



INSIGHTSIAS

SIMPLIFYING IAS EXAM PREPARATION

- IAS SELF STUDY GUIDE -

SECURE SYNOPSIS

MAINS 2019

GS-II

NOVEMBER 2018

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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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INSIGHTSIAS



General Studies Paper - II

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

Q) Do you agree with the statement that the scope of judicial review in India is much broader than that of what exists in US ? Discuss comparing the judicial review in these two countries. (250 words)

Key demand of the question

The question expects us to compare judicial review in India and America and evaluate whether the nature and scope of judicial review is much broader in India compared to USA.

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 judicial review.

Body – Explain the various points of differences between judicial review in the two countries scope, of judicial review in India is narrower than that of scope of judicial review in USA where Supreme Court of USA the power to reject or abrogate any law which is made by Congress or states.

American constitution provides Due process of law which gives wide scope to the Supreme Court where as Indian constitution mentions about procedure established by law which gives narrow scope to the Supreme Court. But from Menaka Gandhi case onwards supreme court also using the concept of Due process of law by accepting the concept of natural justice in some times.

US constitution does not mention about judicial review in their constitution either explicitly or implicitly whereas Indian constitution explicitly mentions doctrine of judicial review etc

Conclusion – Give your view on the comparison of judicial review in the two countries.

Background:-

- One of the most important features of the judiciary is the power of judicial review. Judicial review is the power of the Supreme Court and the High Courts to examine the constitutionality of the Acts of the Parliament and the state legislatures and executive orders both of the centre and state governments.
- Judicial Review is the power of the Supreme Court to determine the constitutional validity of federal and state laws whenever these are challenged before it in the process of litigation. It is the power to reject such laws as are held to be ultra vires.

Judicial review in US:-

- The doctrine of judicial review is one of the invaluable contributions of the U.S.A. to the political theory. There is no clear mention of the Judicial Review power of the court in any part of the US Constitution. Its origin has been the result of a judicial decision and its continuance has been possible due to some conventions.

Judicial review in India:-

- Although the term Judicial Review has not been mentioned in the Constitution, the provisions of various Articles of the Constitution of India have conferred the power of judicial review on the Supreme Court.
- Accordingly the constitutional validity of a legislative enactment or an executive order may be challenged in the Supreme Court on the following grounds :-
 1. Violation of fundamental rights.
 2. Outside the competence of the authority which has framed it.
 3. It is repugnant to the Constitutional provisions.
- The Supreme Court considerably widened the scope of judicial review in India through its judgement in Maneka Gandhi's case.



Judicial review in India broader than in US:-

- **The scope of judicial review is wider in India as compared to US.** The Constitution of USA is concise and the words and expression used therein are vague and general in nature whereas Indian Constitution is rigid as well as flexible in nature as it has detailed provisions.
- There are specific and extensive provisions of judicial review in the Constitution of India such as Articles 13, 32, 131-136, 143, 226, 227, 246 and 372. Though the term judicial review is not mentioned in these Articles but it is implicit. **US Constitution also does not have any specific provision for judicial review.**
- **Pre-Constitutional laws and Judicial Review In India:-**
 - Article 13 provides for 'Judicial Review of Pre-Constitutional as well as Post- Constitutional laws' whereas there is no such provision of judicial review of pre Constitutional laws in US and UK.
- **Dimensions of Judicial Review**
 - In India, the power of judicial review can be used in three dimensions such as Judicial Review of Constitutional Amendments, Legislative Acts and Administrative Acts. Whereas US Constitution is very rigid in nature therefore review of Constitutional amendment is very rarely used.
- **Incorporation of doctrines**
 - In India, courts formulated various doctrines like doctrine of severability and doctrine of eclipse etc. these doctrines are also implicitly incorporated in US.

However some argue that judicial review in India is narrower than in US:-

- The scope of judicial review in India is narrower than that of what exists in USA, though the American Constitution does not explicitly mention the concept of judicial review in any of its provisions.
- **In USA the judges exercise judicial review in a very aggressive manner. If the judges think that a particular law and the philosophy of it is not liked by the judges then, also the judiciary may reject the law. But such a thing never happens in India.** The Indian judges reject a law only on the basis of unconstitutionality.
- Moreover, it has also been seen that in USA, **if a law is rejected by the Supreme Court then the court will make a new law in its place.** Although law making is not the responsibility of the judiciary, the judiciary makes laws. **Such judge-made laws are very common in USA.**
 - But in India if a law is rejected by the Supreme Court, **the Court leaves the matter of making new laws to the legislative.** This has also been described as Judicial Activism by some of the constitutional experts.
- **The American Constitution provides for 'due process of law' against that of 'procedure established by law' which is contained in the Indian Constitution.**
 - The 'due process of law' gives wide scope to the Supreme Court to grant protection to the rights of its citizens. It can declare laws violative of these rights void not only on substantive grounds of being unlawful, but also on procedural grounds of being unreasonable.
 - Indian Supreme Court, while determining the constitutionality of a law, however examines only the substantive question i.e., whether the law is within the powers of the authority concerned or not. It is not expected to go into the question of its reasonableness, suitability or policy implications.
- **In India the fundamental rights are not so broadly coded as in the USA** and limitations there on have been stated in the constitution itself and this task has not been left to the courts. The constitution makers adopted this strategy as they felt that the courts might find it difficult to work act the limitations on the fundamental rights and the same better be laid down in the constitution itself. This is not the case in India
- **Super legislature:-**
 - American Supreme Court has consumed its power to interpret the constitution liberally and has made so thorough a use of the due process of law clause that it has become more than a mere interpreter of law. It has, in fact come to occupy the position of a maker of law and has been correctly described as a 'third chamber of the legislature, indeed, as a super legislature.' Of course, the US Supreme Court has assumed this position. This is not the case in India.
 - The Indian Judiciary including the Supreme Court is not a Third Chamber claiming the power to sit in judgement on the policy embodied in the legislation passed by the legislature.
- In the USA, **the Supreme Court can strike down legislation enacted by Congress if it finds the same to be incompatible with the constitution.**

Q) Discuss the background and the judgement of the recent Sabarimala temple controversy. (250 words)

[The hindu](#)



Why this question

The article provides a concise yet a complete picture of the recent Sabarimala Temple controversy which has raised severe criticism from political parties and civilians alike.

Directive word

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

Key demand of the question.

The question wants us to write in detail the background to the Sabarimala controversy- bring out the legal and customary positions, reason behind the controversy and also write in detail about the observations of the SC in the recent judgement.

Structure of the answer

Introduction– write a few introductory lines about the Sabarimala temple. E.g Sabarimala is considered to be one of the holiest temples in Hinduism, with one of the largest annual pilgrimages in the world etc.

Body-

Discuss the background of the case. E.g The devotees believe that the deity's powers derive from his asceticism, and in particular from his being celibate. Women between the ages of 10 and 50 are barred from participating in the rituals; The exclusion was given legal sanction by Rule 3(b) of the Kerala Hindu Places of Public Worship (Authorisation of Entry) Rules, 1965. The validity of the rule and other provisions restricting the entry of women was decided by the Supreme Court last month.

- *The Court, by a majority of 4:1, held that the exclusion of women between these ages was violative of the Constitution.*

Discuss the SC judgement and bring out its essence. E.g held that the practice of excluding women did not constitute an “essential religious practice”; the judgement also relied on Section 3 of the Act mentioned above which stipulates that places of public worship must be open to all sections and classes of Hindus, notwithstanding any custom or usage to the contrary. It was held that Rule 3(b) prohibiting the entry of women was directly contrary to this; the right of women (in the age bracket in question) to enter Sabarimala was guaranteed under Article 25(1) and Article 15(1) of the Constitution etc

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

Background of recent Sabarimala controversy :

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

Judicial interpretation :-

- The validity of the rule and other provisions restricting the entry of women was decided by the Supreme Court last month. The Court, by a majority of 4:1, held that the exclusion of women between these ages was violative of the Constitution.
- The practice of excluding women did not constitute an essential religious practice. Crucially, the judges also relied on Section 3 of the Act which stipulates that places of public worship must be open to all sections and classes of Hindus, notwithstanding any custom or usage to the contrary. **It was held that Rule 3(b) prohibiting the entry of women was directly contrary to this.**
- Right of women to enter Sabarimala was guaranteed under Article 25(1). This provision states that all persons are equally entitled to practise religion. According to SC, Rule 3 prohibiting the entry of women, was violative of Article 15(1) of the Constitution.



- Constitution was designed to transform Indian society by remedying centuries of discrimination against Dalits, women and the marginalized. Morality used in Articles 25 and 26 referred to constitutional morality which includes the values of justice, liberty, equality and fraternity.
- Social modernisation, especially with respect to ending discriminatory traditions, is a goal that all societies must aspire for. To that end, the law catalysing change is desirable and the judgement provides that.
- **Religion** cannot be cover to deny women right to worship. To treat women as children of lesser God is to blink at Constitutional morality.
- Activists claim that not allowing women into the temple is violation of women's rights
 - Discrimination based on biological reasons is not permissible going by the constitutional scheme.
 - They maintain that due to the current exclusion, the right of women to worship the deity, Ayyappa, is violated.
- **Exclusion is a form of 'untouchability' since the exclusion is solely based on notions of purity and impurity.** But this argument was resisted on the contention that the prohibition of untouchability was historically intended only to protect the interests of the backward classes. **The claim is that the makers of the Constitution never envisioned including women within the ambit of untouchability.**

Q) Environmental PIL has emerged largely because of the court's interpretation of Article 21 of the Constitution. Discuss. (250 words)

Reference

Directive word

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

Key demand of the question.

The question wants us to write in detail about the relationship between the Article 21 of the constitution and the emergence of PILs related to environment. We should also give examples of some related and important cases.

Structure of the answer

Introduction– write a few introductory lines about the emergence of PIL especially environmental PIL.

Body-

Discuss the important historical cases related to environmental PILs. e.g The court in Chhetriya Pardushan Mukti Sangharsh Samiti v. State of U.P. & Others AIR 1990 SC 2060 observed that every citizen has fundamental right to have the enjoyment of quality of life and living as contemplated by Article 21 of the Constitution of India. Anything which endangers or impairs by conduct of anybody either in violation or in derogation of laws, that quality of life and living by the people is entitled to take recourse to Article 32 of the Constitution.

The Supreme Court in Subhash Kumar v. State of Bihar & Others AIR 1991 SC 420 observed that under Article 21 of the Constitution people have the right of enjoyment of pollution free water and air for full enjoyment of life. If anything endangers or impairs that quality of life in derogation of laws, a citizen has right to have recourse to Article 32 of the Constitution for removing the pollution of water or air which may be detrimental to the quality of life.

In another important decision of the Supreme Court in the case of M.C. Mehta v. Kamal Nath & Others (2000) 6 SCC 213, the Court was of the opinion that Articles 48A and 51-A(g) have to be considered in the light of Article 21 of the Constitution. Any disturbance of the basic environment elements, namely air, water and soil, which are necessary for "life", would be hazardous to "life" within the meaning of Article 21.

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



Background:-

- The Indian judiciary adopted the technique of public interest litigation for the cause of environmental protection in many cases. There are plethora of cases where the court tried to protect forest cover, ecology and environment and orders have been passed in that respect.
- As a matter of fact, the Supreme Court has a regular Forest Bench (Green Bench) and regularly passes orders and directions regarding various forest cover, illegal mining, destruction of marine life and wild life etc

Environmental PIL as interpretation of Article 21 :-

- In the area of environmental protection, PIL has proved to be an effective tool. Environmental PIL has emerged because of the court's interpretation of Article 21 of the Constitution.
- **In Rural Litigation and Entitlement Kendra vs. State of U.P. the Supreme Court prohibited continuance of mining operations terming it to be adversely affecting the environment.**
- **In Indian Council for Enviro-Legal Action vs. Union of India the Supreme Court cautioned the industries discharging inherently dangerous Oleum and H acid.** The court held that such type of pollution infringes right to wholesome environment and ultimately right to life.
- **In another case M.C. Mehta vs. Union of India** the Supreme Court held that air pollution in Delhi caused by vehicular emissions violates right to life under Art. 21 and directed all commercial vehicles operating in Delhi to switch to CNG fuel mode for safeguarding health of the people.
- In **Church of God (Full Gospel)in India vs KKR Majestic Colony Welfare Association** the Supreme Court observed that noise pollution amounts to violation of Art.21 of the Constitution.
- In landmark case **Vellore Citizens Welfare Forum vs. Union of India** the Supreme Court ruled that precautionary principle and the polluter pays principle are part of the environmental law of the country. This court declared Articles 47, 48A and 51A(g) to be part of the constitutional mandate to protect and improve the environment.
- The court in **Chhetriya Pardushan Mukti Sangharsh Samiti vs State of U.P. & Others** observed that every citizen has fundamental right to have the enjoyment of quality of life and living as contemplated by Article 21 of the Constitution of India.
 - Anything which endangers or impairs by conduct of anybody either in violation or in derogation of laws, that quality of life and living by the people is entitled to take recourse to Article 32 of the Constitution.
- The Supreme Court in **Subhash Kumar v. State of Bihar & Others** observed that under Article 21 of the Constitution **people have the right of enjoyment of pollution free water and air for full enjoyment of life.** If anything endangers or impairs that quality of life in derogation of laws, a citizen has right to have recourse to Article 32 of the Constitution for removing the pollution of water or air which may be detrimental to the quality of life.
- In another important decision of the Supreme Court in the case of **C. Mehta v. Kamal Nath & Others** the Court was of the opinion that Articles 48A and 51-A(g) have to be considered in the light of Article 21 of the Constitution. Any disturbance of the basic environment elements, namely air, water and soil, which are necessary for "life", would be hazardous to "life" within the meaning of Article 21.
- The court also laid emphasis on the **principle of Polluter-pays**. According to the court, pollution is a civil wrong. It is a tort committed against the community as a whole. A person, therefore, who is guilty of causing pollution has to pay damages or compensation for restoration of the environment and ecology.

Conclusion:-

- The courts because of vast destruction of environment, ecology, forests, marine life, wildlife etc. gave directions in a large number of cases in the larger public interest. The courts made a serious endeavour to protect and preserve ecology, environment, forests, hills, rivers, marine life, wildlife etc. This can be called the second phase of the public interest litigation in India

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

Q) Analyse the mechanisms through which the separation of powers between legislature and executive has been weakened, thereby weakening the legislature over the years in India. (250 words)

Key demand of the question

The question expects us to bring out the various mechanisms whether statutory, convention etc through which the notion of separation of power has been diluted Indian polity when it comes to relation between executive and legislature.



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 what is meant by theory of separation of power. Discuss its application in Indian context.

Body – Discuss some of the mechanisms through which executive has encroached into the domain of legislature such as through ordinance making power, passing ordinary legislative bills as money bills etc. Discuss the impact such measures have on disturbing the balance between the organs of the government and what should be done to curb this practice.

Conclusion – Give your view on the present state and discuss way forward.

Background :-

- Separation of powers refers to the division of government responsibilities into distinct branches to limit any one branch from exercising the core functions of another. The intent is to prevent the concentration of power and provide for checks and balances.

Legislature is being weakened due to executive's action :-

- Since independence:-**
- Legislative body of the government makes law. Its duty is to propose any bill in the house, to discuss and discover its needs and other probabilities of the same. After discussion, if two third of the total member of the both the houses pass and validate the proposed bill then it has been sent to the President for his consent. If and only President give consent then the said bill get the status of Statute or Act.
 - The consent taking system of Indian constitution clearly shows that there is no fully separation of functioning in law making power of the legislative body**
- Legislations by state assemblies can be reserved for President's assent. Thus in case of conflict between the ruling parties the law may not receive assent.
- Emergency provisions** have also been misused in the past especially during emergency where legislatures have been pushed back foot.
- The anti-defection law also weakens the separation of the legislative arm from the executive:-**
 - This requires all legislators to abide by the party diktat on every vote in the legislature. Therefore, the legislator cannot exercise independent judgement on any issue if the party leadership has taken a position.
 - Thirty years of experience shows us that this has led to concentration of power in party leaderships.
 - The ruling party can require all its MPs to vote in support of a motion. These MPs have effectively lost their rights and therefore cannot do their duty of exercising their independent judgement on issues and performing the watchdog role.
- MPLADS/MLALADS (local area development schemes):-**
 - The argument was that elected MPs and MLAs know the needs of their electorate well and can be effective in allocation of resources. This again subverts the role of legislators. By providing each of them a specific amount to spend on projects, their oversight role is weakened.

Recent issues:-

- Ordinances** have become the preferred means of introducing legislative enactments that successive governments from every shade of political opinion have made liberal use of this mechanism. So this needs to be under check unless absolutely necessary
- The **passing of bill as a money bill** is the one of the executive's action to bypass Rajya sabha effectively making the bicameral legislature as unicameral. The recent case of introduction of bill related to Aadhar Card is a proof of it.
- Appointing parliamentary secretaries** to assist council of ministers is another case. Thus, the parliamentary secretaries being legislators may not finely balance the role of a legislator and assisting the executive. These need to be avoided.
- Limits on the number of parliamentary sittings has allowed the executive to avoid emonetization-related queries**, undermining the legislature's power. Last year's winter session is for 22 days.
- President's rule is imposed by the central government if there is a constitutional breakdown. But, recent case of Uttarakhand where the rule was imposed without floor test by state legislature is a case in point.



- Discretionary power of executive like governor which is granted under the constitution is sometimes misused as well for instance the role of the governor of Karnataka during the recent assembly elections is questioned by many experts.

Implications of weakening of legislature :-

- The role of legislators is critical in a democracy. They are elected by citizens, and have the task of ensuring that the government is acting in the best interests of the public. In this, they are expected to exercise their independent judgements on what constitutes public and national interest. They act as a bulwark against autocratic actions of the executive. Therefore, it is imperative that their independence is protected.
- There is a risk of a slow erosion of the institution of legislatures, which could put at risk the very existence of Indian republic.

How to ensure there legislature is not weakened:-

- **Allowing Parliament to convene itself**
 - Currently, Parliament does not have the power to convene itself. The Constitution mandates that Parliament be convened by the President at least once every six months. In this context, **granting Parliament the power to convene at the request of a required number of MPs may allow Parliament to address issues more promptly, even during inter session period.** However, this requires a constitutional amendment.
- **Strengthening the role of the opposition**
 - Within the institution of Parliament, the opposition can play a central role in monitoring the government and holding it accountable. **Opposition parties could play a greater role in deciding the daily agenda of Parliament, or alternatively, time could be set aside each week for opposition parties to set the agenda.**
 - Internationally, the UK allows the opposition party to determine the agenda for 20 days of each session of Parliament, and Canada for 22 days. This practice could strengthen the ability of the opposition to hold the government accountable, through **allowing for greater specialisation in tracking the government.**
- **Revising certain rules of procedure of Parliament related to debates**
 - **Increasing accountability in Question Hour:**
 - At present, the Prime Minister is only required to answer questions that pertain to ministries allocated to him. The UK has a Prime Minister's Question Time during which the Prime Minister answers question on the government's policies, across sectors. India can look into this suggestion
 - **Strengthening discussions:**
 - Currently, the Speaker/Chairman can determine whether to admit a discussion as a debate or a motion. In practice, there is often disagreement between the government and the opposition on the rule under which a discussion is conducted, as motions are put to vote. **An alternative practice could be to allow a sufficiently large group of MPs to decide whether an issue should be introduced as a voting motion, or alternatively a debate.**
 - **Examination of reports**
 - Given that a range of parliamentary committee reports are presented in Parliament, **institutional mechanisms may be developed to highlight issues raised in these reports.**

Q) The tension between the Executive and Judiciary isn't new but it has assumed a different dimension in recent years. Critically analyze.(250 words)

[Indianexpress](https://www.indianexpress.com)

Directive word

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

Key demand of the question.

The question wants us to dig deep into the tussle between the judiciary and the executive. It wants us to analyze the brief history of the tussle and also the new dimensions it has assumed recently.

Structure of the answer

Introduction– *write a few introductory lines about the separation of powers between various organs of the state as envisaged by the constitution.*



Body-

Discuss briefly the history of the judiciary-executive tussle in India. E.g The Constituent Assembly was gripped by a question: should the power to remove superior judges be vested in the President or Parliament? In the end, the view of Sir Alladi Krishnaswami Ayyar, prevailed and the members decided that both Houses of Parliament, while acting on an impeachment notice, would exercise this power, if at all. For, few members believed that this provision would ever be used; Seventy years later, that very provision is at the heart of a tussle between the judiciary and the executive; Mention the Kameshwar Singh vs State of Bihar case; Golaknath Case; Kesavananda Bharati case; second and third judges cases etc.

Discuss the new developments in this direction, which have given a different dimension to the issue. E.g In 2015, the Supreme Court struck down the NJAC legislation as unconstitutional; the CJI facing an impeachment motion, the lack of cohesion among senior Supreme Court judges, and the Executive asserting itself etc.

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

Background :-

- Democracy thrives on the three organs of the state, the executive, the legislature and the judiciary, being independent of each other, and not necessarily on their interdependence.
- In Indian context, three agencies of government are given different powers but not in absolute form. All three have their own powers and functions but another can interrupt in its function if the former has acted against constitutional provisions in described manners.

Issues between executive and judiciary :-

- Tussle between the Judiciary and the political class came to a head when legislation on agrarian reforms and **abolition of the zamindari system across different states came up for challenge under Article 31 that provided guarantees for right to property.**
- Power of the political class to bring in amendments is likely to have generated fears of the Constitution being overridden. **The Supreme Court had to assert its position.**
- **Court challenged the Punjab Security and Land Tenures Act**, which was given immunity from judicial review by being put under the Ninth Schedule after the Constitution (Seventeenth Amendment) Act, 1964.
- In the **Golaknath Case**, the 11-judge SC bench restrained Parliament's power to curtail fundamental rights.
- Populist policies such as **bank nationalisation** and abolition of privy purses suffered setbacks in the Supreme Court.
- Executive asserted its supremacy over the Judiciary by bringing in another amendment to the Constitution. **Executive's assertion again reached the Supreme Court in a case now famously known as Kesavananda Bharati case.**
- The **majority ruling of the Supreme Court declared that the right to travel abroad was part of right of personal liberty** under Article 21 and government can't arbitrarily impound the passport as it violated right to equality under Article 14.
- With the collegium freeing the Judiciary from the Executive's alleged interference, the Supreme Court went on to pronounce several key verdicts from the **S R Bommai judgment** to the 2G verdict many of which went against the Executive of the day.

Issues in recent years :-

- The executive may further affect the functioning of the judiciary by making appointments to the office of Chief Justice and other judges.
- The confrontation between the executive and the judiciary continues to cause serious concern. **The latest outburst of the Chief Justice of India against the Government for delaying appointments to the higher judiciary has once again soured the relationship between the two.**
- There has always been a certain amount of **creative tension** but the NJAC judgement was the tipping point here. Supreme Court quashed the National Judicial Appointments Commission Act and reinstated the collegium system of judges appointment.
- The unfortunate fallout of judiciary asserting its independence and Parliament proclaiming its primacy has been the failure to fill judicial vacancies.
- The Supreme Court ban on the sale of liquor is an example such policies are unambiguously in the domain of the executive.



- This, along with a string of other factors the CJI facing an impeachment motion, the lack of cohesion among senior Supreme Court judges, and the Executive asserting itself make for an unprecedented situation.

Conclusion

- Finalisation of the MoP is the necessity today to ensure balance of relations between executive and judiciary. Also there is a need to ensure judicial accountability so the idea of judicial appointments commission needs to be analysed.

Q) The recent tussle between the RBI and the government points out to the delicate balance RBI has to maintain in its functioning. Comment. (250 words)

[The hindu](#)

Why this question

The recent controversy surrounding the RBI and the central government revolves around sec 7 of the RBI act. However, interference in the functioning of the RBI will have a lot of repercussions for the economy as discussed by the article.

Directive word

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

Key demand of the question.

The question wants us to express our opinion on the need to maintain a fine balance RBI has to maintain in its functioning given the veto powers enjoyed by the government under sec 7 of RBI act.

Structure of the answer

Introduction– write a few introductory lines about the recent controversy between the RBI and the central government.

Body-

- *Discuss the provisions of sec 7 of the RBI act and how it empowers the central government vis a vis the functioning of the central government.*
- *Discuss why RBI has to maintain a fine balance in its functioning. E.g the RBI Act allows the government to give written directives to the RBI in the public interest. On critical issues, often the choice for the Governor is to concede to the government with or without a written directive; the RBI is autonomous but within the framework of the RBI Act; at the same time the RBI is responsible for the country's monetary policy and inflation targeting; Ultimately, it is the elected representative ruling the country who is answerable to the citizen every five years. The representative cannot split hairs before the voter while explaining the economy's performance — he has to own up for everything, including the RBI's actions, as his own; The Governor has to be conscious of the limits to his autonomy at all times, and the government has to consider the advice coming from RBI in all seriousness etc.*

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

Background:-

- Reserve Bank of India has worked as efficiently as any top central bank of the world right from its inception. It was blessed with absolute independence to control or manage monetary liquidity, price stability, exchange rate stability, and later on financial stability also.
- However recently simmering differences between the Reserve Bank of India (RBI) and the Central government **over issues of public sector bank regulation, resolution of distressed assets and the central bank's reserves, independent payments bank regulator, easing credit to small firms** have raised questions about the independence of RBI.

Why RBI need to balance it's functioning:-

- **Section 7 of RBI act and how it empowers centre to intervene in the functioning of RBI:-**



- The RBI is an entity independent of the government as it takes its own decisions. However, in certain instances, it has to listen to the government. This provision in the RBI Act is contained in its Section 7 which says:-
 - **The Central Government may from time to time give such directions to the Bank** as it may, after consultation with the Governor of the Bank, consider necessary **in the public interest.**
 - Subject to any such directions, the general superintendence and direction of the affairs and business of the Bank shall be **entrusted to a Central Board of Directors** which may exercise all powers and do all acts and things which may be exercised or done by the Bank
 - Save as otherwise provided in regulations made by the Central Board, the Governor and in his absence the Deputy Governor nominated by him in this behalf, shall also have powers of general superintendence and direction of the affairs and the business of the Bank, and may exercise all powers and do all acts and things which may be exercised or done by the Bank.
- Clearly, the section empowers the government to issue directions in public interest to the central bank, which otherwise does not take orders from the government.
- **RBI is autonomous but within the framework of the RBI Act.** It is thus clear that the central bank cannot claim absolute autonomy. It is autonomy within the limits set by the government and its extent depends on the subject and the context.
- Ultimately, it is the elected representative ruling the country who is answerable to the citizen every five years. **The representative while explaining the economy's performance to own up for everything, including the RBI's actions, as his own.**
- In a democracy, it is unthinkable that to have an institution that is so autonomous that it is not answerable to the people. **The risk of such an institution is that it will impose its preferences on society against the latter's will, which is undemocratic.**
- RBI is autonomous and accountable to the people ultimately, through the government.
- The progressive widening and deepening of the activities of the RBI in different sectors of the economy affect the lives of millions.
- Nature will ignore the short term effects of their policies on the economy, the brunt of which has to be borne by the Parliament.

