combat equipment support.
- Besides projecting Indian capabilities and enabling doctrinal learning, **such exercises assist in benchmarking our capabilities against international standards.**

### Pitfalls:-

- **International military exercise engagements are undertaken with the aim to boost one's national interests and image.**
  - However, media reports in 2015 reported that in an exercise Indradhanush between the IAF and the RAF the follow-on debate ended up undoing a lot of the goodwill that was generated by the bilateral exercise.



- **Applicability of the lessons learnt across a broad spectrum could be disastrous and thus needs to be handled with utmost care** as international military exercises are carried out within well-defined, pre-decided and mutually agreed rules of engagement (RoE). Therefore, the lessons drawn from such engagements need to be viewed in light of the restricted space and conceptualisation of operations.
- **Each participant in an international exercise keeps certain capabilities out of bounds for the exercise in order to retain operational independence**
- There are certain capabilities/deficiencies that come to fore during the exercise and become known to all participants.
- Any leakage to a nation/organisation inimical to one's own could result in a security compromise.

#### **Way forward:-**

- The **Indian armed forces must continue to hold international military exercises in India** and also participate in similar exercises held in other countries.
- **India needs to diversify its partners in military exercises** like ROK, Germany, Myanmar, Vietnam, Egypt, Iran etc.
- Furthermore, **the scope of engagement with Sri Lanka, Bangladesh, Afghanistan and Nepal too needs a revision** owing to the high probability of involvement of the Indian armed forces in these countries .
- India's engagement policy needs to be re-visited and, if required, the frequency of military exercises with certain countries can be reduced in order to engage a greater number of countries. **The gains from engaging different countries would far outweigh repeated engagement with the same partners.**
- Gradually, multiservice and multinational exercises with an enhanced scope need to be organised in India to make the entire process of military engagement more efficient.

Q) Discuss the organizational structure, vision and functioning of the Organisation for the Prohibition of Chemical Weapons (OPCW). (250 words)

[ndtv](#)

[Reference](#)

[Wikipedia](#)

#### **WHY THIS QUESTION**

*There have been several incident of chemical attacks e.g in Syria and recently the OPCW, the organization related to Chemical weapons convention (CWC) has got some new powers in this regard. The issue is related to gs- 2 syllabus under the following heading*

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

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

*the question wants us to simply write in detail about the organisational structure of OPCW, its vision and key activities/ mandate.*

#### **Directive word**

*Discuss- this is an all-encompassing directive. We have to write in detail about the key demand of the question- organisational structure, vision and mandate of OPCW*

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

**Introduction**– *mention that OPCW is the implementing agency of chemical Weapons convention, which entered into force on 29 April 1997.*

#### **Body**–

- *Mention the vision of OPCW ( to implement the provisions of the Chemical Weapons Convention in order to achieve the vision for a world that is free of chemical weapons and of the threat of their use, and in which cooperation in chemistry for peaceful purposes for all is fostered).*



- Briefly discuss the organisational structure of OPCW- 193 member states, the organisational structure described in the Chemical Weapons Convention (whose members are all in OPCW); Conference of the States Parties; Executive Council; Technical Secretariat etc.
- Discuss the mandate/ activities of OPCW. e.g Elimination of the chemical weapons stockpiles and chemical weapons production facilities subject to the verification measures established in the Convention; Non-proliferation of Chemical Weapons, through the application of verification and implementation measures.; Assistance and Protection against Chemical Weapons, their use, or threat of use, in accordance with the Convention;
- International Cooperation; National Implementation etc.

**Conclusion**– Form a fair, balanced and a concise opinion on the overall issue along with highlighting India's concerns regarding the new powers of OPCW-holding an entity responsible for the chemical attack.

#### **Organisation for the prohibition of chemical weapons:-**

- The Organisation for the Prohibition of Chemical Weapons is the implementing body of the Chemical Weapons Convention (CWC), which entered into force in 1997. As of today OPCW has 193 Member States, who are working together to achieve a world free of chemical weapons.

#### **Vision:-**

- The OPCW Member States share the collective goal of preventing chemistry from ever again being used for warfare, thereby strengthening international security. To this end, the Convention contains four key provision
  - Destroying all existing chemical weapons under international verification by the OPCW
  - Monitoring chemical industry to prevent new weapons from re-emerging
  - Providing assistance and protection to States Parties against chemical threats
  - Fostering international cooperation to strengthen implementation of the Convention and promote the peaceful use of chemistry.

#### **Organisational structure:-**

- The activities of the OPCW and its core organisational structure are described in the Chemical Weapons Convention (whose members are all in OPCW).
- **Conference of state of parties:-**
  - The principal body is the **Conference of the States Parties (CSP)**, which normally is convened yearly, and in which all countries participate and have equal voting rights.
  - Countries are generally represented in the Conference by a permanent representative to the organisation, which in most cases is also the ambassador to the Netherlands.
  - The conference decides on all main topics regarding the organisation (for example, taking retaliation measures) and the convention (approving guidelines, imposing retaliating measures against members).
- **Executive council:-**
  - The **Executive Council (EC)** is the executive organ of the organisation and consists of 41 States Parties, which are appointed by the Conference on a 2-year term.
  - The Council amongst others oversees the budget and cooperates with the General Secretariat on all matters related to the convention
- **Technical secretariat:-**
  - The **Technical Secretariat (TS)** applies most of the activities mandated by the Council and is the body where most of the employees of the organisation work.
- **The main activities of the OPCW are performed by the inspection and the verification divisions.**
- All States Parties make contributions to the OPCW budget, based on a modified UN scale of assessments.

**Functioning:-**

- The OPCW has the power to say whether chemical weapons were used in an attack it has investigated. In June 2018, it granted itself new powers to assign blame for attacks.
- The main function of the Organisation is to ensure the implementations of the provisions established in the Chemical Weapons Convention (CWC).
  - The OPCW's international cooperation programmes focus on capacity building for the peaceful applications of the chemistry.
  - **National Implementation**
    - Support to States Parties in implementing national requirements of the Convention.
  - **Chemical weapons destruction facilities**
    - At all operational chemical weapons destruction facilities, 24/7 inspections by the OPCW take place on site to verify the success of the destruction as well as the amounts of weapons being destroyed.
  - **Industry inspections**
    - Inspections are designed to verify compliance of States Parties with the requirements imposed on production and use of scheduled chemicals and to verify that industrial activities of member states have been correctly declared according to the obligation set by the CWC.
    - The intensity and frequency of the inspections is dependent on the type of chemical produced
  - **Challenge inspections and investigations of alleged use**
    - In case of allegation of use of chemical weapons or the prohibited production, **a fact-finding inspection can be employed according to the convention.**
    - None of those activities have taken place, although the OPCW contributed to investigations of alleged use of chemical weapons in Syria as part of a United Nations mission.
    - The OPCW only undertakes these inspections on request of another member state, after verification of the presented proof. Furthermore, the OPCW can only be involved after bilateral diplomatic solutions have failed.