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

Q) Examine whether parliamentary privileges in a constitutional democracy like India is an antithesis to “equality before law” ? (250 words)

Key demand of the question

The question expects us to explain what parliamentary privileges and equality before law mean, how it might appear that they are antithesis to each other. Examine why Parliamentary privilege are important. Discuss what happens if the privileges are codified.

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

- *Explain what Parliamentary privileges and what forms do they take*
- *Examine what equality before law entails – absence of privileges, no person above law and equal subjection of law to each and every person. Mention in brief why they might appear contradictory*
- *Highlight why Parliamentary privileges were conceived – efficiency, deal with unseen situation etc*
- *Examine the issues that are being faced on account of parliamentary privileges*

Conclusion – *Summarize why the two are not at loggerheads.*



Parliamentary privileges:-

- Parliamentary privileges are defined in Article 105 of the Indian Constitution and those of State legislatures in Article 194.
- The members of Parliament are exempted from any civil or criminal liability for any statement made or act done in the course of their duties. The privileges are claimed only when the person is a member of the house. As soon as he ends to be a member, the privileges are said to be called off.
- The privileges given to the members are necessary for exercising constitutional functions. These privileges are essential so that the proceedings and functions can be made in a disciplined and undisturbed manner.
- The Constitution confers certain privileges on legislative institutions with the idea of protecting freedom of speech and expression in the House and ensuring that undue influence, pressure or coercion is not brought on the legislature in the course of its functioning.

Privileges of Parliamentarians

- **Freedom of Speech:**
 - According to the Indian Constitution, the members of Parliament enjoy freedom of speech and expression.
 - No member can be taken to task anywhere outside the four walls of the House (e.g. court of law) or cannot be discriminated against for expressing his/her views in the House and its Committees.
- **Freedom from Arrest:**
 - It is understood that no member shall be arrested in a civil case 40 days before and after the adjournment of the House (Lok Sabha or Rajya Sabha) and also when the House is in session. It also means that no member can be arrested within the precincts of the Parliament without the permission of the House to which he/she belongs.
- **Exemption from attendance as witnesses:**
 - The members of Parliament also enjoy freedom from attendance as witnesses.

Privileges of Parliament

- **Right to publish debates and proceedings:**
 - Though by convention, the Parliament does not prohibit the press to publish its proceedings, yet technically the House has every such right to forbid such publication.
 - Again, while a member has the privilege of freedom of speech in Parliament, he has no right to publish it outside Parliament.
 - Anyone violating this rule can be held responsible for any libelous matter it may contain under the common law rules
- **Right to exclude strangers:**
 - Each house of Parliament enjoys the right to exclude strangers (no-members or visitors) from the galleries at any time and to resolve to debate with closed doors.
- **Right to punish members and outsiders for breach of its privileges :**
 - In India, the Parliament has been given punitive powers to punish those who are adjudged guilty of contempt of the House. Such contempt can be committed by the members of any House or any outsider. When a member of the House is involved for parliamentary misbehavior or commits contempt he can be expelled from the House.
- **Right to regulate the internal affairs of the House:**
 - The House has the right to regulate its internal affairs. A member of the House is free to say whatever he likes subject only to the internal discipline of the House or the Committee concerned.

Equality before law :-

- It entails absence of privileges, no person above law and equal subjection of law to each and every person.

How are parliamentary privileges antithesis to equality before law:-

- Unfortunately, breach of privilege is invoked for the ostensible reason of protecting the image of the House on the whole or its individual members; too often, **it is a thinly disguised mechanism to insulate elected representatives from criticism.**
- **Without a law codifying the legislative privileges, there is little merit in subjecting anyone,** leave alone a journalist, to penal action for allegedly breaching a legislator's privilege, unless there is a move or attempt to obstruct the functioning of either the House or its members.
- **The problem also stems from the Constitution's provisions on privileges and powers of the legislature.**
 - These provisions are loosely worded .Article 194 (3) states that the powers, privileges and immunities of a House of the Legislature of a State until defined shall be those of that House and of its members and committees.



- It is sometimes used to counter media criticism of legislators and as a substitute for legal proceedings. All persons have a right to trial by a competent, independent and impartial tribunal.
- Breach of privilege laws allow politicians to become judges in their own cause, raising concerns of conflict of interest and **violating basic fair trial guarantees**.
- There is also misuse of the privileges given to them because they do not have many restriction on the rights. **They have the power to be the judge of their own proceedings, regulate their proceedings, what constitutes the breach and what punishment should be given for the breach, are solely decided by them.**
- The power vested in them is too wide as compared to the fundamental rights vested in the citizens. With **no codification of the privileges**, they have gained an undefined power because there is no expressed provision to state the limitations on their powers.

Way forward:-

- **Justice M.N. Venkatachaliah** heading the Constitution Review Commission also recommended to define and delimit the privileges for the free and independent functioning of the legislature. This is based on the apprehension that codification will involve interference of the court as the matters would be presented in the court of law.
- **Supreme Court** in Keshav Singh's case observed that the privileges conferred on the members are subject to the fundamental rights. The Supreme Court has also held that any conflict arising between the privileges and the fundamental rights would be resolved by adopting harmonious construction.
- If the privileges are not in accordance with the fundamental rights then the very essence of democracy for the protection of the rights of the citizen will be lost.
 - **It is the duty of the parliament not to violate any other rights which are guaranteed by the constitution.**
 - The members should also use their privileges wisely and not misuse them. They should always keep in mind that the powers do not make them corrupt.
 - The parliament cannot adopt every privilege that is present in the house of commons but should adopt only those privileges which accordingly suits our Indian democracy.

Q) The recent act of dissolving of the J&K assembly controverts what has been laid down by the Supreme Court. Comment. (250 words)

The hindu

Why this question

The governor of J&K has recently dissolved the legislative assembly citing several grounds. However the grounds put forward are against the various judgements and directions of the SC.

Directive word

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

Key demand of the question.

The question wants us to express our knowledge and understanding of the current political scenario in J&K and form an opinion as to whether the governor has acted along or against the controverts laid down by the SC.

Structure of the answer

Introduction– Give a brief introduction of the recent decision of the J&K governor of dissolving the legislative assembly.

Body-

Discuss the reasons cited by the government in favour of his decision. E.g “extensive horse trading” and the possibility that a government formed by parties with “opposing political ideologies” would not be stable etc.

Discuss why it goes against the controverts of the SC. E.g the Supreme Court has deprecated such a line of reasoning. In Rameshwar Prasad (2006), the then Bihar Governor Buta Singh's recommendation for dissolving the Assembly the previous year was held to be illegal and mala fide. In both instances, the dissolution came just as parties opposed to the ruling dispensation at the



Centre were close to staking a claim to form the government; Describing such an alliance as opportunistic is fine as far as it is political opinion; however, it cannot be the basis for constitutional action. As indicated in Rameshwar Prasad, a Governor cannot shut out post-poll alliances altogether as one of the ways in which a popular government may be formed. The court had also said unsubstantiated claims of horse-trading or corruption in efforts at government formation cannot be cited as reasons to dissolve the Assembly etc.

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

Background:-

- Recently the act of dissolution of assembly of Jammu and Kashmir by the governor brought once again into the front fore about the role of governor.

Reasons cited by J & K governor :-

- Extensive horse trading and the possibility that a government formed by parties with opposing political ideologies would not be stable.

Guidelines laid down by SC:-

- In the SR Bommai (1994) case SC had observed that the power under Article 356 is extraordinary, must be used sparingly and should never be used for political gain for the party in power at the Centre.**
- In Rameshwar Prasad (2006),** the then Bihar Governor's recommendation for dissolving the Assembly the previous year was held to be illegal and mala fide. The dissolution came just as parties opposed to the ruling dispensation at the Centre were close to staking a claim to form the government.
- A Governor cannot shut out post-poll alliances altogether as one of the ways in which a popular government may be formed. The court had also said unsubstantiated claims of horse-trading or corruption in efforts at government formation cannot be cited as reasons to dissolve the Assembly.**
- Further, it said **it was the Governor's duty to explore the possibility of forming a popular government,** and that he could not dissolve the House solely to prevent a combination from staking its claim.

How is the recent dissolution violation of SC order:-

- Remarks that the PDP and the NC did not show proof of majority or parade MLAs show shocking disregard for the primacy accorded to a floor test.
- According to experts J&K's relationship with the Centre is rooted in constitutional safeguards as well as in the participation of its major parties in electoral politics and parliamentary democracy. **The potential for political instability in the future should not be cited as a reason to scuttle emerging alliances.**
- Describing such an alliance as opportunistic is fine as far as it is political opinion however, it cannot be the basis for constitutional action.**
 - As indicated in Rameshwar Prasad, a Governor cannot shut out post-poll alliances altogether as one of the ways in which a popular government may be formed.
- Reason cited as opposition political ideology is flawed because:-**
 - The governor has no power to examine the ideologies of the political parties prior to inviting them to form government.
 - No party that does not have faith in the Constitution of India can be registered by the Election Commission and **therefore the option of doubting the credentials of registered political parties is not available to anyone.**
 - Even in pre-Independence times, the Hindu Mahasabha and Muslim League had formed a coalition government in a few provinces. Thus, parties that fight against each other can legitimately form government and the only responsibility the governor has is to satisfy himself that the new formation has the numbers.
- Experts cite that dissolution of the assembly to prevent the formation of a popular government **shows a lack of belief in parliamentary democracy,** which is the basic structure 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) The Indian judiciary has time and again defined the federal character of the Indian constitution. Discuss. (250 words)

Reference



Directive word

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

Key demand of the question.

The question wants us to write in detail as to how judiciary has defined and explained the concept of federalism in India.

Structure of the answer

Introduction– *write a few introductory lines about the Indian federation and how the constitution explains it.*

Body-

Discuss some of the important cases where the SC has presented its opinion on the Indian Federation. E.g

- *State of West Bengal vs Union of India*
- *State of Rajasthan v. Union of India*
- *State of Karnataka v. Union of India*
- *Kesavananda Bharati v. State of Kerala*
- *S.R. Bommai v. Union of India etc.*

Discuss the key findings of the SC in each case.

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

Background:-

- Federalism is a method of segregating powers so that the central and local governments are each within a domain, harmonizing and autonomous. To be lucid, federalism postulates a constitutional apparatus for bringing unity in diversity by toning the divergent forces of centripetal and centrifugal trends in the country for the attainment of conjoint national targets.
- The Indian Federalism is unique in nature and is tailored according to the specific needs of the country. Federalism is a basic feature of the Constitution of India in which the Union of India is permanent and indestructible.

Federal character of Indian constitution :-

- Both the Centre and the States are co-operating and coordinating institutions having independence and ought to exercise their respective powers with mutual adjustment, respect, understanding and accommodation.
- Tension and conflict of the interests of the Centre and the respective units is an integral part of federalism. Prevention as well as amelioration of conflicts is necessary. **Thus, the Indian federalism was devised with a strong Centre.**
- Federalism with a strong Centre was inevitable as the framers of the Indian Constitution were aware that there were economic disparities as several areas of India were economically as well as industrially far behind in comparison to others.

How Indian judiciary has defined the federal character of Indian constitution:-

- **State of West Bengal vs Union of India :-**
 - According to the judgment in this case the Constitution of India is not truly Federal in character. The basis of the distribution of powers between the Union and States is that only those powers which are concerned with the regulation of local problems are vested in the States and the residue, especially those which tend to maintain the economic industrial and commercial unity of the country are left to the Union
- **State of Rajasthan vs Union of India :-**
 - *In a sense, the Indian Union is federal. But the extent of federalism in it is largely watered-down by the needs of progress and development of the country which has to be nationally integrated, politically and economically co-ordinated and socially, intellectually and spiritually uplifted. With such a system, the States cannot stand in the way of legitimate and comprehensively planned development of the country in the manner directed by the Central Government.*



- **State of Karnataka vs Union of India :-**
 - **The Indian Constitution is not federal in character but has been characterized as quasi-federal in nature.** *Even though the executive and legislative functions of the Centre and States have been defined and distributed, there runs through it all a thread or rein in the hands of the Centre in both the fields.*
- **Kesavananda Bharati vs State of Kerala :-**
 - Some of the judges, in this case, held federalism to be a part of the basic structure of the constitution which means it can't be tampered with.
- In **Pradeep Jain V. Union of India**, the Apex Court expressed a non-traditionalistic yet pragmatic opinion while explaining the federal concept in the context of the unified legal system in India- **India is not a federal State in the traditional sense of that term. It is not a compact of sovereign State which have come together to form a federation by ceding undoubtedly federal features.**
- In **Ganga Ram Moolchandani v. State of Rajasthan** the Supreme Court reiterated:
 - Indian Constitution is basically federal in form and is marked by the traditional characteristics of a federal system, namely supremacy of the Constitution, division of power between the Union and States and existence independent judiciary
- **S.R. Bommai vs Union of India**
 - In this case, 4 different opinions were given by judges **for instance** one judge considered that as there is no mention of the words like 'federal' in the constitution so it is a quasi-federal constitution, other judge considered it to be an "Organic Federation" designed to suit the needs of the parliament etc.

Q) Even after declared unconstitutional, several laws still prevail in the Indian legal and police circle. Critically examine. (250 words)

[The hindu](#)

Why this question

The article discusses the reasons behind the prevalence of several laws in Indian police circle and even the judiciary, although the laws have been declared unconstitutional by the SC.

Directive word

Critically examine- here we have to probe deeper into the topic, get into details, and find out the causes or implications if any. based on our discussion we have to form a concluding opinion on the issue.

Key demand of the question.

The question wants us to dig deep into the issue and bring out the reasons as to why several laws prevail in Indian police and judicial circles, even though they have been declared unconstitutional by the highest court of the land.

Structure of the answer

Introduction– write a few introductory lines about the powers of the SC to declare a law ultra vires and unconstitutional.

Body–

Discuss the reasons behind the prevalence of such laws. E.g primary reason for poor enforcement of judicial declarations of unconstitutionality is signal failures between different branches of government; monitoring function is one that the court can perform while a litigation is pending, it cannot do so after finally deciding a case, even after directions for compliance are issued. Instead, it needs help from the legislature and executive to ensure its final decisions are enforced; there exists no official method for sharing information about such decisions, even those of constitutional import etc.

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

Background:-

- Indian laws continue to be implemented in the country despite being declared unconstitutional by the judiciary.
- Under Art 142 of the Constitution, it is the duty of the parliament to enforce the decrees of the Supreme Court by making a law and until such a provision is made the President can issue orders to enforce the same.



- Thus, the supreme court depends on the legislature and the executive to enforce its decisions.

Unconstitutional laws still prevail:-

- In 2015, the **Supreme Court in the Shreya Singhal v. Union of India, struck down Section 66A of the Information Technology (IT) Act, 2000, as unconstitutional.** Despite that there have been instances where Section 66A has been invoked by the police.
 - This points to a serious concern on the implementation of the verdict, if the police still jail persons under unconstitutional laws.
 - This also shows a tendency of some laws to inhabit the Indian legal system even after their legal deaths.
- Before the recent decisions that held provisions in the Indian Penal Code as unconstitutional (in whole or in part), **the Supreme Court had famously done this, in 1983, by striking down Section 303 of the Indian Penal Code in Mithu v. State of Punjab.**
- In 2012, years after **Section 303 had been struck down**, the Rajasthan High Court intervened to save a person from being hanged for being convicted under that offence.

Reasons why unconstitutional laws are still prevailing in India:-

- Primary reason for poor enforcement of judicial declarations of unconstitutionality is **communication signal failures between different branches of government.**
- **Monitoring:-**
 - The court can monitor while a litigation is pending, it cannot do so after finally deciding a case, even after directions for compliance are issued. Instead, it needs help from the legislature and executive to ensure its final decisions are enforced.
- There **exists no official method for sharing information** about such decisions.
- At present, **even getting information across about court decisions is an area where the judiciary needs help.**
- While the commercially published versions at least put an asterisk to mention the court decision, **no such information is provided in the official India Code version regarding the provisions which are already pronounced as unconstitutional.**
- **There is no formal system on information sharing in the hierarchical set-up of the Indian judiciary.**

Way forward :-

- Parliament needs to amend a statute to remove the provision declared unconstitutional so that the provision is removed in the statute book.
 - This is why both Sections 66A and 303 are still a part of both the official version of statutes published on India Code and commercially published copies.
- **Notifications and circulars need to be issued by relevant Ministries.** These notifications are another official method to share information about judgments declaring a provision unconstitutional.
- Some High Courts and district judges for specific districts did issue circulars bringing important decisions to the notice of other members in the judiciary. This needs to be replicated by all courts.

Q) India's premier investigative agency- CBI, cannot be governed by British-era law. Do you agree. Comment. (250 words)

[Indianexpress](https://www.indianexpress.com)

Why this question

CBI has of late been in news for the controversy surrounding the removal of its director. In this context it is important to discuss the law governing the premier investigation agency and the need to reform the same.

Directive word

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

Key demand of the question.

The question wants us to express our opinion as to whether the law governing the CBI needs to be revised or not. We have to form our opinion based on a proper discussion and presentation of valid arguments and facts.



Structure of the answer

Introduction- Write a few introductory lines about the CBI and the law governing it. E.g The Central Bureau of Investigation (CBI) owes its origin to the Special Police Establishment (SPE), which was established by the colonial government in 1941 through an executive order to deal with corruption involving war-time purchases and supplies. In 1946, the then government enacted the Delhi Special Police Establishment Act to give the organisation a statutory cover etc.

Body-

Discuss why the CBI cannot be governed by the anachronistic act. E.g The Act of 1946, which continues to govern the CBI, is a very small piece of legislation, comprising six sections. It permits the agency to investigate only those offences which are notified by the central government. The organisation cannot exercise its powers and jurisdiction in any area in a state without the consent of the government of that state. Without the state government's invitation, the only way the CBI can work there is when the Supreme Court or some high court asks it to do so. The Act vests the superintendence of the CBI in the central government, though, now it vests partly in the Central Vigilance Commission (CVC), too; India is no longer the country of 1946 and CBI is no longer what the Delhi Special Police Establishment was in those days. The size of the organisation has expanded, the pattern and incidence of crime which it is required to investigate have altered, its charter of functions has enlarged considerably, the political environment in which it is functioning has been transformed, citizens' expectations from this agency have grown, and the norms and standards of police investigation work all over the world have seen a sea change etc.

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

Background:-

- **Central Bureau of Investigation (CBI)** is India's **premier investigating agency** that handles **all high-profile cases**. Its job is to ensure a **fair and an impartial probe**.
- CBI was established on the **recommendation of Santhanam committee** to prevent corruption. It is the main investigating agency of central government

Law governing CBI in India :-

- Central Bureau of Investigation (CBI) owes its origin to the Special Police Establishment (SPE), which was established by the colonial government in 1941 through an executive order to deal with corruption involving war-time purchases and supplies.
- In 1946, the then government enacted the Delhi Special Police Establishment Act to give the organisation a statutory cover.
- The Act of 1946, which continues to govern the CBI, is a piece of legislation, comprising six sections.
 - It permits the agency to investigate only those offences which are notified by the central government.
 - The organisation cannot exercise its powers and jurisdiction in any area in a state without the consent of the government of that state.
 - Without the state government's invitation, the only way the CBI can work there is when the Supreme Court or some high court asks it to do so.
 - The Act vests the superintendence of the CBI in the central government, though, now it vests partly in the Central Vigilance Commission (CVC) too. This amendment in the provision about the superintendence over the agency, including the one about the procedure for appointment of its director, was introduced by the CVC Act, 2003.

Why CBI cannot be governed with the British law :-

- Real problem for the **CBI lies in its charter of duties:-**
 - These are not protected by legislation. Instead, its functions are based merely on a government resolution that draws its powers from the Delhi Special Police Establishment Act, which makes the CBI the premier investigative arm of the Union government.
- The **size of the organisation has expanded**. Also the pattern and incidence of crime which it is required to investigate have altered.
- **Its charter of functions has enlarged considerably**, the political environment in which it is functioning has been transformed.
- Citizens expectations from this agency have grown, and the norms and standards of police investigation work all over the world have seen a sea change.



- However myriad of responsibilities over categories like Corruption & fraud , economic crimes , special crimes including terrorist attacks has overburdened it and reduced its efficiency

What institutional reforms are needed ?

- **P singh committee** has recommended the enactment of comprehensive central legislation for **self sufficient statutory charter** of duties and functions.
- The Second Administrative Reforms Commission (2007) also suggested that a new law should be enacted to govern the working of the CBI.
- **Parliamentary standing committee (2007)** recommended that a separate act should be promulgated in tune with requirement with time to **ensure credibility and impartiality**
 - The 19th and 24th reports of the parliamentary standing committees (2007 and 2008) recommended that the need of the hour is to strengthen the CBI in terms of legal mandate, infrastructure and resources.
- **Elements needed in the new legislation:-**
 - The new legislation must define the word superintendence, and establish institutional and other arrangements to insulate the organisation from undesirable and illegitimate external control, pressures and influences.
 - It must ensure that the central government's control over the agency is so exercised as to ensure that its performance is in strict accordance with the law.
 - The Act must make it a statutory responsibility of the government to establish an efficient and impartial system of investigation.
 - It should set objectives, define performance standards and establish monitoring instrument, prescribe procedures for appointment and removal of officers
 - It should delineate the CBI's powers as well as functions, outline the philosophy and practices expected of the agency, and, prescribe mechanisms to ensure their accountability.
 - A **new CBI Act** should be promulgated that ensures the **autonomy of CBI** while at the same time **improving the quality of supervision**. The **new Act must specify criminal culpability for government interference**.
- It is high time that the CBI is vested with the required legal mandate and is given pan-India jurisdiction. **It must have inherent powers to investigate corruption cases against officers of All India Services irrespective of the assignments they are holding or the state they are serving in.**
- Besides appointing the head of the CBI through a collegium, as recommended by the Lokpal Act, the government must ensure **financial autonomy for the outfit**. Some experts have even suggested that the CBI **should be given statutory status** through legislation equivalent to that provided to the Comptroller & Auditor General (CAG) and the Election Commission (EC).
 - It is also possible to consider **granting the CBI** and other federal investigation agencies the **kind of autonomy** that the Comptroller and Auditor General enjoys as he is **only accountable to Parliament**.
- One of the demands that has been before Supreme Court, and in line with **international best practices**, is for the CBI to develop its **own dedicated cadre of officers** who are not bothered about deputation and abrupt transfers.
- A **more efficient parliamentary oversight** over the federal criminal and intelligence agencies could be a way forward to **ensure better accountability**, despite concerns regarding political misuse of the oversight.

Conclusion :-

- CBI is an agency of Central Government that has **wide range of investigating areas and powers**. It was formed with a goal **to check corruption and other crimes** in the nation and so it **shall maintain a clean image of itself**. Any agency shall have a system of **checks and balances** and so, intervention of Government, CVC, Courts, etc shall be done if needed.

Q) What do you understand by the writ of continuing mandamus. Discuss its importance in environmental protection measures in India. (250 words)

Reference

Why this question

Environment has assumed a more pivotal role in the history of mankind. In the wake of environmental degradation, pollution the courts have actively intervened in many cases working through the principle of continuing mandamus.



Directive word

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

Key demand of the question.

The question wants us to describe the meaning of continuing mandamus. It then wants us to bring out its relevance and importance in environmental protection on account of the invocation of the principle by the SC in various environment related cases.

Structure of the answer

Introduction- *write a few lines about the meaning of the writ powers of the SC and HCs. E.g Article 32 of the Constitution gives the Supreme Court the power to issue directions, orders or*

writs including writs in the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari, whichever may be appropriate, for the enforcement of the rights conferred by part III. At the same time the High Court may issue the same writs under Article 226 of the Constitution.

Body-

Discuss the meaning of the writ of continuing mandamus. E.g A mandamus is a writ that can be issued by the Supreme Court which can literally be construed as “we command”. It is a command issued by a court commanding a public authority to perform a public duty belonging to its office. It is generally issued to various authorities such as to a person; a corporation or an inferior tribunal requiring him or them to do a particular thing which pertains to his or their office in the nature of a public duty, subject to certain restrictions; the proper function of the writ of mandamus is to compel the doing of a specific act and is not an appropriate remedy for the enforcement of duties generally, or to control and regulate a general course of official conduct for a long series of continuous acts to be performed under varying conditions. This is because it would render the court a supervising and managerial body as regards the action to which the writ pertains as it would entail keeping the case open for an indefinite time to supervise the continuous performance of duties by the respondent etc.

Discuss its importance vis a vis environmental PILs. e.g mention the Bandhua Mukti Morcha case; Indian Council for Enviro-Legal Action case; T.N. Godavarman v. Union of India etc.

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

Background :-

- Article 32 of the Constitution gives the Supreme Court the power to issue directions, orders or writs including writs in the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari, whichever may be appropriate, for the enforcement of the rights conferred by part III. At the same time the High Court may issue the same writs under Article 226 of the Constitution.

Writ of continuing mandamus :-

- **Continuing Mandamus** is a writ of Mandamus issued to a lower authority by the higher authority in general public interest asking the officer or the authority to perform its task expeditiously for an unstipulated period of time for preventing miscarriage of justice.
- This happens in a situation which cannot be remedied instantaneously but requires a solution over a long time, at times going on for years. With this procedural innovation of the writ of mandamus or a mandatory order, the court monitors compliance of its orders, seeking periodic reports from authorities on the progress in implementing them

Importance in environmental protection:-

- The first case, where such a principle evolved was in the **Bandhua Mukti Morcha case**, where a writ petition was filed to improve the conditions of several workers who were working in inhumane conditions in certain mines in Faridabad. The Judge held that this was against the worker’s right to life and directed the state to ensure the welfare of the workers. The Court then continued to monitor the actions taken by the state. **This was the first instance where the Court exercised its powers to issue a continuing mandamus against the state**
- In the case of **Indian Council for Enviro-Legal Action**, a writ was filed in the Court to prevent the flouting of the acts passed by the government to prevent water bodies from getting polluted. The Court held that the agencies should enforce the law and report to it for further clarifications. It passed several directions especially to the



states asking them to submit management plans to control the pollution to both, the Central Government as well as the courts.

- In the case of **Vellore Citizen's Welfare Forum Union of India**, a writ petition was filed against the tanneries in the State of Tamil Nadu since their untreated effluents were polluting all the ground water. Thus the Supreme Court asked for a special bench to be set up to continuously hear all matters pertaining to this case and other environmental cases within the state in another show of continuing mandamus
- In the case of **K. Joshi v. Chief Secretary, State of U.P.**, the Court thus held that since the case had been going on since 1992, there should be a special monitoring body set up which the authorities would be responsible to. This is a case where the remedy of continuing mandamus has not been very successful since even after several years of directions, the Court has been able to achieve a very limited level of cooperation from the authorities.
- In the case of **C. Mehta v. Union of India**, a writ was filed due to the vehicular pollution in Delhi. The Supreme Court had passed directions for the phasing out of diesel buses and for the conversion to CNG. This is a case where, in spite of several directions by the Supreme Court, the government had been extremely slow in responding to the order.
- In the case of **Manohar Lal Sharma vs The principal Secretary 2013** the Supreme Court has held that the jurisdiction of the Court to issue a writ of continuous mandamus is only to see that proper investigation is carried out. Once the Court satisfies itself that a proper investigation has been carried out, it would not venture to take over the functions of the Magistrate or pass any order which would interfere with his judicial functions.
- **Efficacy of Continuous Mandamus**
 - The doctrine of continuing mandamus serves several functions especially in a case where the executive does not carry out its functions effectively and either does not implement a statutory function or duty, or does not exercise its discretion wisely. **The judiciary has been seen as an effective tool by the citizens to enforce the law and uphold justice when the executive has not done that.**
 - With the Courts taking such an active role in taking over the functions of the executive as with the doctrine of **continuing mandamus**, the traditional litigation would suffer and take a back seat as the judiciary would be too busy taking over the role of the executive.

Q) Proposals to pass an ordinance and then legislation in favour of construction of Ram temple at Ayodhya are extremely ill-advised. Do you agree. Comment. (250 words)

The hindu

Why this question

The article discusses the legal hurdles in legislation or implementation by ordinance, the construction of Ram Mandir. It also highlights the other reasons as to why Indian govt should not take the route of ordinance in this direction.

Directive word

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

Key demand of the question.

The question wants us to express our knowledge and understanding of the legal background of the issue of building Ram temple in Ayodhya, by ordinance or legislative route. It wants us to form an opinion as to whether such an endeavour would be ill advised or not.

Structure of the answer

Introduction– write a few introductory lines about the recent mulling of the idea of building Ram temple at Ayodhya via ordinance route.

Body

Discuss the legal background of the case which would entail several challenges and delay in getting a judicial nod for building the Ram temple. E.g Even if passed, any such statute would have to cross many hurdles. First, there is the Places of Worship (Special Provisions) Act of 1991. In this Act, the cut-off date for freezing the religious character of a place of worship is August 15, 1947 and all suits regarding their status would abate. But Section 5 of the Act said: "Nothing contained in this Act shall



apply to the place or place of worship commonly known as Ram Janma-Bhumi -Babri Masjid situated in Ayodhya in the State of Uttar Pradesh and to any suit, appeal or other proceeding relating to the said place or place of worship.” This, however, does not pave the way for simply repealing the section, for that would give further protection to the Muslim case; Acquisition of Certain Area at Ayodhya Act, 1993, which acquired the site to put an end to the litigation, and vested the property in Central government.; Third, the Act of 1993 was interpreted in Ismail Faruqui v. Union of India (1994) so that the property would remain with the Central government as a “statutory receiver”, a concept invented by the court. According to the SC judgement the Central government has the responsibility to wait for the result of the suit. No ordinance or statute can sit in appeal on the Ismail Faruqui judgment of 1994 etc

Discuss the social reasons as to why the step would be ill advised. E.g as elections are near it may flare up communal tensions across the country; such an adventure would degrade India’ secular image internationally etc.

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

Background:-

- Recently there has been demand made to bring in an ordinance to start construction on the Ram Temple in Ayodhya.

Why proposal to pass an ordinance and legislation in favour of construction of temple at Ayodhya are ill advised :-

- Even if passed, any such statute would have to cross many hurdles.
- **Places of Worship (Special Provisions) Act of 1991:-**
 - In this Act, the cut-off date for freezing the religious character of a place of worship is August 15, 1947 and all suits regarding their status would abate. Section 5 of the Act said: Nothing contained in this Act shall apply to the place or place of worship commonly known as Ram Janma Bhumi-Babri Masjid situated in Ayodhya in the State of Uttar Pradesh and to any suit, appeal or other proceeding relating to the said place or place of worship.
 - This, however, does not pave the way for simply repealing the section, for that would give further protection to the Muslim case.
- The **Acquisition of Certain Area at Ayodhya Act, 1993** acquired the site to put an end to the litigation, and vested the property in Central government.
- The **Act of 1993 was interpreted in Ismail Faruqui v. Union of India (1994)** so that the property would remain with the Central government as a “statutory receiver”, a concept invented by the court.
 - The best solution in the circumstances, on revival of suits is, therefore, to maintain status quo as on 7th January, 1993 when the law came into force.” Any action taken now (i.e. 2018 onwards) would violate this status quo.
 - As the “statutory receiver”, the Central government has the responsibility to wait for the result of the suit. No ordinance or statute can sit in appeal on the Ismail Faruqui judgment of 1994.
- There is a well-known principle, emanating from the doctrine of separation of powers in the Constitution, **that the legislative power of Parliament cannot usurp the judicial power to sit in appeal over the judicial decision-making** still less where the case is pending as a suit or in appeal.
- As soon as the ordinance or Act is passed, it might be challenged in the Supreme Court because it is of **national importance and affects the jurisdiction of the Supreme Court.**
- As elections are near this issue may flare up communal tensions across the country.
- Experts suggest that the demand for the state to intervene to allow the Ram temple is part of an aggressive Hindu fundamentalism which seeks to suborn the state to its wishes. To yield to a demand of one faith against another not only condones the destruction of the Masjid, but **abandons the very basis of India’s multi-religious and cultural ethos which it is bound to protect.**

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) In the absence of well – educated and organised local level government system, Panchayats and Samitis have remained mainly political institutions and not effective instrument of governance. Discuss. (250 words)



Key demand of the question

The question expects us to explain certain key terms asked in the question in your answer such as

Highlight that panchayat have not turned out to be effective instruments of governance

Discuss the reasons why this is so. Here the question says absence of educated and organised local level government systems. Discuss what this means, whether mandatory educational qualification is correct etc

Discuss the way forward

Directive word

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

Structure of the answer

Introduction – Give a brief introduction to Panchayati Raj in India.

Body

- *Discuss the status of Panchayats and Samitis – where they have not brought any changes in governments structure and have not turned out to be effective agents of governance*
- *Discuss the reasons why this is so (or not so). Explain whether making education mandatory for candidates or improving the organization structure by better devolution of power and finances would improve the situation*

Conclusion – Give your opinion and discuss way forward

Background:-

- A democracy rides on effective governance at three levels, at the centre, in the states and by the local community.
- Twenty-five years have gone by since India passed the 73rd/74th Constitutional Amendments (CAs) heralding decentralised governance, and 23 years since all the States passed the conformity legislations ushering in the third tier of government in Indian federal polity. This was a momentous event, a paradigm shift in democratic governance and fiscal federalism.
- The rationale for decentralisation comes from the need to strengthen participatory democracy, facilitate responsive governance, ensure greater accountability and enable public service delivery according to diversified preferences of the people.

Panchayat failed as instruments of governance :-

- In India the organs of local self government, municipal councils in towns, and panchayats in rural areas, are the weakest of the three tiers of government.
- **Failed to conduct elections:-**
 - Some states did not conduct panchayat elections, as they were legally bound to do
- After a quarter century of decentralisation, **local expenditure as a percentage of GDP is only 2 per cent** compared with the OECD (14 per cent), China (11 per cent), and Brazil (7 per cent).
- As the constitutional amendments do not provide a separate list for local governments, the Eleventh Schedule that lists 29 subjects for PRIs, and the Twelfth Schedule with 18 subjects for urban local governments, **carry no operational meaning because almost all local functions are State-Concurrent.**
- **Role of states:-**
 - Core functions like water supply, sanitation, link roads, street lighting, maintenance of community assets, etc, **continue to be in the hands of State governments.**
 - The MPLAD and MLALAD (local area development) continue to bypass local governments.
 - The **mission-based administration of schemes by some States (Gujarat, Kerala) dampen the smooth growth of democratic decentralisation.**
 - States like Punjab, Haryana and Rajasthan abolished local taxes. Haryana created a rural development agency under the chief minister.
 - The constitutional framework does not prescribe any pattern, standard or model of decentralisation which again is left to the discretion of State governments.



- Most States have not complied with the requirement of having to appoint gram sabhas (243 A), ward committees (243 sabhas) and metropolitan planning committees. **There have been several attempts to postpone elections** though they are required to hold them well before the expiry of the prevailing elected or before six months.
- **The mandate to establish a district planning committee to prepare a draft development plan has been violated and distorted in most States.** In all States, parallel bodies encroach on the functional domain of local governments and continue to grow unchecked.
- **Vulnerable sections:-**
 - **Empowerment of women and inclusion with dignity of the excluded (inclusion on the terms of the excluded) is a distant dream** despite a quarter century of decentralised governance. Women, adivasis and dalits remain largely excluded.
 - In some places in Tamil Nadu, for instance, rich and powerful caste Hindu groups either forced Dalit aspirants to keep off the polls, or fielded handpicked farm workers as candidates, or 'auctioned' the PRI posts to the highest bidder.
 - Majority of panchayat presidents are ignorant about the need to fight untouchability.
 - Women sarpanches often act as proxies of their male counterparts
- **Lack of human resources:-**
 - Mandatory meetings of panchayats were not taking place and had poor attendance, especially from women representatives.
 - Severe lack of support staff and personnel in panchayats, such as secretary, junior engineers, computer operators, and data entry operators. This affects their functioning and delivery of services by them.
- **Financial control:-**
 - **India lacks a credible financial reporting system** when it comes to local governments. The Union and State budgets are vital instruments of financial control and management.
 - **State Finance Commissions**, a counterpart of the Union Finance Commission, are not independent bodies in most States.
 - The Constitution assigns decentralisation including funding entirely to the discretion of State governments. **It does not clearly assign the functions or sources of finance, but leaves it entirely to the discretion of the States.**
 - While this may be to evolve the system of decentralisation appropriate to a State considering the strength of its history, economy and capacity, **it also hinders the process.**
 - The State legislatures are required to make laws to ensure maintenance of accounts and auditing of such accounts by panchayats and municipalities. **The record of experience is that these provisions have been observed in their violation rather than compliance in most of the States.**
 - Local bodies do not have any independent revenues. There is no separate list of tax bases assigned to them in the Constitution and they have to depend on the State governments to levy the taxes that the States choose to devolve.
 - There is also the problem of administrative capacity and interest groups resisting payment of taxes and user charges.
- Many panchayats do **not have basic amenities and lack infrastructure** to carry out even day-to-day works.

However in some areas a well organized panchayat and samiti system contributed to good governance:-

- Decentralization of power to the panchayats is **seen visualized as a means of empowering people and involving them in decision making process.** Local governments being closer to the people can be more receptive to local needs and can make better use of resources.
- Many of the **grassroots representatives are from the subjugated** and marginalized sections of the society, namely women, the SCs, STs and OBCs
- Now the **state has to perform its role as coordinator rather than service provider**, steps for decentralization of power till the grassroots level is a positive step in the changing scenario in which centralised state is replaced by the decentralized system
- The constitution mandates a one-third reservation for women in panchayat assemblies and allocates a portion of panchayat spending for **women's planning.**
- The new system brings all those who are interested to have voice in decision making through their participation in PRIs.
- **Gram sabha** played a significant role in enhancing the transparency and accountability of panchayats
- Kerala showed the way in **activity mapping** and amended the Panchayat and Municipality Acts as early as 1998.



Way forward:-

- State governments should make adequate efforts to devolve funds, functions, and functionaries to panchayats for them to effectively plan economic development and social justice schemes.
- The government should make serious efforts towards recruitment and appointment of support and technical staff to ensure the smooth functioning of panchayats.
- State governments should put a quorum in gram sabha meetings for participation of panchayat representatives, including women.
- 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 SFCs.
- 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.**
- Only education and knowledge, and pro-active interventions by emancipatory socio-political movements, can help achieve this. **The media can also play a significant agenda-building role in bringing this about.**
- In the NREGA programme, 40% of the money allocated is for the material component, whereas the remaining 60% is for salaries. These funds are available with the states and can be used to build panchayat bhavans.

Q) Reservation in promotion is a contentious matter for which the absolutist position of states is to blame. Critically examine. (250 words)

Financial express

Why this question

The article traces the judicial history of the issue of reservation in promotions and discusses how the states have been complicit in fanning the controversy by taking absolutist stands. The question will help you prepare the issue of reservation in promotions and the court verdict in depth.

Key demand of the question

The question expects us to bring out what the SC verdict in Jarnail Singh case was. Thereafter, we need to bring out how the states have, in the past, taken absolutist stands to nullify court judgement related to this. We also need to explain why it was important for states to do. Finally, we need to provide a fair and balanced stand as to whether absolutist stands taken by the state in this matter would lead to issues and discuss way forward.

Directive word

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

Structure of the answer

Introduction – Highlight why reservation in promotions is in news. give a brief explanation about reservation in promotions.

Body

- *Discuss the court verdict in Jarnail Singh case and whether and how the position of the court has changed from M Nagaraj case.*
- *Evaluate the role of states in implementing the judgments of SC in these cases and how the states have tried to nullify the effect of these judgments by making amendments. Also discuss the impact of such actions of states*
- *Discuss why is it important for the states to ensure that the weaker section is well represented in higher jobs, matter of social equity etc.*
- *Give your view on what should the ideal response of state should be to the current scenario judgement*



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

Background:-

- Recently Supreme Court of India may have virtually paved way for the implementation of reservation in promotions in government jobs.

Role of states:-

- Mandal Case, 1992:-**
 - Reservation was restricted to initial appointments only and not extended to promotions for SC/ST candidates (Article 16(4)). Moreover, reservation can't exceed 50% in a given year.
- In 1995 Parliament allowed the reservation in promotions by introducing constitutional amendment: **Article 16(4A)**.
 - Carry Forward Rule [Article 16(4B)] allowed unfilled reserved posts to be considered in the next year without ceiling of 50%
 - Balancing check introduced through Indra Sawhney that reservation shouldn't exceed 50% in a given year was nullified by introducing the Carry Forward Rule through Article 16(4B) amendment. Under this, if the reserved posts were not filled in a year for want of suitable SC/ST candidates, then the shortfall was to be carried forward to the next year and 50% ceiling would not apply.
- Lastly, Article 335, which provides that reservation in promotion claims would be subject to administrative efficiency, was eviscerated by adding an exception to Article 335. **The exception allowed lowering of minimum qualifications for accommodating SC/ST in public employment.**
- Nagaraj Case, 2006:**
 - The 2006 verdict had **mandated states to provide quantifiable data on the backwardness of Scheduled Castes (SC) and Scheduled Tribes (ST), information on inadequate representation in government jobs and the overall administrative efficiency** before going ahead with the quota for them.
 - The Centre and various state governments had sought a reconsideration of this verdict on various grounds. The governments had contested that SC and ST communities are presumed to be backward and considering their stigma of caste, they should be given reservation even in job promotions.
 - For all practical purposes, the older verdict had sealed any possibility of extending quota benefits to serving employees. Dalit groups argue this had adversely affected the career progression of SC/ST employees because of an inherent bias against them.
 - State has expressed its inability in collecting the data citing high magnitude of complexities involved in the process.
- Jarnail Singh Case, 2018:**
 - The Supreme Court held that there was no need to refer its 2006 verdict on benefits of quotas in job promotions for SC/ST employees to a larger bench.
 - The conclusion arrived at in the Nagaraj case that the states have to collect quantifiable data showing backwardness of SCs and STs contrary to the nine-judge bench judgement in the Indra Sawhney verdict of 1992, popularly known as Mandal Commission case.
 - Clarified that states need not collect quantifiable data on the backwardness of SC/ST employees to provide benefits of quota in job promotion.
 - The verdict has virtually left it upon the state and Central government to decide as to when and in what form reservation in promotion is to be implemented.
 - SC did not comment on two other conditions given in the 2006 verdict which dealt with adequacy of representation of SC/ST in promotion and not to disturb administrative efficiency,
 - The **verdict** cleared a major hurdle that was cited by the central government in granting reservation in promotion to its employees belonging to the Scheduled Castes (SC) and Scheduled Tribes (ST).
 - SC has asked the Centre as to why states have not come forward with any quantifiable data to decide the inadequacy of representation of Scheduled Castes and Scheduled Tribes in government services even 12 years after its verdict on the 'creamy layer'.

However some states have played a progressive role as well:-

- Karnataka:-**
 - State has been providing reservation in promotions for SC/ST employees since 1978 — 15% for SCs and 3% for STs. However, the Supreme Court in the B.K. Pavithra and others vs the Union of India and others civil appeal filed in 2011, struck down reservation in promotions for SC/ST employees.
 - However Karnataka found that overall efficiency of administration has not been affected by extending reservation in promotions to SCs and STs.



- Recently president also has given his assent to the Karnataka Extension of Consequential Seniority to Government Servants Promoted on the Basis of Reservation (To the Posts in the Civil Services of the State) Bill, 2017, for providing reservation in promotions for employees belonging to SC/ST communities

Why it is necessary for states to play proactive role in ensuring reservation in promotions are

- Even though some have managed to secure promotions, they have been facing caste-based discrimination for a long time.** So economic well-being of a section of the SC/ST community does not discount their social exclusion.
- The litigants, who opposed to reservation in promotion, also contended that Dalits and Adivasis have come to occupy the office of the President, Central Ministers, Chief Justice of India and Chief Ministers, and this section is no more socially disabled as they were in the past. So the contention of reservation based on economic backwardness will be back to discussion again.
- Absolutist positions on reservation for SC/STs will restrict states' manoeuvring space for managing the resentment amongst other socially-dominant groups Jats, Marathas, Patidars etc who want inclusion within the OBC fold.
- The position taken by the Union and states of doing away with controlling checks is likely to raise similar demands for dilution of constitutional checks for grant of OBC status to other dominant classes.

What needs to be done?

- There is a need to ensure inclusive education right from childhood to socio-economic backward communities so that there is no need to give reservation in promotion later.
- There is a necessity for clear data collection regarding the backwardness of discriminated communities as well.

Q) Government litigation places a huge burden on the citizens of India and there is a need for India to take inspiration from other model litigant countries in this respect. (250 words)

[Economic times](#)

[Reference](#)

[The hindu](#)

Structure of the answer

Introduction– write a few introductory lines about the volume of government litigation out of all the litigation cases in the country's courts. E.g According to the Ministry of Law and Justice, government departments are a party to around "46 percent" of court cases.

Body-

Discuss how such a large volume of litigations places a burden on the citizens of India. E.g mention that it costs huge public funds to pursue such huge number of litigations; the number and nature of writ petitions filed before a High Court are indicative of the extent of friction between citizens and the government; it gives an idea about the violation of individuals' rights, breach of contracts and abdication of obligations on part of the state etc.

Discuss about the litigation models from other countries, which should be adopted in India. E.g discuss the French litigation model; mention that Brown & Garner have cleared the position of law in the French system in respect of government liability in the following words: "The activity of the state is carried on in the interest of the entire community; the burden that it entails should not weigh more heavily on some than on others. If then state action results in individual damage to particular citizens, the state should make redress, whether or not there be a fault committed by the public officers concerned. The state is, in some ways, an insurer of what is often called social risk etc.

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

Background:-

- According to the Ministry of Law and Justice, government departments are a party to around 46 percent of court cases
- Seeking to reduce the number of cases in which it is a party, the government may not approach the **Supreme Court** against high court orders where the financial implication is less than Rs 50 lakh.



Why government is the biggest litigant:-

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

Consequences:-

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

Solutions needed:-

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



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

Q) The controversy with respect to demand for reservation by communities such as Marathas, Jats etc highlight that there is a need to reexamine the reservation policy. Comment. (250 words)

[Indian express](#)

Why this question

Maharashtra government has cleared reservation for the Maratha community in education and government jobs. This constant tussle between the judiciary and executive regarding reservation policy, and the demand for reservation by several groups has raised the need for understanding issues with the reservation policy.

Key demand of the question

The question expects us to first explain the context of Maratha reservation issue. Thereafter, we need to discuss the reasons why reservation policy might need a rethink and suggest some ways. Finally we need to comment on the need for reform in reservation policy and discuss way forward.

Directive word

Comment – When you are asked to comment, you have to pick main points and give your ‘opinion’ on them based on evidences or arguments stemming from your wide reading. Your opinion may be for or against, but you must back your argument with evidences.

Structure of the answer

Introduction – *highlight the decision of Maharashtra government to grant 18% reservation to Marathas.*

Body

Highlight that the issue has been discussed ad infinitum in the past few years with demands for reservation rising from communities such as Jats, Marathas etc. Highlight the verdict of the court in this regard.

Discuss why there might be need for re-evaluation of reservation policy

- *Changed conditions since independence with greater economic growth*
- *Lucrative government salary post salary revision by pay commission*
- *Issues in agriculture sector etc*

Discuss how the normative idea or reservation has changed

- *Give some suggestions as to what needs to be done such as data surveys, re-evaluation of reservation policy etc*

Conclusion – *Give your view on the statement in the question and discuss way forward.*

Background:-

- Recently the Maharashtra government has cleared reservation for the Maratha community in education and government jobs.
- It will have implications on other communities which have been demanding reservation such as Kapus in Andhra Pradesh, Jats in Haryana and Patidars in Gujarat.

Why there is a need to reexamine reservation policy :-

- Unlike in the late Sixties and again in the late Eighties, when the reservation discourse originated in a deep sense of unfairness of the social system, **today’s reservation discourse draws its strength from unfair development policies.**
- **Reservation is increasingly seen as a remedy for the adverse effects of ill-thought out development policies.**



- In both Gujarat and Maharashtra, in spite of their economies being relatively better, three things have been worrying the people i.e., acute agrarian distress, stagnation in employment growth and distortions in the development trajectory. Hence even forward and dominant castes have been demanding reservation
- **It is seen as against upper castes:-**
 - Reservation is also called 'Discrimination in Reverse' or Reverse Discrimination. This terminology connotes that reservation, which works as a protection to the reserved categories i.e. scheduled castes, scheduled tribes and other backward classes, acts as a reverse discrimination against the upper castes.
- **Reservation topic is being misused:-**
 - For political parties reservation discourse is convenient because it allows them to keep subscribing to the consensus over economic policies, avoiding a critical approach to the root causes of the problem.
- **Now economic backwardness is considered as demand for reservation:-**
 - For the agitators, reservation appears as a more immediate remedy compared to long-term structural repair and reform.
 - Previously advantaged castes, such as Brahmins, Rajputs and Chettiars, have begun to feel severely disadvantaged.
 - Social backwardness was the prime indicator earlier, educational backwardness the secondary indicator and economic disadvantage the third and probably only a concomitant indicator.
 - **But arguments in favour of privileging economic backwardness continue to be aired forcefully. The formula propounded by former leaders to diffuse the controversy included 10 per cent quota for the "poor" from other communities and this idea has received much traction of late.**
 - Increasingly, claims for OBC reservation have come to stand on the logic of **contemporary economic backwardness more than backwardness shaped by traditional social injustice**. Both in the Patel and Maratha agitations, the central anxiety has been about current economic tribulations. **Thus, a claim for reservation on grounds of economic backwardness is seen as justifiable.**
- **Political strength:-**
 - The more effective justification for claiming reservation is the logic of political strength.
 - In Karnataka, the Lingayat demand for reservation was declined by commissions appointed to determine backwardness, the decision ultimately took place considering the clout the community enjoys in the state.
- The post-Mandal demands for reservations often reverberate with the politics of the dominant castes in various states. This development has altered the context and texture of the reservation debate.
- **The new logic of reservation revolves around the question of how much to whom:**
 - Questions of the share of concerned communities in the population, extent of reservation and division of reserved seats among different communities occupy the central space in debates.
- **On the extent of reservation, a growing political consensus appears to be shaping that the 50 per cent limit set by the court need not be upheld in practice.** The reason is that reservation is a right of groups to a proportional share, rather than an enabling provision to make way for equal opportunity.

However the following issues might arise in front of judiciary:-

- The decision by the Maharashtra government after passing the law, is likely to be challenged before the court.
- In 2014, the then government had granted 16 per cent reservation for the Marathas. However, the reservation was stayed by the Bombay High Court
- In Rajasthan, the Supreme Court had said quota in jobs and education in the state has exceeded the 50 per cent cap and it cannot be stretched further
- A petition challenging the Tamil Nadu reservation policy is pending before the Supreme Court.

What needs to be done?

- The government will have to expand the economic aspect and create fresh opportunities so that people, especially young people, who leave agriculture are absorbed in non-farm sectors.
- It is time that India made a critical assessment of its affirmative action programmes.
- The government should consider the economic, political and social wellbeing of the community and make a balanced decision.
- Problems of these castes should be addressed through government schemes and programmes.
- Progressive steps should be taken to ensure that poorer section among the backward communities get the benefit of reservation system.
- The policy of reservation should be gradually phased out after it serves its purpose.



Topic: Statutory, regulatory and various quasi-judicial bodies

Q) What do you understand by RBI's economic capital framework? Discuss whether RBI's economic capital framework requires a fix ? (250 words)

[Timesofindia](#)

[Livemint](#)

Why this question

RBI's economic capital framework and the quantum of its reserves have been the source of much discussion in the past few days. Understanding what economic capital framework is and the entire debate surrounding it is important from the point of mains.

Key demand of the question

The first part of the question expects us to explain what economic capital framework is and what role does it play in the economy. Thereafter, we need to discuss the debate surrounding the level of reserves that RBI should maintain, and how this issue can be reconciled.

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 – Bring out the context due to which the issue is in news

Body

Explain what economic capital framework is and how is it useful for the economy

Thereafter, bring out the debate surrounding capital framework and the amount of RBI's reserves, whether there is a need for less prudence, and who should be the deciding factor. Compare the level of India's reserves vis a vis other countries and whether this level of risk aversion is harmful for the economy.

Discuss the recommendations of economic survey regarding this

Suggest what the way forward can be such an independent committee which will suggest what the best course of action should be

Conclusion – give a fair and balanced view on the debate over economic capital framework and what the way forward should be to reconcile differences.

Background :-

- Indian government is in discussion with the Reserve Bank of India (RBI) to fix appropriate economic capital framework for the central bank recently.
- The concept of economic capital has gained significance especially after the global financial crisis in 2008. The crisis exposed many central banks in the world to multiple risks, which forced many of them US Federal Reserve, Bank of England and European Central Bank besides sovereign governments to pump in liquidity, buy securities and expand their balance sheets to boost confidence in the financial system and to ensure that critical institutions did not collapse.

RBI economic capital framework :-

- Economic capital framework refers to the risk capital required by the central bank while taking into account different risks.
- The economic capital framework reflects the capital that an institution requires or needs to hold as a counter against unforeseen risks or events or losses in the future.
- The framework the government is talking about is basically about how much capital RBI needs for its operations and how much of the surplus it should pass on to the government.

Why it needs a fix :-

- Existing economic capital framework which governs the RBI's capital requirements and terms for the transfer of its surplus to the government is **based on a conservative assessment of risk by the central bank** and that a



review of the framework would result in excess capital being freed, which the RBI can then share with the government.

- The government believes that RBI is sitting on much higher reserves than it actually needs to tide over financial emergencies. that India may face. Some central banks around the world (like US and UK) keep 13% to 14% of their assets as a reserve compared to RBI's 27% and some (like Russia) more than that.
- Economists in the past have argued for RBI releasing 'extra' capital that can be put to productive use by the government. The Malegam Committee estimated the excess (in 2013) at Rs 1.49 lakh crore.
- **Rationale for such a capital framework was that there were increased risks to its balance sheet, and an adequate capital buffer was critical not only to achieving objectives**, but also to ensuring the credibility of the central bank.
- A weak balance sheet could force the central bank to rely more on excessive seigniorage income, which would run in conflict to its price stability mandate. So better economic capital framework is necessary
- **This has been done in many countries**, such as New Zealand and England. In June this year, the Bank of England and Her Majesty's Treasury signed a MoU on a capital framework and on distributing its surplus
- **It provides a robust and transparent system that ensures the credibility of the bank's policy action in even the most stressed environment**, and reflects the new way in which the bank provides liquidity.

Way forward:-

- An independent committee similar to Monetary policy committee can be formed by including government officials to decide reserve amount to avoid such issues in future.

Q) The State Election Commission of Maharashtra has undertaken a series of electoral reforms in the last few years. Discuss. (250 words)

Livemint

Why this question

Electoral reforms are much needed in India, given the importance of the elections in democracy and also given that our electoral processes are abound with many problems and ills. In this context it is important to discuss the progressive measures and reforms undertaken by the SEC of Maharashtra.

Directive word

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

Key demand of the question.

The question wants us to write in detail about the reforms undertaken by the SEC of Maharashtra in recent years.

Structure of the answer

Introduction- *Write a few introductory lines about the various ills surrounding the electoral processes in India. E.g mention the influence of money and muscle power, criminalization of politics, reduced interest of the educated people in the democratic exercises as evident by low voter turnouts etc.*

Body-

Discuss in points the reforms undertaken by the Maharashtra SEC in recent years. E.g

- *It is the first one to go fully digital in the filing of nomination papers and affidavits of all candidates. It is also the first one to disqualify an elected representative for failure to comply with expense disclosure rules.*
- *Most importantly, it took a giant step recently by giving teeth to the idea of the NOTA (none of the above) button. If NOTA is the winner in any election in Maharashtra, there will be a mandatory re-poll. The Supreme Court mandated the NOTA option in all elections two years ago.*



- *Recently, the Supreme Court too, while dismissing a petition that asked to disqualify criminal candidates, prescribed that such tainted candidates be given prominent publicity. The law to disqualify anyone with a pending criminal case, especially if charged with heinous crimes like murder, rape or assault, can only be passed by Parliament. But in the interim, the SEC of Maharashtra has moved the needle by giving NOTA much needed teeth. It is up to the national ECI and other SECs to follow suit.*

Conclusion- *based on your discussion, form a fair and a balanced conclusion on the given issue. E.g Even so, India's democracy has progressed and is more robust. Ultimately, there is no substitute for an educated, enlightened and vigilant voter.*

Background:-

- State election commissions (SECs) have power and status on par with the central Election Commission of India (ECI).
- SEC conducts elections to local bodies like village panchayats, zilla parishads, municipal councils and corporations.
- In Maharashtra, in a five-year period, it has to conduct almost 29,000 elections, and get around 250,000 elected people's representatives.
- The SEC's job is even complex than the ECI's because local elections are close contests and winning margins can be very slim.

Electoral reforms by Maharashtra election commission :-

- The state election commission of Maharashtra has blazed a trail in a series of electoral reforms in the last few years.
- **It is the first one to go fully digital in the filing of nomination papers and affidavits of all candidates.** This has eliminated most errors and enabled instant dissemination of information to the voters.
- It is the first SEC in the country to **cancel registration of more than 250 political parties for failure to submit audited accounts in tim**
- It is also the **first one to disqualify an elected representative** for failure to comply with expense disclosure rules.
- It took a giant step recently by giving teeth to the **idea of the NOTA** (none of the above) button.
 - Maharashtra State Election Commission issued an order stating that if the None of the Above or NOTA option receives the maximum votes in a constituency, then none of the contesting candidates will be declared the winner and fresh elections will be held.
 - This is a landmark order that transforms the very nature of NOTA five years after it was first introduced by the Supreme Court.

Q) The relationship between central banks and government is being debated around the world and India is no different. Discuss the issues involved and suggest what needs to be done ? (250 words)

[Livemint](#)

[Indian express](#)

Why this question

The article bring out the fact that around the world, there has been a rearrangement of the roles of and relationships between governments and central banks. We are seeing this happen in our country too where the RBI and government, it appears, have had some disagreement about how to manage the economy. These articles will help you understand the issue in greater depth .

Key demand of the question

The question expects us to first discuss the global scenario with respect to relationship between government and central banks and explain how the situation in India is quite similar. Discuss the reason behind such tussle in the world in general and India in particular. Here we need to discuss issues surrounding independence of RBI, monetary policy framework agreement, need for accountability , issues or capital reserves. Finally, a fair and balanced opinion is to be provided as to what must be the way forward.

Structure of the answer

Introduction – *Mention about the recent board meeting of RBI and how it has blown water over the heat generated in past few days.*



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.

Body

Explain that the adjustment in relationship between the two entities is part of the debate happening around globally. Give examples of UK etc

Explain the issue in general – Central banks everywhere, from Turkey to the US, are under increasing pressure from the governments. While central bankers say that they need to be free from pressures from the governments and lobby groups to focus on their job of containing inflation and maintaining financial stability, their critics say that they are too secretive and have leaned in favour of big financial institutions over the interests of common citizens they are duty-bound to serve. Explain what is happening in India

Examine the micro reasons over which there is a disagreement and discuss what needs to be done to improve the situation and maintain market sentiment.

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

Background:-

- Reserve Bank of India (RBI) signalled a truce agreeing, among other things, to allow banks to boost lending to small businesses. The central bank also agreed to study a demand for transfer of its reserves to the government, although it didn't concede to the demand.
- This was the aftermath of the issues that were affecting the delicate balance between RBI and government.

Relationship between central banks and governments around the world is debated:-

- Central banks everywhere, from Turkey to the US, are under increasing pressure from the governments. While central bankers say that they need to be free from pressures from the governments and lobby groups to focus on their job of containing inflation and maintaining financial stability, their critics say that they are too secretive and have leaned in favour of big financial institutions over the interests of common citizens.
- Earlier this year, the mandate of the Reserve Bank of New Zealand (RBNZ), which first put in place an inflation targeting regime was **changed from its sole objective of price stability to also include fostering sustainable employment.**
- In the UK, the Bank of England and Her Majesty's Treasury signed a memorandum of agreement on the financial relationship between the two **outlining the framework for determining its capital, payment in lieu of its dividend, issue of notes and the information sharing arrangements between the Bank and the Treasury.**

Indian scenario :-

- Recently simmering differences between the Reserve Bank of India (RBI) and the Central government **over issues of public sector bank regulation, resolution of distressed assets and the central bank's reserves, independent payments bank regulator, easing credit to small firms** have raised questions about the independence of RBI.
- Recent issues surrounding the Section 7 of RBI act:-**
 - The issue of invoking Section 7 (1) of RBI Act came up during **the hearing of Allahabad high court** in a case filed by the Independent Power Producers Association of India challenging **RBI's 12 February circular**. The high court said the government could issue directions to RBI under Section 7 of RBI Act.
 - Against this backdrop, the government issued a letter to the RBI governor seeking his views on exemption for power companies in relation to the 12 February circular. The second instance was when the government sought the governor's views on **using RBI's capital reserves for providing liquidity.**
 - Exercising powers under this section, the government has sent several letters to the RBI governor in recent weeks on issues **ranging from liquidity for non-banking financial companies (NBFCs), capital requirement for weak banks and lending to micro, small and medium enterprises (MSMEs)**, withdrawal of **Prompt Corrective Action for public sector banks**
 - Government believed that easing of lending rules for the banks under the prompt corrective action (PCA) framework could help reduce pressure on MSMEs. However, the RBI argued that such a move would put the clock back and undo clean-up efforts.
 - With the credit markets tightening after the IL&FS default in September, non-banking finance companies lobbied the government for more liquidity. But RBI maintained its position since the **banking** system did not witness any spike in borrowing costs and the market was just repricing risk in an evolving situation



- Reportedly, the government and the RBI disagree on a large number of important issues such as classification of non-performing assets (NPAs) and setting up of a payments regulator independent of the RBI.

Way forward:-

- **International examples:-**
 - There has to be a forum within the democratic structure where the RBI is obligated to explain and defend its position.
 - Different countries have taken different routes and by and large each model is appropriately tuned to their specific contexts.
 - US example is a good model to work upon. Presentation by the chairman of the Federal Reserve to the Congress makes for public exposure and transparency but does not take away the chairman's autonomy.
- **The governor should be responsible and accountable to Parliament and not to a particular government or the ministry of finance, or minister** He can testify to Parliament twice a year. In separate testimony in both houses of Parliament, the lawmakers can ask questions of the RBI Governor and the latter can respond.
- A better way to sort out these differences and to come to a conclusion is to have a larger debate with technical experts weighing in.
- On issues of operational autonomy, the central government needs to lay off its pressure on the RBI.
- On macro issues such as exchange rate management and RBI's dividend policy, written agreements that clearly demarcate roles and responsibilities can be thrashed out.
- The Monetary Policy Framework Agreement and the FRBM Act are good illustrations of how a mutually agreed rule-based framework can broker peace between the central bank and the executive arm of government.
- If the issues are not resolved, the tussle will undermine investor confidence and strengthens fears about institutional erosion when India is already experiencing economic turmoil.

Conclusion:-

- A healthy and functional relationship between the fiscal and monetary arms of the government is necessary to maintain India's long-term economic growth and lift millions of its citizens out of poverty.

Q) CBI has come under the scanner in recent days. Discuss the issues faced by India's premier investigative agency and the role of judiciary in ensuring that CBI no longer functions as a "caged parrot" ? (250 words)

[Epw](#)

Why this question

CBI has been caught in a den of controversies with allegations and counter allegations being thrown left, right and centre. The issue of interest for us is understanding the reasons behind the current state of affairs and the role judiciary has played in ensuring some semblance of independence in CBI.

Key demand of the question

The question expects us to explain in detail the issues faced by CBI and the role played by judiciary in reforming CBI and the impact of such measures. We need to finally provide a forward looking view explaining the nature of reforms required by CBI.

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 appraise the worth of the statement in question. There is scope for forming a personal opinion here.

Structure of the answer

Introduction – Explain about CBI as an organization, about DSPE Act etc

Body

Highlight that the current controversies associated with CBI is symptomatic of larger problems.

Discuss the issues plaguing CBI –

- *CBI is Vulnerable to political pressure.*



- *Less than 10 per cent of the cases handed over to the CBI have political overtones, and this is what gives the organization a bad name.*
- *CBI is facing the staff shortage, which is required to deal with the daily dealings of the CBI office.*
- *Supreme Court and High Courts are handing over a large number of sensitive cases to the CBI for investigation without additional manpower*
- *The CBI is facing an acute shortage of manpower in the ranks of Constable, Head Constable, Inspector and Superintendent of Police.*
- *Enormous delays in concluding investigations.*
- *In majority of the cases of corruption and financial irregularities probed by the CBI, the accused goes unpunished.*
- *Biased and casual course of action in the cases where its own official is under suspicion*
- *Agency often fails to establish the money trail involved in the corruption*
- *situations like withdrawal of notification of empowerment by the state with hidden motives.*

Discuss the role judiciary has played in reforming CBI as discussed in the article with respect to reforming the appointment process etc

Give suggestions as to what can be done to improve the functioning of CBI. Can mention that in the past, CBI directors have given the suggestions to tackle this problem of coordination with state governments. Like:- Promulgation of the CBI act on par with the customs act or income tax act. It would provide CBI officers with independence outside CrPC without any state government interference. Suggest other measures of reforms in the CBI

Conclusion – *Explain the importance of an independent and effective investigative agency and discuss way forward.*

Background:-

- **Central Bureau of Investigation (CBI)** is India's **premier investigating agency** that handles **all high-profile cases**. Its job is to ensure a **fair and an impartial probe**. But, recently in October 2018, two of the top officials of the agency have been **reported to be involved in a major feud**. This has led the Government of India to intervene in order to **restore the institutional integrity and credibility of CBI**.

Issues faced by CBI:-

- **Real problem for the CBI lies in its charter of duties:-**
 - These are not protected by legislation. Instead, its functions are based merely on a government resolution that draws its powers from the Delhi Special Police Establishment Act, which makes the CBI the premier investigative arm of the Union government.
 - The controversies very origin is hidden in bureaucratic obscurity (as the Gauhati High Court pointed out in Navendra Kumar v Union of India in 2013) and **it has been governed by a skeletal framework law dating back to 1946**.
- **Myriad of responsibilities over categories like Corruption & fraud , economic crimes , special crimes including terrorist attacks has overburdened it and reduced its efficiency**
 - Less than 10 per cent of the cases handed over to the CBI have political overtones, and this is what gives the organization a bad name.
- **Delayed Case Solving :**
 - For instance in Aarushi Murder Case even though the investigations underwent for over an **decade there was no concrete conclusion**.
- The **size of the organisation has expanded**. Also the pattern and incidence of crime which it is required to investigate have altered.
- **Its charter of functions has enlarged considerably**, the political environment in which it is functioning has been transformed.
- The CBI has no independent cadre of officers to staff it and it depends on police officers from state cadres to serve on deputation.



- It is still woefully lacking in the necessary forensic capabilities and subject matter expertise required to crack the kinds of cases that are referred to it.
- In majority of the cases of corruption and financial irregularities probed by the CBI, the accused goes unpunished.

Role played by judiciary to reform CBI:-

- **Supreme court:-**
 - Supreme Court has over the years been trying to insulate the CBI from political pressures and, in the process, give it a measure of autonomy.
 - In Vineet Narayan vs. Union of India (1998), the apex court laid down that the **director, CBI shall be appointed on the recommendation of a committee comprising the Central Vigilance Commissioner, vigilance commissioners, secretary (home) and secretary (personnel), and that he shall have a minimum tenure of two years.**
 - The CVC was given statutory status and authorised to exercise superintendence over the CBI in the investigation of offences committed under the Prevention of Corruption Act.

What institutional reforms are needed ?

- **P singh committee** has recommended the enactment of comprehensive central legislation for **self sufficient statutory charter** of duties and functions.
- The Second Administrative Reforms Commission (2007) also suggested that a new law should be enacted to govern the working of the CBI.
- **Parliamentary standing committee (2007)** recommended that a separate act should be promulgated in tune with requirement with time to **ensure credibility and impartiality**
 - The 19th and 24th reports of the parliamentary standing committees (2007 and 2008) recommended that the need of the hour is to strengthen the CBI in terms of legal mandate, infrastructure and resources.
- **Elements needed in the new legislation:-**
 - The new legislation must define the word superintendence, and establish institutional and other arrangements to insulate the organisation from undesirable and illegitimate external control, pressures and influences.
 - It must ensure that the central government's control over the agency is so exercised as to ensure that its performance is in strict accordance with the law.
 - The Act must make it a statutory responsibility of the government to establish an efficient and impartial system of investigation.
 - It should set objectives, define performance standards and establish monitoring instrument, prescribe procedures for appointment and removal of officers
 - It should delineate the CBI's powers as well as functions, outline the philosophy and practices expected of the agency, and, prescribe mechanisms to ensure their accountability.
 - A **new CBI Act** should be promulgated that ensures the **autonomy of CBI** while at the same time **improving the quality of supervision. The new Act must specify criminal culpability for government interference.**
- It is high time that the CBI is vested with the required legal mandate and is given pan-India jurisdiction. **It must have inherent powers to investigate corruption cases against officers of All India Services irrespective of the assignments they are holding or the state they are serving in.**
- Besides appointing the head of the CBI through a collegium, as recommended by the Lokpal Act, the government must ensure **financial autonomy for the outfit.** Some experts have even suggested that the CBI **should be given statutory status** through legislation equivalent to that provided to the Comptroller & Auditor General (CAG) and the Election Commission (EC).
 - It is also possible to consider **granting the CBI** and other federal investigation agencies the **kind of autonomy** that the Comptroller and Auditor General enjoys as he is **only accountable to Parliament.**
- One of the demands that has been before Supreme Court, and in line with **international best practices**, is for the CBI to develop its **own dedicated cadre of officers** who are not bothered about deputation and abrupt transfers.
- A **more efficient parliamentary oversight** over the federal criminal and intelligence agencies could be a way forward to **ensure better accountability**, despite concerns regarding political misuse of the oversight.

Conclusion :-

- CBI is an agency of Central Government that has **wide range of investigating areas and powers.** It was formed with a goal **to check corruption and other crimes** in the nation and so it **shall maintain a clean image of itself.** Any agency shall have a system of **checks and balances** and so, intervention of Government, CVC, Courts, etc shall be done if needed.



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

Q) Discuss the key issues and constraints faced by CIC in implementing the RTI act effectively. (250 words)

Reference

Why this question

The CIC has been in news recently for issuing a show cause notice to RBI governor. The article discusses well the problems on part of CIC in implementing the RTI act.

Directive word

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

Key demand of the question.

The question wants us to write in detail about the issues and constraints faced by CIC in terms of implementing the RTI act effectively.

Structure of the answer

Introduction– write a few introductory lines about the role of CIC vis a vis the RTI act.

Body-

Discuss the issues and constraints faced by CIC in implementing the RTI act. E.g There is no centralised database of RTI applicants at the centre/ state level, thus resulting in decreased accuracy of the annual RTI reports submitted by CIC; There is a general public perception that CIC has been lenient towards the unaccountable PIOs; lack of monitoring and review mechanisms in CIC to make public officers comply with the provisions of the RTI act; High pendency of cases and delayed appointments in CIC etc.

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

Background:-

- The Right to Information Act became operational in 2005. This law empowered Indian citizens to seek information from Public Authorities, thus making the Government and its functionaries more accountable and responsible.
- India took only a few months to bring it into force. This time was inadequate to change the mindset of the people in Government, create infrastructure, develop new processes and build capacity to deliver information under this Act. This has led to implementation issues which need to be identified and addressed.

Issues and constraints faced by CIC in implementing the RTI act effectively:-

- **No centralized database:-**
 - There is no centralized data base of RTI (at the State/Centre level) applicants. Given the current situation, neither the State Government nor the State Information Commission is in a position to confirm the number of Public Authorities within a Department and therefore the details on the number of applications filed.
- **The penalty is imposed in a very few cases:-**
 - Given that more than half of the RTI applications get processed after 30 days, there is a very strong perception in the citizens and the Civil Society Organizations that the Information Commission is lenient towards the erring PIO
- **Information Commission does not possess adequate monitoring and review mechanism to track the failures of the Public Authorities in complying with the RTI Act.**
 - One of the most important roles of the Information Commission is to monitor and review the Public Authority and initiate actions to make them comply with the spirit of the Act. However this has been one of the weakest links in the implementation of the Act.
 - It is acknowledged and appreciated that the Information Commissions have been primarily been spending most of their time in “hearings” and disposing off appeals
- **Delay in disposing off cases:-**
 - The number of RTI Appeals with the Information Commissions is growing at a rapid pace year after year. With current volumes of appeals, there seem to be delays in disposing off cases.



- In Maharashtra SIC, there is a “wait period” of more than 12 months, thus discouraging citizens from filing appeals.
- **Geographical reach:-**
 - Majority of the Information Commissions are situated in the State capitals, which results in appellants undergoing an additional cost in order to attend the hearings.
- **Role confusion:-**
 - There is no clear division of responsibilities between the State Information Commission and the Nodal Department in terms of monitoring the implementation of RTI Act.

Way forward:-

- A centralized database of all RTI applicants with their information requests and responses from information providers would enable the Information Commission to publish more accurate numbers in the annual reports.
- The State Government has to play a facilitative role to the Information Commission through issuance of supporting rules/orders to the Public Authorities.
- It is imperative that the Information Commission mobilize the citizens/use third party agencies in identification of non-compliance by the Public Authorities.
- The benefits of setting up regional offices far outweigh the initial capital costs involved in setting them up. So there is a need to set up regional offices.
- The role of the Centre/State Government is to facilitate the Public Authorities in implementation of the Act. This can happen through providing support to Public Authorities for training, development of software applications, e-Training modules, generating awareness amongst citizens etc.

Q) Election commission of India had played a stellar role in ensuring free and fair elections in India. Analyse the evolution of the Election Commission of India and its effectiveness in ensuring inclusiveness, rule of law, efficiency, and accountability of the election process. (250 words)

Key demand of the question

The question expects us to bring out the evolution of ECI where we have to explain how the nature of challenges for ECI has varied over the ages and how ECI has responded to these challenges. In doing so, we have to examine the mechanisms through ECI has ensured rule of law in election process along with criticism of its role.

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 – Give a brief introduction about ECI – its constitutional status, role etc.

Body

First discuss how the role of ECI has evolved over the ages

- *Phase 1 (1950-1967) when ECI had to deal with challenges such as illiteracy, creating awareness etc*
- *Phase 2(1967-1975) when ECI had to deal with challenges such as aggressive single party system, electoral offences such as booth capturing etc*
- *Phase 3 (1977-1990) where the challenges were money power in elections*
- *Phase 4 (1990-2002) – photo id cards, model code of conduct, EVMs*
- *Phase 5 (2002 – current) VVPATs, criminalization of politics etc*

Analyze how ECI through its functioning and structure has maintained its independence and ensured free and fair elections, ensured implementation of MCC to ensure rule of law elections etc

Discuss criticism of ECI’s role – reforms not implemented, questions over its independence in recent times etc



Conclusion – Suggest reforms for ECI and give your view on ECI's effectiveness and fairness.

Background :-

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

Evolution of EC :-

- The constituent assembly provided for the ECI in the Constitution because of its commitment to free and fair elections, and its concern that citizens should exercise their franchise without discrimination. This led to its formation in 1950.
- **Evolution took place in five phases :-**
 - **Phase 1 (1950–67) :- Establishing Institutional Credibility :-**
 - Despite the challenges of mammoth population about to vote in the first election, lack of sufficient infrastructure of governance systems, lack of literacy, **the ECI was able to translate the spirit of democracy into the free and fair conduct of elections by developing processes that were people friendly and transparent.**
 - EC introduced the “marking system” i.e., the ballot paper bore names, party affiliations, and candidates symbols which made it easy for the voters to vote.
 - Although in 1956 the reorganisation of states and the delimitation of constituencies made it very difficult to hold the second general elections on time, the ECI wanted to avoid the precedent of extending the lives of Parliament and legislative assemblies at all costs, and lobbied to prevent the postponement of elections.
 - Autonomy enabled the ECI to embed impartiality and transparency into its processes, and to take quick decisions
 - Because of its narrow subject area, the ECI became a highly expert organisation, and consequently, very efficient. The ECI's efficiency was enhanced further as it could simultaneously make rules, implement them, and review them as required.
 - ECI could issue detailed administrative directions to the states regarding the design of ballot boxes and papers, location of polling stations, and so on, and the states benefitted from the ECI's growing expertise
 - Election Petitions before Courts Another significant development was that courts decided to hear election petitions, though there was no such provision in the Constitution
 - **Phase 2 (1967–75): Emerging Limitations**
- In the second phase, the ECI was tested, as the single-party domination of the polity began to decline and political competition increased.
- There were law and order issues in the form of group clashes, election meetings were disturbed, instances of assault, kidnapping, murder, personation, looting, arson, rioting etc were also reported.
- While the rule of law in elections declined, the ECI was still able to administer elections efficiently. The ECI's skills were tested in a new way in the fifth general elections, as for the first time, the ECI had to conduct all-India elections before these were due.
- At this time, as several political parties split, the ECI began to decide which group within a split party would keep the original symbol.
- By the end of the second phase, with the declaration of the Emergency, democracy was threatened and elections due in March 1976 were cancelled. Significant changes were made to the election law
- **Phase 3 (1977–90): The Deepening Crisis :-**
- In the third phase, key shortcomings in the ECI's institutional design that became apparent was that it had inadequate control over the state election machinery that actually conducted the elections, and could not stop politicians from flouting the law.
- In the face of declining political support for free and fair elections, this impacted the ECI's capacity to enforce the rule of law in elections, which made them less inclusive.
- **Phase 4 (1991–2002): Fight back and Consolidation:-**
 - The ECI waged a continuous, acrimonious, and public battle with the political establishment and the central and state governments to restore the rule of law in elections. This time, it was successful.
 - The CEC's leadership was decisive and effective. The ECI also stated that unless electoral photo identity cards were provided to all eligible voters, no polling would take place.



- The ECI became proactive in ensuring that the MCC was followed, and expressed open displeasure when it was violated.
- It banned the transfer of officials on election duty without its prior permission
- It monitored the election process more closely, by enhancing the role of election observers and monitoring officials.
- In 1993, the government promulgated an ordinance for the appointment of two election commissioners. Since then, the ECI has been a three-member body.
- The success of EC role in Gujarat in 2002 added to its autonomy, impartiality, and internal accountability, without taking away from quick decision-making.
- **Phase 5 (2002–Present): Deeper Problems**
 - It had stemmed electoral violence and large-scale voter intimidation, voter personation, and booth-capturing. In ensuring the rule of law in elections
 - It made the election process more inclusive, enabling marginalised communities to exercise their franchise.
 - In the current context, political actors and officials do not flout the ECI's directions easily. Attacks on the ECI by political actors are now usually restrained, largely because of the public and media support for the ECI.
 - With the introduction of EVMs in 1998, which were used across the country in 2004, the polling and counting processes became smoother.

Inclusiveness :-

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

Rule of law:-

- Although the model code was originally based on political consensus and does not still enjoy statutory sanction, it served as a handy tool for placing curbs on the abuse of the official machinery for campaigning.
- The EC regularly instructs police stations in each constituency to initiate preventive measures and take action against those who were involved in electoral offences in the past and against habitual offenders and anti-social elements.
- According to data from EC website, during the 2014 general election a staggering number of people (2,50,892) were identified as "possible intimidators" and action was taken against 2,18,227 of them.

Efficiency:-

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

Accountability:

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

Challenges remain though:

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



Q) What are the objectives of National Green Tribunal. Also, discuss the challenges and constraints faced by the organization in fulfilling its objectives. (250 words)

Reference

Why this question

NGT is an important statutory body with a wide and extensive mandate of protecting and preserving the environment at the national level. With increasing environmental degradation and climate change the importance of the organization increases manifold.

Directive word

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

Key demand of the question.

The question wants us to write in detail about the objectives of NGT. It then wants us to discuss in detail about the challenges and constraints faced by the organization in fulfilling its objectives.

Structure of the answer

Introduction– write a few introductory lines about the NGT. e.g the National Green Tribunal was established in 2010 under the National Green Tribunal Act 2010 etc.

Body-

Discuss the stated objectives of NGT. e.g

- *To provide effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to the environment.*
- *Giving relief and compensation for damages to persons and property*
- *And other related matters.*

Discuss the challenges and constraints faced by the organization in fulfilling its objectives. E.g There is the lack proper infrastructure as it functions from two different premises; delay in appointments of members; The number of environmental cases has been on the rise but due to lack of benches and infrastructure, the body is unable to pronounce its judgment on time; Despite various proactive support being taken by the tribunal the pollution levels has been continuously rising over the years. This is due to lack of effective support from government both at the centre as well in states. The inefficiency of Central and State pollution control boards is another reason for it. This often results in delays in implementing the tribunal's decision; The tribunal is not having suo-motu powers which also restricts its ambit in the area of environment etc

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

Background :-

- The NGT was established in 2010 under the National Green Tribunal Act . It is a specialized environmental court that deals with cases relating to environmental protection and the conservation of forests
- It has judicial powers that allow it to exclusively decide civil environmental matters. The tribunal is guided by principles of natural justice and is not bound by the mainstream code of civil procedure

Objectives of National green tribunal :-

- The objective of establishing a National Green Tribunal are as follows:
 - To provide effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to the environment.
 - Giving relief and compensation for damages to persons and property
 - And other related matters.



Despite judgments by NGT regarding cleaning of Ganga, Yamuna flood plain etc challenges and constraints faced by NGT remain :-

- The recent event on Yamuna floodplains saw rampant clearing of the vegetation cover and construction. But NGT instead of taking stringent action just **imposed a fine for the event and could do little to prevent the spoiling of this fragile ecosystem.**
- Access to justice is denied by two means in NGT: firstly, by the **provision of limitation period and secondly, by virtue of NGT being located in only big cities spread across India.**
- NGT'S critics have also questioned the **"lack of environmental finesse" of its expert members.** Usually, the expert members are experts of one particular field and not of environment as a whole.
 - For instance, an expert member who has been working on forests for many years would not be able to comprehend the issues arising out of industrial pollution.
- **Conflicts are brewing between NGT and the high courts:-**
 - **As per the NGT Act, appeals from NGT can only go to the Supreme Court, thus by-passing the high courts.**
 - **Backlog of cases in NGT** is another reason for the institution's failure to address environmental matters.
- **Lack of infrastructure:-**
 - There is the lack proper infrastructure as it functions from two different premises.
 - The number of environmental cases has been on the rise but due to lack of benches and infrastructure, the body is unable to pronounce its judgment on time.
- **Pollution is alarming:-**
 - Despite various proactive support being taken by the tribunal the pollution levels has been continuously rising over the years. This is due to lack of effective support from government both at the centre as well in states. The inefficiency of Central and State pollution control boards is another reason for it.
 - **This often results in delays in implementing the tribunal's decision.**
- **No suo moto powers:-**
 - The tribunal is not having suo-moto powers which also restricts its ambit in the area of environment.

Reforms needed:-

- There is a need to strengthen it by giving it more powers and by investing in strengthening its infrastructure
- Judicial review is an important power that must be given to NGT
- NGT also needs to put certain systems in place for transparent decision-making.
- NGT needs to establish principles and criteria to estimate fines, damages and compensation.
- It should also identify institutions and experts who can help it to scientifically estimate environmental damages/compensation/fines on a case-to-case basis.
- NGT must put internal checks and balances for efficient and transparent delivery of justice.
- Suomotu jurisdiction has to be an integral feature of NGT for better and effective functioning.
- There is a need for the central and state governments to work in collaboration with the NGT for an effective outcome.

Q) CBI plays an important role in criminal justice delivery system which it can't do while being a "caged parrot". Analyze. (250 words)

Key demand of the question

The question expects us to bring out the role played by CBI in criminal justice delivery system, criticism of CBI along with reasons why it's called caged parrot, and suggest reforms that are required.

Directive word

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

Structure of the answer

Introduction – *Discuss the role of CBI along with the acts that govern it and why CBI has been in news off late.*

Body

- *Highlight the role played by CBI as the premier investigation agency of the country*



- Discuss criticism of CBI's role such as corruption, political bias, delays in solving cases etc
- Discuss reforms required such as autonomy to director, need for a CBI Act etc

Conclusion – Discuss the immense importance of an organisation such as CBI and the way forward.

Background:-

- **Central Bureau of Investigation (CBI)** is India's premier investigating agency that handles all high-profile cases. Its job is to ensure a fair and an impartial probe. But, recently in October 2018, two of the top officials of the agency have been reported to be involved in a major feud. This has led the Government of India to intervene in order to restore the institutional integrity and credibility of CBI.

Role CBI plays in criminal justice delivery system :-

- Central Bureau Of Investigation CBI is the **domestic internal security agency** of India, jointly serves as a **criminal investigation and prosecution body**. It has played a pivotal role in criminal justice delivery as highlighted in tough cases like Satyam scam investigation, Bhanvari Devi Murder etc.
- CBI was established on the **recommendation of Santhanam committee** to prevent corruption. It is the main investigating agency of central government
- CBI is a multidisciplinary investigation agency which undertakes the following:-
 - Investigating cases of corruption , bribery and misconduct of central government.
 - Investigating serious crime having national and international ramification.
 - Investigating cases relating to infringement of fiscal and economic laws.
 - Coordinating activities of anti corruption agencies.
 - Taking up request of state government in a case of public importance.

Why was it called caged carrot :-

- **Politicisation of the Central Bureau of Investigation (CBI)** has been a work in progress for years.
- **Corruption and Politically biased :**
- This was highlighted in Supreme Court criticism for being a caged parrot speaking in its master's voice.
- CBI has been accused of becoming 'handmaiden' to the party in power, as a result high profile cases are not treated seriously.
- Since CBI is run by central police officials on deputation hence chances of getting influenced by government was visible in the hope of better future postings.

Controversies related to independence of CBI:-

- Real problem for the **CBI lies in its charter of duties:-**
 - These are not protected by legislation. Instead, its functions are based merely on a government resolution that draws its powers from the Delhi Special Police Establishment Act, which makes the CBI the premier investigative arm of the Union government.
- **However myriad of responsibilities over categories like Corruption & fraud , economic crimes , special crimes including terrorist attacks has overburdened it and reduced its efficiency**
- **Delayed Case Solving :**
 - For instance in Aarushi Murder Case even though the investigations underwent for over an **decade there was no concrete conclusion.**

What institutional reforms are needed ?

- The first reform is to ensure that **CBI operates under a formal, modern legal framework** that has been written for a contemporary investigative agency.
- **P singh committee** has recommended the enactment of comprehensive central legislation for **self sufficient statutory charter** of duties and functions.
- The Second Administrative Reforms Commission (2007) also suggested that a new law should be enacted to govern the working of the CBI.
- **Parliamentary standing committee (2007)** recommended that a separate act should be promulgated in tune with requirement with time to **ensure credibility and impartiality**
 - The 19th and 24th reports of the parliamentary standing committees (2007 and 2008) recommended that the need of the hour is to strengthen the CBI in terms of legal mandate, infrastructure and resources.
- It is high time that the CBI is vested with the required legal mandate and is given pan-India jurisdiction. **It must have inherent powers to investigate corruption cases against officers of All India Services irrespective of the assignments they are holding or the state they are serving in.**
- Besides appointing the head of the CBI through a collegium, as recommended by the Lokpal Act, the government must ensure **financial autonomy for the outfit**. Some experts have even suggested that the CBI **should be given**



statutory status through legislation equivalent to that provided to the Comptroller & Auditor General (CAG) and the Election Commission (EC).

- It is also possible to consider **granting the CBI** and other federal investigation agencies the **kind of autonomy** that the Comptroller and Auditor General enjoys as he is **only accountable to Parliament**.
- A **new CBI Act** should be promulgated that ensures the **autonomy of CBI** while at the same time **improving the quality of supervision**. The **new Act must specify criminal culpability for government interference**.
- One of the demands that has been before Supreme Court, and in line with **international best practices**, is for the CBI to develop its **own dedicated cadre of officers** who are not bothered about deputation and abrupt transfers.
- A **more efficient parliamentary oversight** over the federal criminal and intelligence agencies could be a way forward to **ensure better accountability**, despite concerns regarding political misuse of the oversight.

Conclusion :-

- CBI is an agency of Central Government that has **wide range of investigating areas and powers**. It was formed with a goal **to check corruption and other crimes** in the nation and so it **shall maintain a clean image of itself**. Any agency shall have a system of **checks and balances** and so, intervention of Government, CVC, Courts, etc shall be done if needed.

Q) What do you understand by RBI's economic capital framework? Discuss whether RBI's economic capital framework requires a fix ? (250 words)

[Timesofindia](#)

[Livemint](#)

Why this question

RBI's economic capital framework and the quantum of its reserves have been the source of much discussion in the past few days. Understanding what economic capital framework is and the entire debate surrounding it is important from the point of mains.

Key demand of the question

The first part of the question expects us to explain what economic capital framework is and what role does it play in the economy. Thereafter, we need to discuss the debate surrounding the level of reserves that RBI should maintain, and how this issue can be reconciled.

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 – Bring out the context due to which the issue is in news

Body

Explain what economic capital framework is and how is it useful for the economy

Thereafter, bring out the debate surrounding capital framework and the amount of RBI's reserves, whether there is a need for less prudence, and who should be the deciding factor. Compare the level of India's reserves vis a vis other countries and whether this level of risk aversion is harmful for the economy.

Discuss the recommendations of economic survey regarding this

Suggest what the way forward can be such an independent committee which will suggest what the best course of action should be

Conclusion – give a fair and balanced view on the debate over economic capital framework and what the way forward should be to reconcile differences.

Background :-

- Indian government is in discussion with the Reserve Bank of India (RBI) to fix appropriate economic capital framework for the central bank recently.



- The concept of economic capital has gained significance especially after the global financial crisis in 2008. The crisis exposed many central banks in the world to multiple risks, which forced many of them US Federal Reserve, Bank of England and European Central Bank besides sovereign governments to pump in liquidity, buy securities and expand their balance sheets to boost confidence in the financial system and to ensure that critical institutions did not collapse.

RBI economic capital framework :-

- Economic capital framework refers to the risk capital required by the central bank while taking into account different risks.
- The economic capital framework reflects the capital that an institution requires or needs to hold as a counter against unforeseen risks or events or losses in the future.
- The framework the government is talking about is basically about how much capital RBI needs for its operations and how much of the surplus it should pass on to the government.

Why it needs a fix :-

- Existing economic capital framework which governs the RBI's capital requirements and terms for the transfer of its surplus to the government is **based on a conservative assessment of risk by the central bank** and that a review of the framework would result in excess capital being freed, which the RBI can then share with the government.
- The government believes that RBI is sitting on much higher reserves than it actually needs to tide over financial emergencies. that India may face. Some central banks around the world (like US and UK) keep 13% to 14% of their assets as a reserve compared to RBI's 27% and some (like Russia) more than that.
- Economists in the past have argued for RBI releasing 'extra' capital that can be put to productive use by the government. The Malegam Committee estimated the excess (in 2013) at Rs 1.49 lakh crore.
- **Rationale for such a capital framework was that there were increased risks to its balance sheet, and an adequate capital buffer was critical not only to achieving objectives, but also to ensuring the credibility of the central bank.**
- A weak balance sheet could force the central bank to rely more on excessive seigniorage income, which would run in conflict to its price stability mandate. So better economic capital framework is necessary
- **This has been done in many countries**, such as New Zealand and England. In June this year, the Bank of England and Her Majesty's Treasury signed a MoU on a capital framework and on distributing its surplus
- **It provides a robust and transparent system that ensures the credibility of the bank's policy action in even the most stressed environment**, and reflects the new way in which the bank provides liquidity.

Way forward:-

- An independent committee similar to Monetary policy committee can be formed by including government officials to decide reserve amount to avoid such issues in future.

Q) Discuss the similarities and the difference between the Election Commission of India and the State Election Commissions. (250 words)

[Indian express](#)

Directive word

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

Key demand of the question

The question wants us to write in detail about the similarities between ECI and SECs. It also wants us to highlight and discuss the difference between the ECI and SECs.

Structure of the answer

Introduction– write a few introductory lines about the ECI and SECs. E.g Supervision and conduct of elections are entrusted with two constitutional authorities — the Election Commission (EC) of India and the State Election Commissions (SECs).



Body-

Discuss the similarities between the EC and SECs. E.g like the removal of a Chief Election Commissioner, the State Election Commissioner can only be removed via impeachment. In 2006, the Supreme Court emphasised the two constitutional authorities enjoy the same powers. In Kishan Singh Tomar vs Municipal Corporation of the City of Ahmedabad, the Supreme Court directed that state governments should abide by orders of the SECs during the conduct of the panchayat and municipal elections, just like they follow the instructions of the EC during Assembly and Parliament polls. Article 243-O of the Constitution bars interference in poll matters set in motion by the SECs; Article 329 bars interference in such matters set in motion by the EC. Only after the polls are over can the SECs' decisions or conduct be questioned through an election petition.

Discuss the differences between the two. E.g Set up in 1950, the EC is charged with the responsibility of conducting polls to the offices of the President and Vice President of India, to Parliament, and to the state Assemblies and Legislative Councils. The SECs, which were appointed in each state more than four decades after the EC was set up, supervise municipal and panchayat elections. Although the two authorities have a similar mandate, they are independent of each other and draw powers from different laws. Each SEC is governed by a separate state Act etc.

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

Background:-

- Supervision and conduct of elections are entrusted with two constitutional authorities which are the Election Commission (EC) of India and the State Election Commissions (SECs).

Similarities between election commission and state election commissions:-

- The provisions of Article 243K of the Constitution, which provides for setting up of SECs, are almost identical to those of Article 324 related to the EC.
- The SECs enjoy the **same status as the EC**.
 - The removal of a Chief Election Commissioner, the State Election Commissioner can only be removed via impeachment.
- **In 2006, the Supreme Court emphasised the two constitutional authorities enjoy the same powers.**
 - In **Kishan Singh Tomar vs Municipal Corporation of the City of Ahmedabad**, the Supreme Court directed that state governments should abide by orders of the SECs during the conduct of the panchayat and municipal elections, just like they follow the instructions of the EC during Assembly and Parliament polls.
- **Courts cant interfere:-**
 - Article 243-O of the Constitution bars interference in poll matters set in motion by the SECs. Article 329 bars interference in such matters set in motion by the EC.
 - Only after the polls are over can the SECs decisions or conduct be questioned through an election petition. This powers enjoyed by the SECs are the same as those by the EC.

Differences between EC and SEC:-

- **Older :-**
 - EC was setup in 1950 . SEC's were appointed in each state more than four decades after the EC was set up
- **Appointment:-**
 - The President appoints the members of the EC while the members of SEC are appointed by the respective state governors.
- **Responsibilities:-**
 - The EC is charged with the responsibility of conducting polls to the offices of the President and Vice President of India, to Parliament, and to the state Assemblies.
 - The SECs supervise municipal and panchayat elections in that particular state.
- **They are independent of each other and draw powers from different laws:-**
 - The SEC in Bengal draws it powers from the West Bengal State Election Commission Act, 1994.
 - It has nothing to do with the Representation of the People Act, which lays down the EC's powers.
 - Each SEC is governed by a separate state Act.



Topic: Part of static series under the heading – “Representation of People’s Act”

Q) Many committees have recommended state funding of election. What is meaning of state funding of election and critically analyse the significance of state funding of election ? (250 words)

Key demand of the question

The question expects us to explain what state funding of elections is, the recommendations of various committees regarding state funding of elections and how it would impact the election process in India – whether it would tackle money power that is often displayed in elections, or whether it would help make the elections cleaner.

Directive word

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

Structure of the answer

Introduction – Explain what state funding of elections is.

Body

- *Discuss the recommendations of the committees regarding state funding of elections – Indrajit Gupta Committee on State Funding of Elections (1998), Law Commission Report on Reform of the Electoral Laws (1999), National Commission to Review the Working of the Constitution (2001) and the Second Administrative Reforms Commission (2008)*
- *Discuss the advantages and disadvantages of state funding of elections*
- *Based on the arguments made above and views of ECI etc give your opinion on the desirability of state funding of elections*

Conclusion – discuss what should be the way forward.

Background:-

- State funding of elections has been suggested in the past in response to the high cost of elections and as a measure against corruption in the electoral process. Many of the government panels on electoral reforms have expressed their ideas on the issue.
- **The Indrajit Gupta Committee on State Funding of Elections had endorsed partial state funding of recognised political parties and their candidates in elections way back in 1998.**
 - This committee endorsed **Partial state funding of elections** with some limitations given below.
 - State funds should be given only to national and state parties allotted a symbol and not to independent candidates.
 - In the short-term state funding should only be given in kind, in the form of certain facilities to the recognised political parties and their candidates.
 - The **state funding depends upon the economic condition of the country**. At the time of report (1998) the economic situation of the country only suited partial and not full state funding of elections.
 - Thus, as per this committee, only partial state funding was possible given the economic conditions of the country at that time.
- The reports by the Goswami Committee (1990), the Second Administrative Reforms Commission (2007) and the Law Commission (2015), which dealt with public funding issues, have argued against full state funding.
- On the other hand, the Law Commission Report (1999), Venkatchaliah Committee Report (2002) and the 255 Law Commission Report (2015) have insisted that regulatory frameworks dealing with transparency, disclosure, auditing and submission of accounts and internal democracy of parties must precede any attempt at complete state funding

Meaning of State funding of elections :-

- This means that government gives funds to political parties or candidates for contesting elections. Its main purpose is to **make it unnecessary for contestants to take money from powerful moneyed interests so that they**



can remain clean. In some countries, state funding is extended to meeting some specific forms of spending by political parties, not confined to electioneering alone.

State funding of elections is necessary:-

- **Domination of corporate donations:-**
 - Corporate donations constitute the main source of election funding in India which is mostly awash with black money, with business and corporate donations to political parties commonly taking this form. The public disclosure system that exists is limited.
- **State funding is followed in multiple countries:-**
 - India's privately funded election campaign stands in contrast to the trend in most countries, which have partial or full public funding or transparent regulation and financial accountability of political finance as in the U.S.
- **Corruption exists in the present funding system:-**
 - Corruption in election finance and the flawed party funding system drive political parties to misuse government's discretionary powers to raise funds for election campaigns.
 - Public funding can limit the influence of interested money and thereby help curb corruption.
- **Electoral bonds also failed:-**
 - All donations given to a party will be accounted for in the balance sheets but without exposing the donor details to the public.
 - Electoral bonds cannot address the problems that arise from the corporate control over politics and corporate capture of government policies and decisions.
- Political parties and candidates need money for their electoral campaigns, to keep contacts with their constituencies, to prepare policy decisions and to pay professional staff. Therefore, **public funding is a natural and necessary cost of democracy.**
- **Increases transparency:-**
 - Public funding can increase transparency in party and candidate finance and thereby help curb corruption.
- If parties and candidates are financed with only private funds, **economical inequalities in the society might translate into political inequalities in government.**
- **Resourceful:-**
 - In societies where many citizens are under or just above the poverty line, they cannot be expected to donate large amounts of money to political parties or candidates.
 - If parties and candidates receive at least a basic amount of money from the State the country could have a functioning multi-party system without people having to give up their scarce resources.

Issues with state funding of elections:-

- **Experience from different countries:-**
 - The experience over a period of time in some of the countries like Italy, Finland, Spain, Austria and Israel did not show that the public funding had reduced the election expenditure of political parties.
- The principal point against the State subvention to political parties was that **a political party was a free association of citizens for political purposes** and it should be able to demonstrate its independent viability including its financial viability.
- **Complete State Funding is not feasible**
 - State Funding of elections depends on economic condition of the country. Currently, India's economy does not suit to state complete funding.
- **State funding may succeed only when it is total and not partial, because there is no guarantee that even after it was introduced, rich parties and candidates would not pump black money into campaigns to boost their chances of victory.** Partial funding leaves scope for the party to use its funds for campaigns of individual candidates would fail to prevent the use of black money.
- **State funding would also result in increased capacity of the political parties to spend on election campaigns making the elections even more costly.** It would even encourage the mushrooming growth of parties as such grants would be a great incentive for even non-serious and frivolous organizations to call themselves as political outfits.
- **From various experiences, it is clear that the State funding has neither cleaned the corruption, nor freed the political parties of their financial burden.** With mounting expenditure on the Central and State Governments, State funding would be an additional financial burden on them.



Way forward:-

- **Recommendations of Tarkunde committee :-**
 - Certain facilities be made available to every constituency at government expense like giving printed cards with the registered number of voters and the polling booths where they may cast their vote, making available school rooms and halls for meetings, sending one communication to each voter free of postage and so on.
- **A strong Lokpal** has to be in place to ensure that corruption is reported and redressed. This will instil fear among prospective candidates who will no longer see their election as a money-making opportunity.
- Without favourable economy and without **key reforms in other areas** such as decriminalization of politics, introduction of inner party democracy, electoral finance reform, transparency and audit mechanisms and stricter implementation of anti-corruption laws, there is no point moving towards state funding of elections.
- Government should consider state funding of political parties contesting elections. But **such funding should be limited to parties recognised as 'national' or 'State' by the Election Commission of India, and to candidates directly fielded by such recognised parties.**
- **Separate Election Fund with an annual contribution of some Rs 600 crore by the Centre and a matching amount by all States put together should be created.** Only those parties which have submitted their income tax returns up to the previous financial year could avail of state funding.
- **Every candidate of the party eligible for state funding should be given a specified quantity of fuel for vehicles** during an election campaign and a specified quantity of paper to prepare electoral literature.

Q) Explain Section 123 of Representation of People's Act 1951 ? Examine whether mass religious appeals for electoral gains can be categorised as a corrupt practice ? (250 words)

Key demand of the question

The question expects us to explain what RPA is in brief and section 123 of RPA in greater detail. We need to explain what corrupt electoral practices are and the impact of it. Thereafter, we need to bring out the issues surrounding section 123(3) of RPA 1951 and examine the view of SC in this matter, and discuss the ruling and its impact.

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 RPA is along with Section 123 of RPA,1951. Section 123 of the Representation of the People Act sets out certain “corrupt electoral practices”.

Body

- Discuss the outcome of being found guilty for corrupt electoral practices.
- Discuss section 123(3) of RPA, 1951 and explain the verdict of SC in this matter – that politicians cannot seek votes on the grounds of caste, creed or religion, state must always be secular, and that the word ‘his’ only in Section 123 (3) of RPA means complete ban on any reference or appeal to religion, race, community, caste and language during elections
- Discuss the reasoning behind this verdict – underlying philosophy of India's election regime was that, in order to maintain the “purity” of the electoral process, certain kinds of arguments had to be taken off the table. These included appeals to religion, caste, language etc., since they were inherently divisive and contrary to constitutional values. The court also held that the secular character of the Indian republic mandated excluding religion from public life altogether
- Discuss the impact of the verdict

Conclusion – Give your view on what this means for appeals to identity for securing votes, going forward.



Background:-

- Section 123 of RPA categorises certain sections as corrupt practices.
 - **Bribery:** If a candidate or his agent bribes any person to contest or not to contest, to withdraw or not to withdraw from being candidate of the election or ensure an elector to favour or refrain in voting.
 - **Interference in election right:** Influencing or attempting to interfere by threatening any candidate or elector.
 - The promotion of or attempt to promote, feelings of hatred between different classes of the citizens of India on **grounds of religion, caste, community or language.**
- Supreme Court in a verdict in 2017 has held that election candidates cannot seek votes on the grounds of the religion, caste, creed, community or language of voters.

What is section 123 of RPA act 1951:-

- Section 123 (3) of the Representation of the People Act:-
 - This provision says that if a candidate or his agent or any other person, with his consent, appeals for votes on religious or such grounds it would amount to a 'corrupt practice'.

Mass religious appeals for electoral gains are a corrupt practice:-

- **SC verdict says:-**
 - The **state being secular in character** will not identify itself with any one of the religions or religious denominations. The relationship between man and God is an individual choice.
 - It implies that **religion will not play any role in the governance of the country** and state must at all times be secular in nature.
 - **Election is a secular exercise**, therefore this process should be followed and elected representatives must be secular in both outlook and practice to maintain this fabric.
 - The word 'his' only in Section 123 (3) of RPA means complete ban on any reference or appeal to religion, race, community, caste and language during elections. It also extended to social, linguistic and religious identity of voter also.
- Traditionally parties did not hesitate to employ religion, caste and ethnicity to woo voters. With this SC verdict, greater clarity will emerge once the Election Commission of India, implement this decision and spells out the electoral rules.
- In the public sphere we must participate as rational individuals and not on the basis of religion, caste, language or community.

Some argue that mass religious appeal is not a corrupt practice due to the following reasons :-

- The constitution recognises the position of religion, caste language and gender in the social life of the nation. Social mobilization is a powerful instrument of bringing marginalized groups into the mainstream
- After centuries of structural and institutional discrimination these markers of identity had acquired a certain social significance
- It was that which allowed B.R. Ambedkar to form the All India Scheduled castes Federation a political party exclusively devoted to dalit emancipation.
- Candidates might have to speak about genuine, legitimate concerns of citizens on the basis of religion, caste language etc and holding them guilty of electoral malpractice for the same will hit at the idea of the democracy

Impact of the verdict:-

- **Citizens:-**
 - It will prune many of the divisive arguments made by candidates during electoral campaigns.
 - Concerns of historic prejudices and social discrimination would take a back seat.
 - Inculcating the idea of brotherhood and broader outlook in the society
- **Democracy:-**
 - Increased focus on developmental works done by candidates and focus on merit rather than caste based politics.
 - Promotes secularism in India through Universal Citizenship
 - The verdict will prevent political parties from disturbing communal harmony through their speeches
 - Since appeals based on religion, caste etc are ruled out young politicians with fresh ideas may benefit in elections. This could improve the productivity of the legislature.
 - The judgment may also hinder the empowerment of socially oppressed castes through social mobilization which defeats the purpose of secularism
 - Mobilisation of marginalized groups like Dalits will be affected.



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

Q) Air Pollution in India can no longer be tackled with short term, reactive solutions. Critically analyze. (250 words)

[Financial express](#)

Why this question

The article highlights the severeness of the problem of air pollution in our cities and analyzes the limitations of government action in dealing with this issue. In light of the growing challenge posed by air pollution, we need to critically analyze our strategy to deal with the same and devise a way forward.

Key demand of the question

The question expects us to answer the following points

- *A peek into how bad the air pollution situation is*
- *A mention of what our current strategy to deal with air pollution is and its critical analysis*
- *Give suggestions as to how to improve the status quo*

Directive word

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

Structure of the answer

Introduction – *Give a brief idea of how bad the air pollution situation is.*

Body

- *Discuss the current strategy of the government in dealing with air pollution – routine, piecemeal steps without much reliance on establishing causal relations etc. Highlight steps such as implementation of odd even , banning of crackers etc which hardly make a dent in reducing air Pollution*
- *highlight that these steps might give temporary relief. For instance, the situation during Diwali becomes hazardous and hence, limiting the use of crackers must be one of the steps of curbing pollution.*
- *However, bring out the issues with the strategy – not scientific, not properly implemented such as in the case of stubble burning in Haryana where we are still unable to stop farmers etc*

Conclusion – *Give your view on our current strategy to tackle air pollution and discuss way forward.*

Background:-

- The WHO global air pollution database report that ranked 14 Indian cities among the 15 of the world’s most polluted, in terms of particulate matter (PM) 2.5 concentration, received great attention in India.
- India’s urban pollution as measured by PM 2.5 level is already about 40 per cent above the global safe limits across major Indian cities. If we disaggregate urban pollution, we find 70 per cent to 80 per cent of it (as measured by PM 2.5) comes from vehicular emissions, domestic activity, construction activity, industry activity and road dust.

Short term solutions:-

- Banning the use of private vehicles from November 1 onwards, although drastic, will definitely not be enough to curb pollution.
- Odd-even schemes and, recently, the allowance by the Supreme Court (SC) for only green or zero-emission firecrackers, are the episodic measures that have been used, and still continue to be, to combat this methodical pollution.



- **These solutions don't work :-**
 - **Odd-even didn't work** because, while vehicles accounted for around 9% of the city's pollution, just a tenth was due to 4-wheelers that were affected by odd-even.
 - Pollution due to the bursting of firecrackers is relatively small, compared to road dust that contributes 56% and 38% of Delhi's PM10 and PM2.5 pollution, respectively, and crop stubble burning according to a Harvard study, is responsible for 50% of the pollution in October and November in the NCR.
 - Though both Punjab and Haryana governments have introduced renting of machines, and subsidies for the same, that are part of the mechanised alternative, as per Down to Earth, the available lot can cover just a fifth of the acreage under paddy in Haryana in the short period farmers have between the harvest and sowing period.
 - Public transport system might not be capable of handling these numbers, especially if the Delhi government continues to overlook the establishment of dedicated bus corridors, despite increased metro coverage.

Long term measures needed:-

- Short term measures should be accompanied by measures that increase the forest cover of the land and provide farmers with an alternative to burning the remains of their crops.
- Need to speed up the **journey towards LPG and solar-powered stoves.**
- **Addressing vehicular emissions** is within India's grasp but requires a multi-pronged approach. **It needs to combine the already-proposed tighter emission norms (in form of BS VI), with a push for shared mobility and public transport and adoption of alternate mobility technologies.** While shared mobility can moderate the demand for individual vehicle ownership and usage, technology solutions today can allow for a sharp reduction in emissions per vehicle.
- **Incentives for adoption of alternate mobility technologies:-**
 - India might need to consider pushing for battery localisation. Cell investments would need a long lead-time to materialize.
- **Restrictions on elements that contribute negatively to strategic objectives (such as congestion charges on polluting technologies):-**
 - London imposes congestion charges during working hours on weekdays to vehicles entering the city centre.
 - All these disincentives to traditional cars help in the push for electric vehicles.
- **Enabling infrastructure:-**
 - There is an early need to standardise charging infrastructure/equipment to ensure interoperability and make it widespread.
- Stubble burning issue in North India need to be looked into seriously.
- Attention to non-technological aspects such as urban planning, to reduce driving, and to increase cycling, walking, and use of public transport are needed.

Q) What are Renewable Purchase Obligations and examine issues in effectively meeting RPO targets ? (250 words)

[Financialexpress](https://www.financialexpress.com)

Why this question

This article discusses what RPOs are and the issues arising in fulfilment of RPOs. In the present context, when climate change is such a big concern, and there is a significant push towards renewables, RPOs are an effective means of ensuring growth of renewables. Hence this question.

Key demand of the question

The question expects us to explain what RPOs are, their purpose, the issues being faced in fulfilment of RPOs and how to address those issues.

Directive word

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

Structure of the answer

Introduction – *Explain the current context where global warming is such a huge threat, and there is a need to push renewables.*



Body

Explain what RPOs are – provide a fillip to the ambitious renewable energy targets, obligations have been imposed on certain entities to purchase energy from renewable sources by various state electricity regulatory commissions (SERCs) based on each state's varying renewable energy potentials. Known as renewable purchase obligations (RPOs), power distribution companies, captive power plants and other large electricity consumers are bound to meet them by purchasing a certain percentage of their requirements from renewable energy sources.

Discuss the issues in RPO fulfilment – restriction in trading of RPOs etc

Discuss how can we resolve these issues

Conclusion – emphasize on the importance of RPO and the need for ensuring compliance.

Background:-

- Renewable power purchase obligation (RPO) is the single most important policy driving **renewable energy** installations and achievement of an aggressive goal of installing 175 GW by 2022 including 100GW of solar power capacity.

Renewable purchase obligations:-

- To provide a fillip to the ambitious renewable energy targets, **obligations have been imposed on certain entities to purchase energy from renewable sources by various state electricity regulatory commissions (SERCs) based on each state's varying renewable energy potentials.**
- Known as renewable purchase obligations (RPOs), power distribution companies, captive power plants and other large electricity consumers are bound to meet them by purchasing a certain percentage of their requirements from renewable energy sources.
- RPOs make it compulsory for all large consumers of energy to ensure that a certain percentage of that energy mix is from renewable sources such as wind and solar. The compulsion is like an implicit subsidy boost to the renewable sector. It generates demand for a sector in its infancy.
- Under the RPO, states are supposed to achieve certain targets by ensuring that their power-share comes from green or renewable sources. In case the states are unable to produce enough renewable due to any reasons, **they buy Renewable Energy Certificates (REC) to compensate for the lag in the target.**

Issues with meeting RPO targets :-

- Lack of uniformity in the enforcement of RPOs** as can be seen from recent decisions of the Maharashtra Electricity Regulatory Commission (MERC) further compounds the problem.
- Enforcement of RPOs is made difficult due to restrictions on trading of RECs.**
- State regulatory commissions allowing DISCOMs to carry the unfulfilled RPO burden to the next year**
 - More effort is needed to improve financial health of DISCOMs, which is one of the other reasons behind state's failure in reaching RPO targets.
- The absence of penalties** when obligations are not met, many of the distribution companies are not complying fully with their RPO targets.
- Lower targets:-**
 - Low RE potential States continued to set substantially lower RPO targets. This indicated that the REC mechanism which was meant to address the issue of disparity in geographical dispersal of RE resources and enable inter-State RE transactions for further promotion and development of RE sources, had failed to instill confidence in the low RE potential States to set higher RPO targets.
- RE projects are capital intensive, long duration investments which ideally should provide relatively steady returns over the life cycle of the project with minimum variability.** The lack of long term RPO targets, weak enforcement by SERC coupled with issues related to liquidity and lifetime of RECs creates uncertainty, which is detrimental to the development of the RE sector.
- Twenty-five states and union territories are failed on their specified solar RPO targets for 2017.

Way forward:-

- While there are a few instances of state electricity regulatory commissions imposing penalties, a uniform enforcement of this mechanism by imposing specific penalties on non-complying entities can be recommended.
- MNRE needs to pursue with the State Electricity Regulatory Commissions for the adoption of Renewable Purchase Obligation targets in alignment with National Action Plan on Climate Change targets. These targets should be enforced, with due monitoring and collection of penalties for default in compliance.
- MNRE, being the nodal Ministry should ensure firming up of clear guidelines on the life of Renewable Energy Certificates and management of unredeemed Certificates, in a time bound manner



- For stricter RPO enforcement, the financial liquidity of DISCOMs is a key consideration given that many DISCOMs are cash strapped and financially unsound.

Q) The decision to introduce a legislative amendment to force content owners to share live sports signals deemed to be of “National QImportance” with the public broadcaster, Prasar Bharati is akin to market intervention in licensee era. Critically examine. (250 words)

[Livemint](#)

Why this question

The article focuses on the decision of the government to make it mandatory for content owners to share it with Prasar Bharti in the name of public interest and the impact that it would have. Such a move would have wider ramifications and the article discusses these. The question would help you to prepare this issue in detail.

Key demand of the question

The question expects us to highlight the proposed decision by I&B ministry and examine the pros and cons of the decision to understand its impact and relevance. Post examining the pros and cons, need is to come it with a fair and balanced conclusion and way forward.

Directive word

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

Structure of the answer

Introduction – Highlight the issue which is under discussion here.

Body

Discuss the legislative framework which would allow the government to undertake such a step – Sports Broadcasting Signals Act, 2007 (“the Act”) which the MIB wishes to amend, was promulgated to make sports-broadcasts of “national importance” available to low-income homes. Simultaneously, all distributors are mandated to carry Doordarshan channels by an older law governing private networks

Discuss the SC decision which clarified the obligation of content owners as being limited to sharing of sports signals for re-transmission only over Prasar Bharati’s networks and the fact that MIB wishes to bypass this judicial interpretation, in order “to ensure access to the largest number of viewers”

Discuss the pros and cons of such a move taking cues from the points mentioned in the article and your wide reading. Here highlight the economic impact it would have on broadcasters and examine whether actually public interest would be served.

Conclusion – Give a fair and balanced conclusion and discuss the way forward.

Background:-

- The Ministry proposes to ensure that viewers who do not have access to its terrestrial networks or its DTH Network – DD FreeDish – can also watch sports events of national importance through Doordarshan channels.
- Under the Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharati) Act 2007, all private broadcasters are required to share live broadcasting signals of sporting events of national importance with Prasar Bharati simultaneously, to enable the public broadcaster to re-transmit the same on its terrestrial networks and its direct-to-home (DTH) network.
- Now the Ministry proposes to amend the Act to ensure that it can share the feed it gets from private sports broadcaster on DD channels that are carried by other television distribution platforms.

This move was necessary:-

- Currently, viewers who do not have DD FreeDish or Doordarshan’s terrestrial network, are either unable to watch these sporting events or are compelled to watch them on highly priced sports channels, defeating the objective of the Sports Act. This move will help Prasar Bharti and leads to a wider reach.
- Will benefit the lower income families who could not have afforded private broadcasters



Criticism of the move :-

- Today, licensing is reminiscent of a bygone era of acute market scarcities. Additionally, the internet has rapidly democratized consumer access to content markets globally, outside of any such licensing paradigm. **Yet, the move shows that MIB has a persistent bias towards licensing-inspired interventions to stay relevant.**
- This rulemaking initiative **may permanently distort the market for sports broadcasting in India.**
- In August 2017, **the Supreme Court clarified the obligation of content owners as being limited to sharing of sports signals for re-transmission only over Prasar Bharati's networks.**
 - The MIB now seeks to bypass this judicial interpretation, in order “to ensure access to the largest number of viewers” by amending the SBS Act
- **Loss of revenue:-**
 - If live signal is carried simultaneously on both paid and free TV, advertisers would naturally pay less for their time slots on private networks, eroding the margins of businesses which own the underlying content.
- **Forcibly acquiring private IP for profit**
 - Re-transmitting the IP owned by others will perpetuate culture of handouts rather than stimulate any impetus towards creating quality public-service content.

Way forward:-

- There is a need for wider discussion from multiple stakeholders before taking the decision by the government.

Q) Pradhan Mantri Rojgar Protsahan Yojana has managed to increase formalization in existing companies. Examine. (250 words)

Financial express

Why this question

Government schemes are important for mains. There can either be a direct question on schemes or information about schemes can help in preparing filler material for answers. The article highlights the role played by PMRPY in increasing formalization in economy, which is a major gain and hence needs to be prepared.

Key demand of the question

Here, the first demand of the answer is to bring out the problem being faced currently – that of informalization of workforce and the issues faced along with it. Thereafter, we need to explain PMRPY and how it helps in tackling the issue of informalization of workforce. Next, we have to explain the impact of PMRPY and suggestions as to how to make it more effective.

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 findings of Arjun Sengupta committee which highlighted the level of informalization of workforce in Indian economy.*

Body

- *Discuss the problems faced as a result of informalization of workforce*
- *Explain about PMRPY and how it helps in tackling the problem of informalization of economy – by dealing with the burden of EPFO and ESI for companies and the advantages that it has had including preventing tax evasion.*
- *Thereafter, discuss the positive impact of this scheme and suggest ways of improvement*

Conclusion – *Highlight that creation of formal jobs is one of the biggest challenge and the scheme does well in addressing some of the issues.*

Background:-

- The National Commission for Enterprises in the Unorganised Sector (NCEUS) in its report on Social Security for Unorganised Workers had recommended a legislation for the social security for unorganised workers.



- Countries across the world, including India, need to move towards formalisation of labour and generation of at least 600 million new quality jobs in the next 15 years to fulfil Sustainable Development Goals set by the United Nations by 2030.

Informalisation of jobs in India:-

- Studies show that employees tend to be significantly more productive in the formal employment when compared to the informal employment. Also, the quantum of value added by a person in a formal job is almost double that of a person in an informal job.
- **Informal workers also work under worse working conditions with little job security, no perks or protections and with low wages.** The protections guaranteed to workers under different legislations are not complied with by the informal sector, and they also escape the purview of the authorities.
- A large informal sector also impacts the government in terms of revenue foregone because the units operating in the informal sector stay out of the government's fiscal revenue net (This leads to low tax GDP ratio). **Hence, the informal sector is detrimental to the interests of the working population, the government and in the long run, even to the employer.**

Pradhan Mantri Rojgar Protsahan Yojana :-

- In order to encourage formalisation of existing companies, as also to create new jobs in the formal sector, the government came up with the Pradhan Mantri Rojgar Protsahn Yojana (PMRPY).
- Under this Government of India will now be paying the complete employer share of 12%. Earlier, only 8.33% of the employer shares were borne by the Government of India.
- The Pradhan Mantri Rojgar Protsahan Yojana(PMRPY) Plan Scheme has been designed to incentivise employers for generation of new employment, where Government of India will be paying the full employer's contribution towards EPF & EPS both w.e.f April 2018 (earlier benefit was applicable for employer's contribution towards EPS only) for the new employment.
- All new employees enrolled on or after .2016 and under wage ceiling of Rs.15000 are eligible to avail the benefits of this scheme.
- **Benefits:-**
 - This scheme has a **dual benefit** where on the one hand the employer is incentivised for increasing the employment base of workers in the establishment, and on the other hand, a large number of workers will find jobs in such establishments.
 - A **direct benefit is that these workers will have access to social security benefits of the organized sector**
 - Also, the **burden on the part of employers has further reduced** as he need not remit even 3.67% of employer share as per earlier norms.
 - Over one lakh units are covered by this scheme today and have around 85 lakh employees.
 - **The scheme helped create more formal employment by lowering the monthly imposts on employees**
 - While these jobs aren't necessarily new ones since even existing firms may have used the PMRPY to shift workers to formal contracts, **it is a very sensible and low-cost way to encourage formalisation.**

Q) Swachh Bharat has unleashed a social revolution in India. Examine the factors responsible for the success of the programme. (250 words)

[Indian express](#)

Directive word

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

Key demand of the question.

The question wants us to dig deep into the achievements of SBM and bring out the reasons or factors that made various achievements under SBM possible.

Structure of the answer

Introduction- write a few introductory lines about the SBM- e.g mention its objectives.

Body-

Briefly highlight the achievements under the SBM. E.g. in 2014 as many as 550 million Indians defecate in the open and the cumulative sanitation coverage in rural India was just over 38 per



cent. Today, rural India's sanitation coverage is over 96 per cent. Over 450 million people have stopped defecating in the open in a short period of four years; mention the no. of toilets constructed under SBM; mention the health benefits of improved sanitation etc

Discuss in points the factors behind the success and achievements under SBM. E.g

- Political push.
- Public finance
- Partnerships
- Participation

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

Background:-

- Swachh Bharat Mission is a campaign which was launched on 2 October 2014, and aims to eradicate open defecation by 2019, and is a national campaign, covering 4,041 statutory cities and towns. Its predecessors were the "Nirmal Bharat Abhiyan" and before that the "Total Sanitation Campaign".
- Recent Parliamentary Committee report clearly says this programme is unlikely to make India open-defecation free. The rationale of the **51st Standing Committee on Rural Development report** is that even a village with 100 per cent household toilets cannot be declared open defecation-free till all the inhabitants start using them.

The success of the scheme has been in the following areas :-

- A sense of responsibility has been evoked among the people through the Clean India Movement. With citizens now becoming active participants in cleanliness activities across the nation, the dream of a 'Clean India' once seen by Mahatma Gandhi has begun to get a shape.
- **Facts:-**
 - In the short span of three years, about 50 million toilets have been constructed in rural India, increasing the coverage from 39% to 69% now; another 3.8 million have sprung up in cities and towns and another 1.4 million are presently under construction
 - So far, 248,000 villages have been revived from the disgrace of open defecation; 203 districts, over one-third of the total, have banished open defecation.
 - 24 States have become open-defecation free. The number of toilets built is 8.6 crore. Sanitation coverage has gone up from 39% from four years ago to over 93% today.
 - 2017 Swachh Survekshan survey conducted by the Quality Council of India reports that 62% of rural households now have a toilet. This is an increase of over 20 percentage points since 2014.
 - More significantly, the survey concludes that more than 90% of the individuals who had access to toilets were using them
- **States:-**
 - Five States have declared themselves Open Defecation Free (ODF) in rural areas: Sikkim, Himachal Pradesh, Kerala, Uttarakhand and Haryana.
- **SBM is not a campaign to just clean India, but has a much deeper significance:-**
 - If successful, this campaign can transform the lives of Indian women, bringing in its scope issues of women's safety, their access to higher education and will even challenge the caste system.
 - It has addressed centuries-old practices on open defecation, and it has had major health and economic impact. A recent World Health Organisation (WHO) report has said that by the time Swachh Bharat ends in 2019, more than 3,00,000 lives would have been saved.
 - The government has been working on developing an army of foot soldiers called swachhagrahis, grass-root level motivators trained in community approaches and they go out to trigger behavioural change. They get their communities to accept responsibility and accountability.
 - There is also focus on 'ODF plus', which is about solid and liquid waste management and swachhata in general.

Reasons for success are:-

- **Political Push:**
 - The most important success factor for the SBM was the fact that sanitation was brought into the national consciousness by none other than the Prime Minister of India, and that too in his first major address to the nation.
 - This established sanitation and cleanliness as central to his vision for India.



- This injected a sense of urgency in the entire administrative system at the Centre, state and district levels and made them prioritise a much-neglected problem
- **Public finance:**
 - The finance ministry provided the funds for this ambitious programme with a tight timeline.
 - India has the world's largest government rural sanitation budget, in excess of \$20 billion.
 - The SBM also provides significant financial incentive to socially and economically weaker sections to construct and use toilets, at Rs 12,000 per eligible household.
- **Partnerships:**
 - SBM has built several strategic partnerships to mainstream sanitation in all sectors. All ministries of the Government of India are working tirelessly to improve sanitation in their respective spheres of influence like schools, hospitals, anganwadis, highways, markets, and railways.
 - Various national and international developmental agencies and corporates have supported the mission. These strategic partnerships have helped the mission spread its learnings and best practices on behaviour-change rapidly, as well as improve implementation across the country.
- **People's participation:**
 - SBM has scaled up sanitation by involving all sections of society from filmstars to sportspersons to religious leaders to the common man .
 - Today, almost every village has swachhagrahis and millions of volunteers work for swachhata with no official titles.
 - SBM is a classic example of the power of the collective and the extraordinary results that can be achieved when people come together for a common cause.

The following measures will strengthen Swachh Bharat mission:-

- Parliamentary Committee recommends the government to review its data time to time and delete the number of defunct toilets from the list to have a real picture of constructed and functional toilets in the country.
- **Concentrating on developing sewage system makes Swachh Bharat a success:-**
 - Deeply entrenched cultural contexts must be taken into account for successful policy outcomes. India needs to change perceptions of ritual purity through education and awareness in rural areas. This can be done by investing in sewage systems.
- **Enabling local governments to construct sewage systems will solve the purity issue :-**
 - A toilet that flushes away human waste into the sewage and waste management system solves the problem. If there is a functional sewage system, it is relatively low cost for households to build a toilet in every home that is connected to the sewage system.
 - Developing proper sewage system in village would also have wider impact with water not stagnating any more, lesser vector borne diseases etc so the wider objective of sanitation will be achieved.
 - Modernising the sewer lines and septic tanks and investing money and energy on smart techniques of sanitation
 - Also **it would not put stress on manual scavenging** and this occupation can slowly fade away giving sense of dignity and equality to the most vulnerable sections.
- **Mohalla toilets:-**
 - Villages have very small houses and much clustered places where there is no place to construct toilets. The ideal solution is to have **mohalla toilets designated to each house** where people will keep their toilet clean by seeing others. **One advantage is that when the toilets are outside the home, there will be a peer pressure to keep it clean.**
- There **should be a proper database** about what are the requirements in a particular area because we cannot force a toilet in a house where there is no place.
- **For India constructing toilets is like a social work and not a development work.** Once it is seen as a development work with country's image, then the thrust will come and the people will realise how important it is and we should not lag behind other countries.
- **In schools it is the responsibility of the teachers and they have to be oriented to ensure that the child knows about hygiene** which also includes knowing how to use a toilet.
- **Behavioural change:-**
 - **Adopt System 2 drivers of change**
 - Community led Total Sanitation (CLTS) programmes is one such approach. It promotes the mobilisation of local communities to talk openly about, appraise and analyse their defecation practices.



- **States experience:-**
 - Maharashtra with its adoption of the 'Good Morning Squads', Indore with its 'dibba gang' and Delhi with its Gabbar posters, are all using System 2 drivers to trigger behavioural change. This can be emulated in other states as well.
- **Include System 1 drivers:-**
 - Incentive programs for increased latrine use can also issue text message reminders, scheduled and framed to promote latrine usage at the same time and place each day.
 - Strategic timing of key interventions can also go a long way in disrupting behaviour. For example, promoting the use of toilets during the monsoon, when people find it difficult to defecate openly is a way to ensure a new behaviour is developed.

Q) Discuss the key features of and Significance of Allied and Healthcare Professionals (A&HPs) Bill and the challenges faced by Allied and Healthcare Professionals ? (250 words)

[Livemint](#)

Why this question

The Union Cabinet has approved the Allied and Healthcare Professions Bill, 2018 for regulation and standardisation of education and services by allied and healthcare professionals. Hence knowing it's details is important for mains.

Key demand of the question

The question is quite straightforward in its demand. It expects us to bring out the key features of the bill, discuss why it has been brought and the challenge faced by allied and healthcare professionals. We have to draw a linkage between the challenges faced and how the bill proposes to alleviate those challenges.

Directive word

Discuss – Here your discussion should be centred around the key demand of the question.

Structure of the answer

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

Body – *Discuss the key features of the bill. Thereafter, discuss the impact that the bill is likely to have.*

- *Bring all existing allied and healthcare professionals on board during the first few of years from the date of establishment of the Council.*
- *Opportunity to create qualified, highly skilled and competent jobs in healthcare by enabling professionalism of the allied and healthcare workforce.*
- *High quality, multidisciplinary care in line with the vision of AyushmanBharat, moving away from a 'doctor led' model to a 'care accessible and team based' model.*
- *Opportunity to cater to the global demand (shortage) of healthcare workforce which is projected to be about 15 million by the year 2030, as per the WHO Global Workforce, 2030 report.*

Thereafter, highlight the challenges faced by such professionals which would explain the need for the bill.

Conclusion – *Highlight that though such professionals have existed for long, considerable gap in the allied and healthcare space is because of a lack of a comprehensive regulatory framework and absence of standards for education and training of A&HPs, which the bill will take care of.*

Background:-

- Allied and Healthcare Professionals (A&HPs) constitute an important element of the health human resource network. Public healthcare experts claim that skilled and efficient Allied and Healthcare Professionals (A&HPs) in any healthcare system can reduce the cost of care and dramatically improve the accessibility to quality driven healthcare services.



- Recently the Union Cabinet approved the Allied and Healthcare Professions Bill, 2018 that aims to regulate and standardize the education and services by allied and healthcare professionals.

Key features of allied and health professionals bill:-

- Healthcare councils:-**
 - The Bill provides for setting up of an Allied and Healthcare Council of India and corresponding State Allied and Healthcare Councils which will play the role of a standard-setter and facilitator for professions of Allied and Healthcare such as physiotherapists, nutritionists and workers in laboratories etc.
- The Bill **provides for structure, constitution, composition and functions of the Central Council and State Councils.** The councils will be framing policies and standards, Regulation of professional conduct, Creation and maintenance of live Registers, provisions for common entry and exit examinations, etc.
- Members of councils:-**
 - The Central Council will comprise 47 members, of which 14 members shall be ex-officio representing diverse and related roles and functions and remaining 33 shall be non-ex-officio members who mainly represent the 15 professional categories.
 - The State Councils are also envisioned to mirror the Central Council, comprising 7 ex-officio and 21 non-ex-officio members and Chairperson to be elected from amongst the non-ex-officio members.
- Professional Advisory Bodies under Central and State Councils** will examine issues independently and provide recommendations relating to specific recognised categories.
- The Bill will also have an overriding effect on any other existing law for any of the covered professions.
- The **State Council will undertake recognition of allied and healthcare institutions.**
- Offences and Penalties clause** have been included in the Bill to check malpractices.
- The Bill also empowers the Central and State Governments to make rules.
- Central Government also has the power to issue directions to the Council, to make regulations and to add or amend the schedule.
- Targets:-**
 - An Interim Council will be constituted within 6 months of passing of the Act holding charge for a period of two years until the establishment of the Central Council
 - The Council at the Centre and the States are to be established as body corporate with a provision to receive funds from various sources.
 - Councils will also be supported by Central and State Governments respectively through Grant-in-aid as needed. However, if the State Government expresses inability, the Central Government may release some grant for initial years to the State Council.

Significance:-

- Government has estimated that the Allied and Healthcare Professions Bill, 2018 will directly benefit around 8-9 Lakh existing Allied and Healthcare related professionals in the country and several other graduating professionals joining workforce annually and contributing to the health system
- Employment opportunities:-**
 - The legislation will provide employment opportunities to millions of youth in the country and will help standardize allied healthcare.
- It provides **opportunity to create qualified, highly skilled and competent jobs** in healthcare by enabling professionalism of the allied and healthcare workforce.
- It provides **high quality, multi-disciplinary care in line with the vision of Ayushman Bharat**, moving away from a 'doctor led' model to a 'care accessible and team based' model
- The bill provides an **opportunity to cater to the global demand (shortage) of healthcare workforce** which is projected to be about 15 million by the year 2030, as per the WHO Global Workforce, 2030 report.

Challenges faced by allied and healthcare professionals:-

- Proper educational programmes for allied and health care professionals are lacking in India and **also lack standardization.**
- Lack of regulatory framework:**
 - Majority of the countries have a statutory licensing or regulatory body that is authorised to license and certify the qualifications and competence of such professionals. India lacks such initiative
- Absence of standards for education and training of A&HPs.
- Constraints in the bill:-**
 - The bigger challenge lies in effectively implementing it. As every institution teaching these professionals will need to be accredited and those coming under regulation there could be scope for manipulation.



- While the act may lay down strict regulations, there is no clarity about what happens when the supply of professionals is less than the demand, How will stipulation on higher qualifications help if supply of talent is not matched
- Regulators in the healthcare sector have been under scrutiny for long so intent of the bill might be neglected.

Way forward:-

- State government and medical community must all be on board
- Young people joining training courses to be such professionals must see the need for standards – laying down the curriculum, syllabus and laying down the period of training.

Q) The next step in addressing sanitation woes should be a focus on waste management. Analyze. (250 words)

Financial express

Why this question

Successfully tackling the issue of waste management is one of the major challenges facing the Indian state and hence this question.

Key demand of the question

The question expects us to draw a linkage between addressing sanitation woes and how waste management can help in. Thereafter, we need to bring out the current issues surrounding waste management and the steps that need to be taken to make it more effective and efficient for the success of clean India campaign.

Directive word

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

Structure of the answer

Introduction – *Highlight that India is projected to have an additional 300 million new urban residents by 2050. This is cause for alarm. Policy makers, planners, the private sector, innovators, researchers and others need to create a sustainable ecosystem for sanitation.*

Body

Explain that Centre launched the Swachh Bharat Mission (SBM) with an aim to eradicate open defecation by 2019. Since then, the number of people practising open defecation has decreased significantly with 1,678 cities declared open defecation free at the end of 2017. But, in order to further strengthen its mission of universal sanitation, India now needs to make human waste treatment a sustainable business proposition. This is also an important step to helping India achieve the sixth Sustainable Development Goal—sustainable management of water and sanitation for all.

Explain that sustainable sanitation ecosystem includes not only access to toilets, but also effective evacuation, transport, and treatment of waste along with reuse or responsible disposal of the treated product.

Discuss the major issues related to waste management – financial requirement to build, operate and maintain piped sewerage networks and treatment plants, issues in urban planning etc

Explain how these issues can be resolved.

Conclusion – *you can conclude by giving your opinion on how crucial waste management is for success of swachh Bharat mission and the way forward.*

Background:-

- Swachh Bharat Mission is a campaign which was launched on 2 October 2014, and aims to eradicate open defecation by 2019, and is a national campaign, covering 4,041 statutory cities and towns. Its predecessors were the “Nirmal Bharat Abhiyan” and before that the “Total Sanitation Campaign”.
- Recent Parliamentary Committee report clearly says this programme is unlikely to make India open-defecation free. The rationale of the **51st Standing Committee on Rural Development report** is that even a village with 100 per cent household toilets cannot be declared open defecation-free till all the inhabitants start using them.



What is the need to modify the present Swachh Bharat Abhiyan and address on waste management :-

- **Purity and pollution:-**
 - The **key reason for this is that basic latrines that need to be emptied out manually or pumped by simple machines are unacceptable to higher caste Hindus.**
 - It is considered polluting to the individual and the home, and historically associated with untouchability. So people rather defecate in open than having a toilet at home.
 - It is not just a matter of access but a problem of perceptions of pollution, ritual purity, and caste.
 - Even if the government builds free toilets without any leakage or corruption, India will at best have 80 million new toilets that a large proportion of Indians do not want to use.
- **Contract labour :-**
 - Municipalities began to employ more contractual labourers mostly scavengers forced into the profession by their caste to remove waste.
 - The sanitation campaign burdens the contractual labourer with an 'exclusive' right to cleaning public spaces, while making it a voluntary act for the 'public' to not defecate, urinate or litter in random spaces. This reinforces the marginalization and stigmatization of such labourers.
- **The Swachh Bharat campaign hardly addresses a reworking of the underground sewerage system due to which many such labourers have died** recently while cleaning jammed manholes that open into the sewerage system etc.
- **The rate of open defecation is not decreasing much:-**
 - India has far higher levels of open defecation than other countries of the same GDP per capita. For example, India has a higher GDP per capita than Bangladesh, but in Bangladesh only 8.4% households defecate in the open, compared to 55% in India.
- **Funds unspent:-**
 - Centre has literally forgotten to spend the money earmarked to promote the use of toilets, a concern raised in the **State of India's Environment in Figure: 2018.**
 - Centre has also failed to exhaust its budget for Swachh Bharat Mission-Gramin. This, despite the fact, that **the budget for the scheme has seen a dip** over the past year.
- **Implementation issues:-**
 - Sanitation coverage figures seemed to be more on paper but the actual progress at the ground level is very lethargic. Behavioural change is still a distant reality.
- **Quality:-**
 - Standing committee has also raised questions over the construction quality of toilets and said that the government is counting non-functional toilets, leading to inflated data.
- **Unable to reach target:-**
 - **Access to free toilets has not helped resolve open defecation in India.** The programme is unlikely to succeed in its primary task of eliminating open defecation by October 2019
- **Why concentrating on developing sewage system makes Swachh Bharat a success:-**
 - Deeply entrenched cultural contexts must be taken into account for successful policy outcomes. India needs to change perceptions of ritual purity through education and awareness in rural areas. This can be done by investing in sewage systems.
- **Enabling local governments to construct sewage systems will solve the purity issue :-**
 - A toilet that flushes away human waste into the sewage and waste management system solves the problem. If there is a functional sewage system, it is relatively low cost for households to build a toilet in every home that is connected to the sewage system.
 - Developing proper sewage system in village would also have wider impact with water not stagnating any more, lesser vector borne diseases etc so the wider objective of sanitation will be achieved.
 - Also it would not put stress on manual scavenging and this occupation can slowly fade away giving sense of dignity and equality to the most vulnerable sections.
 - Modernising the sewer lines and septic tanks and investing money and energy on smart techniques of sanitation.

However challenges exist :-

- **Problem of political incentives when it comes to building waste management systems:-**
 - It takes years to build sewage systems, and local politicians face all the costs upfront, and the benefits are far in the future.



- Disgruntled citizens and voters complain about the digging of neighbourhoods for years, causing much nuisance to their daily lives.
- These problems essentially act as disincentives of the political class to take action to solve the sanitation problem.

Way forward:-

- Pursuit of Swachh Bharat also requires strengthening public health services. **Services such as good drainage systems, absence of swamps and ponds that are home to stagnant water, and the supply of safe drinking water all of which reduce exposure to and spread of diseases are classic examples of public goods and require effective government intervention.**
- **Behavioural change:-**
 - **Adopt System 2 drivers of change**
 - Community led Total Sanitation (CLTS) programmes is one such approach. It promotes the mobilisation of local communities to talk openly about, appraise and analyse their defecation practices.
 - **States experience:-**
 - Maharashtra with its adoption of the 'Good Morning Squads', Indore with its 'dibba gang' and Delhi with its Gabbar posters, are all using System 2 drivers to trigger behavioural change. This can be emulated in other states as well.
 - **Include System 1 drivers:-**
 - Incentive programs for increased latrine use can also issue text message reminders, scheduled and framed to promote latrine usage at the same time and place each day.
 - Strategic timing of key interventions can also go a long way in disrupting behaviour. For example, promoting the use of toilets during the monsoon, when people find it difficult to defecate openly is a way to ensure a new behaviour is developed.
- SBM++ needs to be scaled up and fully integrated into sanitation solutions. This will require a supportive regulatory and policy framework that includes requirements for desludging, transport of waste to treatment plants, and environmentally sound treatment, reuse and disposal
- In addition, there is a need for investment and market incentives to spur innovation around effective solutions.
- **Government's role:-**
 - Should consider taking additional actions such as adopting the new international standard for non-sewered sanitation systems (ISO 30500)
 - Helping to de-risk new technologies through supported pilot projects
 - Rolling out policy incentives for creating useful byproducts from human waste
 - Developing policies to regularise waste collection and transport to ensure consistent flow of material to new treatment plants.

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) Notwithstanding the improvement over RSBY, the National Health Protection Scheme (NHPS) does not offer the required solution to India's healthcare problems. Examine. (250 words)

[Indianexpress](https://www.indianexpress.com)

Why this question

The NHPS is one of the flagship schemes of the government of India. The article discusses the limitations faced by the NHPS vis a vis the problems faced by the healthcare sector in India.

Directive word

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



Key demand of the question.

The question wants us to discuss reasons as to how NHPS is an improvement over RSBY. It also wants us to bring out the reasons as to why the scheme does not offer the required solution to the healthcare problems in India.

Structure of the answer

Introduction– write a few introductory lines about the NHPS- its other names and when it was launched to supersede RSBY.

- *Discuss how it is better than RSBY- e.g It does not require the renewal of the ID card every year, the ration or the Aadhaar card being adequate; services can be accessed from any empaneled hospital in the country; and an increase in the sum assured from Rs 30,000 to Rs 5 lakh, per family per year etc.*
- *Discuss its limitations. E.g hospital insurance schemes, that address a third of the out-of-pocket expenses, have not helped reduce impoverishment. Out-of-pocket payments constitute over 60 percent of health financing in India; The assumption of the scheme that there is “excess capacity” to be addressed under the facility of “portability” has been proved wrong by cases of emergencies in the supply deficit northern states while in the better-endowed southern states, the wait lists for elective surgeries are growing longer. Besides, indirect costs and constraints can be substantial deterrents etc.*

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

Background :-

- India is in a state of **health transition**. **Nearly 60 million** people are pushed into poverty every year. The biggest takeaway from union budget 2018-19 is **the National Health Protection Scheme**. This is a part of current government’s **Ayushman Bharat project**.
- It is an ambitious scheme which has generated hope and anxiety because it is world’s largest government funded healthcare programme.
- The National Health Protection Scheme has promised to **cover 10 crore families involving 50 crore family members** with health insurance cover of Rs. 5 lakh for secondary and tertiary hospitalisation.

How is NHPS better than RSBY :-

- NHPS does not require the renewal of the ID card every year, the ration or the Aadhaar card being adequate
- Services can be accessed from any empaneled hospital in the country
- An increase in the sum assured from Rs 30,000 to Rs 5 lakh, per family per year.
- It will be critical for the government to strengthen the overall healthcare system-including the infrastructure, availability of healthcare professionals and even the regulatory environment-for the effective implementation of the NHPS.
- The NHPS will be easier to implement by the southern states like Andhra Pradesh, Karnataka and Tamil Nadu, given **their better health infrastructure** and the experience of **running regional health insurance schemes**.

NHPS does not offer the required solution to India’s healthcare problems :-

- The amount of Rs 5 lakh per family is a massive and unexpected hike from the existing fund of Rs 1 lakh per family. This amount is 17 times bigger than the RSBY scheme and will cover 40% of India’s population.
- Though it improved access to health care, **it did not reduce out-of-pocket expenditure (OOPE), catastrophic health expenditure or health payment-induced poverty**.
- The NHPS addresses those concerns by sharply raising the coverage cap, but shares with the RSBY the weakness of **not covering outpatient care which accounts for the largest fraction of OOPE**.
- **The NHPS too remains disconnected from primary care**.
- **Universal health insurance through private hospitals has not worked for the poor anywhere**. Biggest beneficiaries are the private hospitals and insurance companies. **There is no substitute for public health care**.
- The government’s proposals do little to prevent poor health in the first place. India is plagued by increasing levels of water and air pollution, some of it worsened by pro-business policies. Malnutrition, poor sanitation and lack of proper housing also remain major problems.



- **Earlier programme failures cast new doubts:-**
 - In its final iteration in 2016-2017, the RSBY also targeted 5.9 crore families, and managed to enroll 3.6 crore families. **Thus the government's announcement today of reaching ten crore families is also vastly ambitious**
 - There is evidence to show that despite efforts towards pushing for increased insurance coverage, neither have the poorest been reached out to nor has there been efficient financial protection.
- **Access to medical services:-**
 - The critical barriers are acute shortage of human resources, huge operational costs and the low volume of paying patients to offset expenses.
 - Expectation that the corporate sector hospitals, that seem to have deep pockets to take such risks, will rush in to expand their footprint once such a market is created, appears to be problematic, given that the sector is showing signs of fiscal stress.
- **Budgets:-**
 - States have been renegeing on their payments to hospitals. Under the Aarogyasri scheme, Telangana has not reimbursed hospitals for a year.
 - The non-synchronisation of financial releases of the Centre and states can lead to partial payments, forcing hospitals to bill patients.
 - Given the all pervasive scale of corruption, the large pool of illiterate patients, the information asymmetry, the fiscal stress and shifting priorities, the scheme could result in hospitals shortchanging the poor even more.
 - In real terms and as a percentage of GDP, **there is a decline in the health budget this year.**
- **Cost of care:-**
 - Prices are likely to be substantially hiked necessitating a higher outlay. Besides, with increased utilisation, premiums are likely to increase in future years. As it is, the NHPS has increased the base premium amounts.

Way forward:-

- NHPS requires a **high level of cooperative federalism**, both to make the scheme viable and to ensure portability of coverage as people cross State borders.
- The NHPS will pay for the **hospitalisation costs** of its beneficiaries through '**strategic purchasing**' from public and private hospitals.
- Both Central and State health agencies or their intermediaries will have to develop the capacity for competent purchasing of services from a diverse group of providers.
- An **incentive-based model** for the government hospitals will **help improve their performance** and ease some of the supply constraints. The government should purchase healthcare services from the private players, wherever the government doesn't have the wherewithal to cater to the demand.
- Reducing supply gaps in needy areas by optimising the functioning of the public facilities that have unused capacities due to lack of human resources and diagnostics is necessary
- Incentivising the small and mid-level hospitals to provide services in accordance with quality guidelines and more importantly, aggressively strengthening primary healthcare to reduce hospitalization need to be done.

Q) As the percentage of aged people in the country increases, improving the lives of people with dementia and their families and carers must become a national priority. Discuss. (250 words)

[Indianexpress](https://www.indianexpress.com)

Why this question

The changing demography and the growing number of elderly in India is bound to result in the increase of people suffering from dementia. It is therefore necessary to make it a national priority to improve the lives of such persons who suffer from not only medical problem but also face social issues.

Directive word

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



Key demand of the question.

The question wants us to write in detail about the plight of the elderly people suffering from the problem of dementia. It wants us to bring out the need to prioritise ameliorating the situation of such persons.

Structure of the answer

Introduction— mention that data from many parts of the world reveals age as a risk factor for dementia — though the debilitating condition, is not an inevitable consequence of ageing. Dementia is a form of cognitive impairment that affects memory and other cognitive abilities and significantly interferes with a person's ability to perform daily activities.

Body-

- *Mention that According to the WHO, it affects 50 million people worldwide; a number that is projected to increase to 82 million by 2030 and 152 million by 2050; discuss the problems faced by such patients- the stigma attached to the disease leads to the social isolation of patients, their families and careers; several of the needs of such people — social, economic or those related to health — remain unfulfilled. For instance, leave concessions at work, adaptable housing environments, adequate diagnostic facilities, treatment options, care provisions and risk reduction measures for people with dementia are not in place; Many require psychological support, biomedical facilities, appropriate medications, counselling services and end of life care. But these are not available etc.*
- *Mention India's commitments in this regard. E.g the World Health Assembly in Geneva adopted the Global Action Plan on the Public Health Response to Dementia 2017-2025, which India has duly endorsed; The country's commitment to Sustainable Development Goals — especially with respect to Goal 3 that deals with good health and well being — and the UN Convention on the Rights of Persons with Disabilities etc.*

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

Background:-

- Recently 2018 WHO dementia plan focuses on the urgent need for a multi-phased approach and a multi-sectoral policy response to address the needs of people with dementia, their carers and families. The rapid increase in ageing population across countries requires national strategies to deal with age-related diseases.
- The share of the elderly in India living alone or only with a spouse increased from 9 per cent in 1992 to 19 per cent in 2006.

Why improving the lives of the people with dementia should become a national priority:-

- Data from many parts of the world reveals age as a risk factor for dementia.
- **According to the WHO, it affects 50 million people worldwide** a number that is projected to increase to 82 million by 2030 and 152 million by 2050. According to some estimates, one person gets affected by dementia every three seconds.
- The stigma attached to the disease leads to **the social isolation of patients, their families and careers.**
- **Several of the needs of such people like social, economic or those related to health remain unfulfilled.** For instance, leave concessions at work, adaptable housing environments, adequate diagnostic facilities, treatment options,
- **Care provisions and risk reduction measures for people with dementia are not in place.** Many require psychological support, biomedical facilities, appropriate medications, counselling services and end of life care. But these are not available.
- **Over a year ago, the World Health Assembly in Geneva adopted the Global Action Plan on the Public Health Response to Dementia 2017-2025.**
- India endorsed the plan, confirming its commitment to improving the lives of people with dementia, their carers and families.

Way forward:-

- There is a urgent need to treat dementia as a public health concern by raising awareness on all aspects of the disease including risk reduction, diagnosis, treatment, research, care and support for patients and care givers.



- India's commitment to Sustainable Development Goals especially with respect to Goal 3 that deals with good health and well being and the UN Convention on the Rights of Persons with Disabilities should push it into formulating a strategy to deal with this debilitating condition.

Q) There are certain fundamental issues which need to be fixed so that India's Poshan Abhiyan can be successfully implemented. Discuss. (250 words)

Livemint

Directive word

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

Key demand of the question.

The question wants us to write in detail about the issues faced by Poshan Abhiyan which need rectification in order to make the programme successful and achieve its stated objectives.

Structure of the answer

Introduction– write a few introductory lines about the Poshan Abhiyan. E.g It aims to drastically reduce the prevailing high incidence of malnutrition, stunted growth and anaemia. The intention is to do this through convergence, mass movements and leveraging technology.

Body-

Discuss in points the issues associated with programme. E.g many of the AWCs lack basic amenities and face infrastructure problems. Around 24% of them lacked their own building and operated from small rented premises, and around 14% lacked pucca buildings; To overcome the challenges of the tedious and irregular system of manually maintaining daily registers and monitor growth efficiently, information and communications technology-enabled real time monitoring (ICT-RTM) has been rolled out in POSHAN Abhiyaan districts. This helped identify 12,000 severely malnourished children in 46 districts of six states; However, this could be rendered ineffective due to the limited capacities of AWWs to handle smartphones owing to their lack of technological literacy. This is compounded by technical issues like slow servers and data deletion problems, resulting in irregular and improper recording of growth data of children; AWWs are the fulcrum of POSHAN Abhiyaan and render vital services to mothers and children in villages. Despite their indispensability, nearly 40% of AWWs had to use their personal money to run the AWCs, 35% of them complained of delayed payments (Progress of Children Under Six Report, 2016), and administrative duties like organizing functions, and conducting exams and surveys distracted them from their core health and nutrition responsibilities. Thus, overburdened with work, undervalued and underpaid, AWWs have become demotivated and demoralized etc.

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

Background:-

- India has historically fared poorly on child nutrition indicators and has been plagued by periodical waves of malnutrition-related deaths in tribal areas.
- With 17 per cent of the world's population, India is home to a quarter of the world's hungry. The dismal health of Indian women and children is primarily due to lack of food security.

Poshan Abhiyan :-

- National Nutrition Mission, launched recently now christened POSHAN (Modi's overarching scheme for holistic nourishment) Abhiyaan aims to drastically reduce the prevailing high incidence of malnutrition, stunted growth and anaemia.
- The intention is to do this through convergence, mass movements and leveraging technology.
- Anganwadi workers (AWWs) are required to feed in details of the beneficiaries and monitor their growth in real time during pregnancy, as well as height and weight of the child once born, in the mobile phones given to them and follow up with SMS alerts to those who are at risk.
- It is to ensure that malnutrition doesn't affect children's cognitive development or physical growth.



- The initiative seeks to reduce the level of stunting, undernutrition and low birth weight by 2% each, and anaemia by 3%.
- The programme aims to ensure service delivery and interventions by use of technology, behavioural change and lays down specific targets to be achieved over the next few years.
- To ensure a holistic approach, all 36 states/UTs and districts will be covered in a phased manner. More than 10 crore people will be benefitted by this programme.
- Ministry of Women and Child Development is the nodal ministry for anchoring overall

Components of POSHAN Abhiyan



How POSHAN abhiyan tackles malnutrition:-

- **Complete approach towards malnutrition:-**
 - The programme through use of technology, a targeted approach and convergence strives to reduce the level of stunting, under-nutrition, anaemia and low birth weight in children, also focus on adolescent girls, pregnant women and lactating mothers, thus holistically addressing malnutrition.
- It targets to reduce level of under-nutrition and other related problems by **ensuring convergence of various nutrition related schemes** and provide performance based incentives to states and community nutrition and health workers, facilitating a focus on results.
- It will monitor and review implementation of all such schemes and utilize existing structural arrangements of line ministries wherever available.
- **Its large component involves gradual scaling-up of the interventions supported by ongoing World Bank assisted Integrated Child Development Services (ICDS) Systems Strengthening and Nutrition Improvement Project (ISSNIP) to all districts in the country by 2022.**
- **Union Government has signed \$200 million loan agreement with World Bank for National Nutrition Mission (POSHAN Abhiyaan) for 315 districts across all states and union territories.**
 - The World Bank loan will be used for improving coverage and quality of ICDS nutrition services to pregnant and lactating women and children under 3 years of age.
 - It will be also used for project in improving skills and capacities of ICDS staff and community nutrition workers, instituting mechanisms of community mobilization and behaviour change communication, strengthening systems of citizen engagement and grievance redress.
 - It will be also used for establishing mobile technology based tools for improved monitoring and management of services for better outreach to beneficiaries during critical 1,000 day window for nutrition impact.
- POSHAN Convergence Matrix looks at deploying a multi-pronged approach to mobilise the masses towards creating a nutritionally aware society.



- **Community based events at anganwadi centres to engage the beneficiaries and their families towards nutritional awareness;** sustained mass media, multimedia, outdoor campaigns; mobilisation of all frontline functionaries; SHGs and volunteers towards nutrition are the methods to be adopted. **The aim is to generate a Jan Andolan towards Nutrition.**
- Thus the POSHAN Abhiyan is to bring all of us together, put accountability and responsibilities on all stakeholders to help the country accomplish its desired potential in terms of its demographic dividend.

However, certain fundamental issues need fixing for the programme to be successfully implemented:-

- **Anganwadi centres :-**
 - **Anganwadi centres(AWC) lack basic amenities and face infrastructure problems.** Around 24% of them lacked their own building and operated from small rented premises. The cumulative effect was that children were forced into cramped, poorly lit and unhygienic spaces, often in searing heat.
 - Administrative duties like organizing functions, and conducting exams and surveys distracted them from their core health and nutrition responsibilities. Thus, overburdened with work, undervalued and underpaid, Anganwadi women have become demotivated and demoralized.
- **Despite improvements, there is still much left to do in terms of achieving universalization of coverage and advanced service delivery.**
 - **A 2015 evaluation carried out by NITI Aayog had found that over 24% of the AWCs surveyed maintained poor records.**
- **Technology constraints :-**
 - Information and communications technology-enabled real time monitoring (ICT-RTM) has been rolled out in POSHAN Abhiyaan districts. **The programme will be ineffective** due to the limited capacities of AWCs to handle smartphones owing to their lack of technological literacy.
- **Technical issues :-**
 - This is compounded by technical issues like slow servers and data deletion problems, resulting in irregular and improper recording of growth data of children.
- **Financial constraints:-**
 - Despite their indispensability, nearly 40% of Anganwadi women had to use their personal money to run the AWCs, 35% of them complained of delayed payments .
- Many schemes in India, including those tackling malnutrition, fails because states do not utilise funds allocated for the scheme. Although the states under will be provided with funds and technology for the new nutrition scheme, the effective use of these funds cannot be guaranteed.

Possible problems with implementation

- The scheme provides hope that the problems arising due to malnutrition could be curbed in the next three years. However, this will only occur with effective implementation of the schemes that are aimed at tackling the problem.

Issues with monitoring:-

- The recent scheme merely establishes a real-time monitoring system for the schemes that are currently in place. A large number of these schemes have been in existence for over a decade, and yet have failed to reduce malnutrition in India significantly.
- A monitoring system would indeed help in the better implementation of these schemes on the grass-root level. However, it will not solve the pre-existing problems in those schemes which make them ineffective.
- The scheme however is most likely to suffer from the same implementation defects as the previous schemes. The government has however, set very ambitious goals to be achieved, which are unlikely to be met in merely three years.

Way forward:-

- Strategy of actively involving panchayat leaders in construction of AWCs and improvement in the quality of village health sanitation and nutrition, will make POSHAN Abhiyaan more effective
- Further, if the government vests more powers in the district administration to fill vacant posts in AWCs, it would be a significant step towards overcoming the problem of shortage of staff. This is especially so at the supervisory level.
- Comprehensive periodical and refresher training of AWWs, especially when it comes to usage of tablets for monitoring growth among malnourished children and high risk pregnant mothers, is crucial.
- Further, supply of iron/folic acid tablets, allotment of 'take-home rations' and supplementary nutrition needs to be regular.



- Supply side investments need to be complemented with the enhancement of the traditionally weak demand for health and nutrition services.
- 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.
- Universal access to infant and young childcare, including ICDS and crèches, provisions to provide biannual critical nutrient supplements and programmes aimed at deworming children need to be implemented effectively.

Q) Critically analyze the role Swachh Bharat has played in making India open defecation free ? (250 words)

Livemint

Why this question

Several reports have analysed the performance of swachh Bharat mission, which is one of the flagship program of the government. Understanding the progress made and drawing lessons from its implementation is important to prepare this topic.

Key demand of the question

The question expects us to explain the aims and objectives of swachh Bharat mission, the status quo. Thereafter, we need to critically analyze how far the mission has succeeded in achieving its goal, considering that 2019 is promised to be the year when India becomes open defecation free.

Directive word

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

Structure of the answer

Introduction – *highlight that this mission is a nation-wide campaign in India for the period 2014 to 2019 that aims to clean up the streets, roads and infrastructure of India’s cities, towns, and rural areas.*

Body

Highlight the status quo such as no of villages and states declared ODF etc

Discuss the achievements under the scheme

- *2017 Swachh Survekshan survey conducted by the Quality Council of India reports that 62% of rural households now have a toilet. This is an increase of over 20 percentage points since 2014.*
- *More significantly, the survey concludes that more than 90% of the individuals who had access to toilets were using them. Etc*

Discuss where the mission was found lacking

- *To truly make India open defecation free requires a sustainable change in societal mindset and behaviour which can be done through behavioural change*
- *Focus on increasing number without addressing issues of behaviour change, water availability, waste disposal etc*

Conclusion – *Give a fair and balanced account of the success of swachh Bharat and discuss way forward.*

Background:-

- Swachh Bharat Mission is a campaign which was launched on 2 October 2014, and aims to eradicate open defecation by 2019, and is a national campaign, covering 4,041 statutory cities and towns. Its predecessors were the “Nirmal Bharat Abhiyan” and before that the “Total Sanitation Campaign”.



- Recent Parliamentary Committee report clearly says this programme is unlikely to make India open-defecation free. The rationale of the **51st Standing Committee on Rural Development report** is that even a village with 100 per cent household toilets cannot be declared open defecation-free till all the inhabitants start using them.

The success of the scheme has been in the following areas :-

- A sense of responsibility has been evoked among the people through the Clean India Movement. With citizens now becoming active participants in cleanliness activities across the nation, the dream of a 'Clean India' once seen by Mahatma Gandhi has begun to get a shape.
- Facts:-**
 - In the short span of three years, about 50 million toilets have been constructed in rural India, increasing the coverage from 39% to 69% now; another 3.8 million have sprung up in cities and towns and another 1.4 million are presently under construction
 - So far, 248,000 villages have been revived from the disgrace of open defecation; 203 districts, over one-third of the total, have banished open defecation.
 - 24 States have become open-defecation free. The number of toilets built is 8.6 crore. Sanitation coverage has gone up from 39% from four years ago to over 93% today.
 - 2017 Swachh Survekshan survey conducted by the Quality Council of India reports that 62% of rural households now have a toilet. This is an increase of over 20 percentage points since 2014.
 - More significantly, the survey concludes that more than 90% of the individuals who had access to toilets were using them
- States:-**
 - Five States have declared themselves Open Defecation Free (ODF) in rural areas: Sikkim, Himachal Pradesh, Kerala, Uttarakhand and Haryana.
- SBM is not a campaign to just clean India, but has a much deeper significance:-**
 - If successful, this campaign can transform the lives of Indian women, bringing in its scope issues of women's safety, their access to higher education and will even challenge the caste system.
 - It has addressed centuries-old practices on open defecation, and it has had major health and economic impact. A recent World Health Organisation (WHO) report has said that by the time Swachh Bharat ends in 2019, more than 3,00,000 lives would have been saved.
 - The government has been working on developing an army of foot soldiers called swachhagrahis, grass-root level motivators trained in community approaches and they go out to trigger behavioural change. They get their communities to accept responsibility and accountability.
 - There is also focus on 'ODF plus', which is about solid and liquid waste management and swachhata in general.

However many issues and stigma remain:-

- Purity and pollution:-**
 - The **key reason for this is that basic latrines that need to be emptied out manually or pumped by simple machines are unacceptable to higher caste Hindus.**
 - It is considered polluting to the individual and the home, and historically associated with untouchability. So people rather defecate in open than having a toilet at home.
 - It is not just a matter of access but a problem of perceptions of pollution, ritual purity, and caste.
 - Even if the government builds free toilets without any leakage or corruption, India will at best have 80 million new toilets that a large proportion of Indians do not want to use.
- Contract labour :-**
 - Municipalities began to employ more contractual labourers mostly scavengers forced into the profession by their caste to remove waste.
 - The sanitation campaign burdens the contractual labourer with an 'exclusive' right to cleaning public spaces, while making it a voluntary act for the 'public' to not defecate, urinate or litter in random spaces. This reinforces the marginalization and stigmatization of such labourers.
- The Swachh Bharat campaign hardly addresses a reworking of the underground sewerage system due to which many such labourers have died** recently while cleaning jammed manholes that open into the sewerage system etc.
- The rate of open defecation is not decreasing much:-**
 - India has far higher levels of open defecation than other countries of the same GDP per capita. For example, India has a higher GDP per capita than Bangladesh, but in Bangladesh only 8.4% households defecate in the open, compared to 55% in India.



- **Funds unspent:-**
 - Centre has literally forgotten to spend the money earmarked to promote the use of toilets, a concern raised in the **State of India's Environment in Figure: 2018**.
 - Centre has also failed to exhaust its budget for Swachh Bharat Mission-Gramin. This, despite the fact, that **the budget for the scheme has seen a dip** over the past year.
- **Implementation issues:-**
 - Sanitation coverage figures seemed to be more on paper but the actual progress at the ground level is very lethargic. Behavioural change is still a distant reality.
- **Quality:-**
 - Standing committee has also raised questions over the construction quality of toilets and said that the government is counting non-functional toilets, leading to inflated data.
- **Unable to reach target:-**
 - **Access to free toilets has not helped resolve open defecation in India.** The programme is unlikely to succeed in its primary task of eliminating open defecation by October 2019

Suggestions :-

- Parliamentary Committee recommends the government to review its data time to time and delete the number of defunct toilets from the list to have a real picture of constructed and functional toilets in the country.
- **Concentrating on developing sewage system makes Swachh Bharat a success:-**
 - Deeply entrenched cultural contexts must be taken into account for successful policy outcomes. India needs to change perceptions of ritual purity through education and awareness in rural areas. This can be done by investing in sewage systems.
- **Enabling local governments to construct sewage systems will solve the purity issue :-**
 - A toilet that flushes away human waste into the sewage and waste management system solves the problem. If there is a functional sewage system, it is relatively low cost for households to build a toilet in every home that is connected to the sewage system.
 - Developing proper sewage system in village would also have wider impact with water not stagnating any more, lesser vector borne diseases etc so the wider objective of sanitation will be achieved.
 - Modernising the sewer lines and septic tanks and investing money and energy on smart techniques of sanitation
 - Also **it would not put stress on manual scavenging** and this occupation can slowly fade away giving sense of dignity and equality to the most vulnerable sections.
- **Mohalla toilets:-**
 - Villages have very small houses and much clustered places where there is no place to construct toilets. The ideal solution is to have **mohalla toilets designated to each house** where people will keep their toilet clean by seeing others. **One advantage is that when the toilets are outside the home, there will be a peer pressure to keep it clean.**
- There **should be a proper database** about what are the requirements in a particular area because we cannot force a toilet in a house where there is no place.
- **For India constructing toilets is like a social work and not a development work.** Once it is seen as a development work with country's image, then the thrust will come and the people will realise how important it is and we should not lag behind other countries.
- **In schools it is the responsibility of the teachers and they have to be oriented to ensure that the child knows about hygiene** which also includes knowing how to use a toilet.
- **Behavioural change:-**
 - **Adopt System 2 drivers of change**
 - Community led Total Sanitation (CLTS) programmes is one such approach. It promotes the mobilisation of local communities to talk openly about, appraise and analyse their defecation practices.
 - **States experience:-**
 - Maharashtra with its adoption of the 'Good Morning Squads', Indore with its 'dibba gang' and Delhi with its Gabbar posters, are all using System 2 drivers to trigger behavioural change. This can be emulated in other states as well.
 - **Include System 1 drivers:-**
 - Incentive programs for increased latrine use can also issue text message reminders, scheduled and framed to promote latrine usage at the same time and place each day.



- Strategic timing of key interventions can also go a long way in disrupting behaviour. For example, promoting the use of toilets during the monsoon, when people find it difficult to defecate openly is a way to ensure a new behaviour is developed.

Conclusion:-

- Pursuit of Swachh Bharat also requires strengthening public health services. Services such as good drainage systems, absence of swamps and ponds that are home to stagnant water, and the supply of safe drinking water all of which reduce exposure to and spread of diseases are classic examples of public goods and require effective government intervention.

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

Q) Ayushman Bharat in its present state is problematic to implement as it would increase the gap between good and poor performing states in terms of provisioning of healthcare. Critically analyze. (250 words)

Livemint

Why this question

The article discusses the issues that would arise out of Ayushman Bharat because of the gap it would create in the good and relatively worse off performing states in terms of healthcare. Ayushman Bharat is one of the flagship schemes of the government and needs to be analyzed from various aspects.

Key demand of the question

The question makes an assertion that the design of Ayushman Bharat scheme is such that it would increase the gap between good and bad performing states. We need to analyze the statement, give reasons for why it would happen and the. Counter arguments stating why this might not happen. Finally, we need to give a fair and balanced conclusion and discuss way forward.

Directive word

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

Structure of the answer

Introduction – Explain about Ayushman Bharat scheme.

Body

Explain the mechanism of Ayushman Bharat such as sharing of expenditure by centre and state, portability of healthcare etc

- *Highlight the financing structure of Ayushman Bharat and discuss the problems that it would cause*
- *Reduce incentive for poor performing states to invest in improving healthcare infrastructure*
- *Increase burden on better performing states*
- *Dilution of state responsibility*

Give points counter to the above – improve health access for the people, reduce out of pocket expenditure etc

Conclusion – Give a fair and balanced conclusion and discuss way forward.

Background:-

- India is concerned with many health issues be it malnutrition, infant mortality, rising non communicable diseases, growing number of deaths due to cancer etc. The national health protection scheme or the Ayushman Bharat health insurance scheme is the step in the right direction which can give impetus to healthcare in India.



Ayushman Bharat:-

- Ayushman Bharat is National Health Protection Scheme, which will cover over 10 crore poor and vulnerable families (approximately 50 crore beneficiaries) providing coverage upto 5 lakh rupees per family per year for secondary and tertiary care hospitalization.
- Ayushman Bharat – National Health Protection Mission will subsume the on-going centrally sponsored schemes – Rashtriya Swasthya Bima Yojana (RSBY) and the Senior Citizen Health Insurance Scheme (SCHIS).
- Benefits of the scheme are portable across the country and a beneficiary covered under the scheme will be allowed to take cashless benefits from any public/private empanelled hospitals across the country.

Benefits :-

- Ideation of the scheme needs to be lauded for addressing one of the primary issues of healthcare system which is the rising out-of-pocket expenditure.
- This mission **enables increased access to in-patient health care for the poor and lower middle class**. The access to health care is cashless and nationally portable.
- It **spurs increased investment in health and generate lakhs of jobs, especially for women**, and will be a driver of development and growth. It is a turning point for the health sector.
- The scheme will replace Rashtriya Swasthya Bima Yojana under which, the government provided Rs.30,000 annually for healthcare. Under NHPS, Rs.30,000 is increased to Rs. 5 lakhs.
- Will bring healthcare system closer to the homes of people.
- The new program would be a vast expansion of health coverage, allowing people to visit the country's many private hospitals for needs as varied as cancer treatment and knee replacements.

Issues for states :-

- **Under the 7th schedule of the Indian Constitution, health is a state subject:-**
 - Apart from central institutions such as the All India Institute of Medical Sciences, a major chunk of the hospitals/ medical centres is state-owned and -operated.
 - **Therefore, the accountability of these also falls with the state. In such a scenario, a nationwide scheme of health insurance to supply healthcare facilities at the state level leads to a dilution of the state responsibility in the provisioning of the same.**
- Additionally, **the states participation in the scheme mandates them to contribute funds for insurance, which naturally diverts funds allocated to building healthcare infrastructure within the state.**
 - This issue could be exacerbated by the provision of portable healthcare services in-built into the scheme. Portability of healthcare allows the beneficiaries to avail cashless benefits at any empanelled hospital across the country.
 - This move, while increasing access, is also expected to cause pooling of patients in hospitals or states where the health infrastructure is relatively well developed.
- **The relatively better infrastructure for health in the top-performing states is expected to cause an influx of patients there.**
 - So the burden on the infrastructure in these states would increase and may negatively affect their service-providing capability.
 - Also even if the developed states are able to develop infrastructure commensurate to demand, the expenditure would be borne by the lower-performing states. **This implies a transfer of wealth or policy premium from the states down in the ladder to the ones at the top.**
- **The above scenarios could create a disincentive for the poorer states by reducing their responsibility towards investing in health infrastructure.**
 - They may become comfortable in disbursing fewer resources towards actual infrastructure development, and rely increasingly on the private sector as well as other states for providing healthcare facilities to their citizens.
 - **This would cause a diversion of resources from preventive measures of disease management which are the backbone of public health, towards curative measures which would not be efficient in the long run.**
- **Massive shortages in the supply of services**(human resources, hospitals and diagnostic centres in the private/public sector) which are made worse by grossly inequitable availability between and within States.
 - For example, even a well-placed State such as Tamil Nadu has an over 30% shortage of medical and non-medical professionals in government facilities.

Way forward:-

- **There is a need for multi-sectoral planning and 'health in all policies' approach**, where initiative of different departments and Ministries is developed and planned coordination, accountability assigned and progress



monitored jointly. It has to be coordinated at the level of Prime Minister or the Chief Minister's office, as the case may be.

- **PPP in India needs a nuanced approach and systematic mechanisms, including** legislation and regulatory aspects. The process requires wider stakeholder engagement and deliberations and oversight from top leadership.
- **There is a need to reform and re-design institutions to broader health system goals to contribute achieve sustainable development goals.**
- **Policy proposals**, such as setting up of Indian Medical Service, establishing public health cadre as well as mid-level healthcare providers and exploring lateral entry of technical experts in academic and health policy institutions, including in the health Ministry (up to the levels Joint Secretary and Additional Secretary levels) should be deliberated and given due priority.
- **A competitive price must be charged for services provided at public facilities as well.** The government should invest in public facilities only in hard to reach regions where private providers may not emerge.
- **The government must introduce up to one-year long training courses for practitioners engaged in treating routine illnesses.** This would be in line with the National Health Policy 2002, which envisages a role for paramedics along the lines of nurse practitioners in the United States.
- **There is urgent need for accelerating the growth of MBBS graduates to replace unqualified "doctors" who operate in both urban and rural areas.**
- The government needs to provide adequate funding to improve the quality of services as well.
- In a federal polity with multiple political parties sharing governance, an all-India alignment around the NHPS requires a high level of cooperative federalism, both to make the scheme viable and to ensure portability of coverage as people cross State borders.
- State governments, which will administer it through their own agency, will have to purchase care from a variety of players, including in the private sector, at predetermined rates. **Reaching a consensus on treatment costs through a transparent consultative process is vital for a smooth and steady rollout.**
- A large-scale Information Technology network for cashless treatment should be set up and validated. State governments need to upgrade the health administrative systems. The NHPM has a problem with the distribution of hospitals, the capacity of human resources, and the finances available for cost-sharing.

Q) It has been argued that Inactivated Polio Vaccine needs to be compulsorily introduced in India. Examine. (250 words)

[The hindu](#)

Why this question

There have been several cases of vaccine derived polio cases across the world, including India. It is therefore vital to understand the importance of introducing IPV to prevent such cases and at the same time fight the disease from wild strains.

Directive word

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

Key demand of the question.

The question wants us to dig deep into the issue and bring out as to why there is an urgent need for India to switch to IPV from the OPV regime, currently in use today.

Structure of the answer

Introduction– write a few introductory lines about the IPV and OPV. Briefly mention the difference between the two.

Body-

Discuss in points/ paragraphs as to why India should introduce IPV in its anti polio drive. E.g With wild polio virus strains reduced by 99.9% since 1988, the world is inching towards eradicating polio. But unfortunately, more children today are affected by the live, weakened virus contained in the oral polio vaccine (OPV) that is meant to protect them. The weakened virus in the vaccine can circulate



in the environment, occasionally turn neurovirulent and cause vaccine-derived poliovirus (VDPV) in unprotected children; While circulating VDPV strains are tracked, and outbreaks and cases are recorded and shared, little is known about vaccine-associated paralytic poliomyelitis (VAPP) cases, particularly in India. VAPP occurs when the virus turns virulent within the body of a recently vaccinated child and causes polio. The frequency of VAPP cases varies across countries. With high-income countries switching to the inactivated polio vaccine (IPV) that uses dead virus to immunise children, the VAPP burden is concentrated in low-income countries which continue to use the OPV; The IPV is essential for post wild-type poliovirus eradication, to get rid of VDPV and VAPP. The globally synchronised switch from trivalent to bivalent OPV in mid-2016 was accompanied by administering a single dose of the IPV prior to administering the OPV. "A single dose of the IPV given before the OPV prevents VAPP cases etc.

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

Background:-

- India introduced IPV in the mandatory immunization programme on 1 December in six states. For the time being, IPV will be given in addition to the existing OPV.

Why IPV needs to be introduced in India:-

- More children today are affected by the live, weakened virus contained in the oral polio vaccine (OPV) that is meant to protect them.**
 - The weakened virus in the vaccine can circulate in the environment, occasionally turn neurovirulent and cause vaccine-derived poliovirus (VDPV) in unprotected children.
- Experiences from other countries:-**
 - In the high-income countries switching to the inactivated polio vaccine (IPV) that uses dead virus to immunise children helped. The VAPP burden is concentrated in low-income countries which continue to use the OPV.
- In India, the VAPP cases can be avoided once the government stops using the OPV to immunise children.** India ignored the problem of VAPP until their numbers were counted.
- Benefits of IPV:-**
 - IPV produces humoral immunity (involving antibodies in body fluids) so the immunised child does not get paralysis**, but it can't stop the circulation of wild polio viruses.
 - When you give a vaccine, you must ensure that the child doesn't get polio. Only the IPV can do that.** A child has to be given several doses of the OPV. Even then, the OPV doesn't fully protect the child.
 - IPV is essential for post wild-type polio virus eradication**, to get rid of VDPV and VAPP.
 - A single dose of the IPV primes the immune system and the antibodies against the polio virus, seen in more than 90% of immunised infants, notes a paper in The Lancet.
 - The vaccine produces antibodies in the blood to all three types of poliovirus. In the event of infection, these antibodies prevent the spread of the virus to the central nervous system and protect against paralysis.
- WHO experience:-**
 - IPV given through an injection contains inactivated virus, considered to be safer than OPV that contains live virus.** WHO has been advocating IPV over OPV as part of its global endgame strategy on polio eradication.

The following issues need to be tackled to make IPV a success:-

- IPV induces very low levels of immunity in the intestine. As a result, when a person immunized with IPV is infected with wild poliovirus, the virus can still multiply inside the intestines and be shed in the faeces, risking continued circulation.
- IPV is over five times more expensive than Oral Polio Vaccine. Administering the vaccine requires trained health workers, as well as sterile injection equipment and procedures

Q) Discuss the challenges that lie ahead for India as it embarks on a mission to end TB by 2025 ? (250 words)

[Livemint](#)

[Financial express](#)



Why this question

The article discusses the two major health reforms that India has embarked upon and the challenges that lie ahead for India as it tried to eradicate TB. TB is a significant health burden for India and an attempt to eradicate it needs to be understood in detail and the challenges therein examined.

Key demand of the question

The question expects us to highlight the strategy that the government intends to follow to eradicate TB. Post that, we need to highlight the challenges that are likely to emerge and how we are planning to tackle them. Finally, we need to provide a forward looking view discussing the possibility of eradication of TB.

Directive word

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

Structure of the answer

Introduction – Highlight the huge burden of TB that India faces and that eradicating TB would enable India to enhance its image and influencing power in global health diplomacy networks.

Body

- Give details in brief about TB such as it is airborne etc
- Give a brief introduction to the TB control programme – RNTCP
- Discuss the challenges in successful completion of the programme – financial constraints, lack of health infra etc
- Discuss the ways in which these challenges can be overcome

Conclusion – highlight that the road ahead for India in eradicating TB would be tough but we can take cues from our success in tackling polio and eliminate TB as well.

Background:-

- India accounts for 27% of the world's tuberculosis burden and it had set its own target at the End-TB Summit in Delhi earlier this year: TB Free India by 2025.
- With an estimated 10 million new cases of tuberculosis and 1.6 million dying from the disease globally in 2017, the world still has a long way to go.

Challenges faced by India to tackle tuberculosis:-

- **Under-reporting of tuberculosis cases** has been a perpetual issue hampering efforts at estimating, controlling and treating the disease.
 - India alone accounts for 26% of the 3.6 million global gap in the reporting of tuberculosis cases.
- **Issues with Nikshay:-**
 - India had set up Nikshay which is an online tuberculosis reporting system for medical practitioners and clinical establishments, with the aim to increase the reporting of tuberculosis, especially from the private sector.
 - In the years since it was launched, Nikshay has faced many roadblocks on the ground, such as unawareness of the system, unwillingness to report due to misconceptions about it, inconsistency in reporting, and lack of incentives for those reporting cases.
- While the reporting of cases has increased, **the corollary reporting on treatment outcomes has not been robust.**
 - In 2016, of all the tuberculosis cases notified, the treatment outcome data for 22% had not been reported.
 - If there is no consistent follow-up of treatment regimens and outcomes, tuberculosis patients can easily slip through the cracks, resulting in cases of relapse, and multidrug-resistant (MDR) and extensively drug-resistant (XDR) tuberculosis.
 - There is currently little to no follow up of patients in government hospitals or community clinics once they are discharged, or if they stop turning up to take their medicine.



- **Treatment of vulnerable sections:-**
 - The coverage and prophylactic treatment of vulnerable populations, such as children under five living in households with tuberculosis and HIV/AIDS patients, has been even slower.
 - While TB affects everyone, it is widely known as a disease of poverty. The poorer the community, the greater the likelihood of people becoming infected and developing disease.
- **Undernutrition:-**
 - Of the five risk factors for tuberculosis mentioned in the World Health Organization's Global Tuberculosis Report 2018 – alcohol, smoking, diabetes, HIV/AIDS, and undernutrition, it is undernutrition that poses the gravest risk in India, as it does in other poor, developing nations, especially among children.
 - The prevention and successful treatment of tuberculosis is closely linked with the overall improvement in nutrition and health indicators, poverty, and access to healthcare.
- **Data constraints:-**
 - Data on the disease with which experts are working in India is more than 60 years old now, with the last national-level survey on tuberculosis having been conducted in 1955.
- **New technologies:-**
 - The development and spread of new methods and technologies to detect the different modes of this disease, new vaccines, and new drugs and shorter drug regimens have been slow, as compared to other such diseases like HIV/AIDS.
 - The method most commonly used to diagnose TB in India, is sputum smear microscopy which is nearly 100 years old and it misses up half the cases.
- **Governance failure:-**
 - **TB is continuing to devastate lives because of the government's inability to regulate an exploitive private health sector**, and to fill gaps in the supply of life-saving medicines.
 - Doctors, NGOs, survivors and advocates warn that India almost certainly will not meet the target because of a lack of disease prevention, delays in correctly diagnosing patients, inadequate treatment and the growing epidemic of drug resistant TB.
 - Logistical problems common in TB clinics.
 - Staff report delays in patients receiving their diagnosis from the local hospital and delays in obtaining key lab equipment.
 - The government does provide free TB drugs, but they often arrive late, sometimes with only a few weeks before they are due to expire.
 - In April 2018 the Indian government introduced a subsidy of 500 rupees a month to every TB patient so they can buy the food they need, as nutrition is so important in fighting the disease.
 - However, only newly diagnosed patients can currently claim the subsidy.
 - Reports in the Indian press said only 12% of eligible patients had received it, two months after it was announced.
 - **Lack of awareness:-**
 - Not completing the full course of medication which takes at least six to eight months for uncomplicated TB leads to drug resistance, making the infection more difficult to treat.
 - Stopping treatment midway is a major reason why around 3 lakh people in India die each year from this respiratory infection.
 - There can be a lack of education around symptoms of illness in poor communities like Burari.
 - Factors such as the cost of travel, fear they will lose out on their daily income or the perception doctors might look down on them all mean that people in poor communities can be less likely to seek healthcare. Without access to good quality healthcare there are longer delays between diagnosis and cure.
 - **Multisectoral approach not done:-**
 - TB cannot be addressed as a disease with drugs, but also the other social issues: housing, food, out of pocket expenses.
 - **One of the biggest barriers to elimination in India, is that the condition is still seen as shameful.**
 - **Women** who suffer TB are regularly divorced, or fear for their future marriage prospects.
 - Around 100,000 women a year are abandoned by their families to die of disease and starvation because they have TB, according to a 2008 government report.



Way forward:-

- In March 2018, in a gazette notification, the Indian government put in place provisions penalising the non-reporting of tuberculosis cases, along with making **it mandatory for pharmacists/chemists to report tuberculosis cases and maintain records of the drugs dispensed to patients, allowing for self-reporting by tuberculosis patients, and providing cash incentives to those reporting cases.** This needs better implementation.
- **Counselling for patients to start treatment**, to keep taking their medicines, to deal with any side effects and to combat shame is the only way India will eliminate TB.
 - Having people go to patients homes and explain to their whole families the importance of taking the medications, of good nutrition and to talk about any side effects they might be experiencing is very effective and means fewer patients stop treatment,
- Ensuring patients complete the full course of the treatment becomes mandatory to cure the disease.
- One of the most important pillars of eliminating TB is **timely diagnosis**, as each undiagnosed patient can transmit the disease to others. A study by the Global Coalition of TB Activists found it took between a month and more than two years for patients to get a proper diagnosis. This needs change.
- **Sputum smear tests should be replaced by a faster and more accurate molecular test, called GeneXpert or CBNAAT.** CBNAAT is highly sensitive, takes only two hours to produce a result, and tells doctors the patient has a drug resistant form of the disease.

Q) Ayushman Bharat-Pradhan Mantri Jan Arogya Yojana (PM-JAY) is the most ambitious health sector scheme since Independence. Critically analyze. (250 words)

[Indianexpress](#)

[pib](#)

Why this question

PM-JAY is one of the most important schemes of the government of India, launched recently. The scheme aims to revitalise the health sector in India but has also several limitations. In this context it is important to analyze the strengths and limitations of the scheme in detail.

Directive word

Critically analyze- here we have to examine methodically the structure or nature of the topic by separating it into component parts, and present them as a whole in a summary. based on our discussion we have to form a concluding opinion on the issue.

Key demand of the question.

The question wants us to dig deep into the PM-JAY scheme and bring out its strengths/ potential as well as the criticism faced by it. Based on our discussion we have to form a personal opinion on the issue.

Structure of the answer

Introduction– write a few introductory lines about the PMJAY- e.g year of launch and its salient provisions.

Body-

Discuss the strengths of the scheme. E.g If implemented well, PM-JAY could dramatically change the picture of the health sector and directly benefit more than 50 crore poor people; Ayushman Bharat-Pradhan Mantri Jan Arogya Yojana (PMJAY) will provide a cover of up to Rs. 5 lakhs per family per year, for secondary and tertiary care hospitalization; PMJAY will provide cashless and paperless access to services for the beneficiary at the point of service; PMJAY will help reduce catastrophic expenditure for hospitalizations, which impoverishes people and will help mitigate the financial risk arising out of catastrophic health episodes; Entitled families will be able to use the quality health services they need without facing financial hardships; When fully implemented, PMJAY will become the world's largest fully government-financed health protection scheme. It is a visionary step towards advancing the agenda of Universal Health Coverage (UHC) etc.

Discuss the limitations faced by it. E.g One, PM-JAY focuses on secondary and tertiary care, taking away the attention from primary care and public health-related investments. Two, in a supply-deficit



environment, raising demand will not help. Three, the current package prices are too low to encourage private-sector hospitals to fully participate in the scheme. Four, hospital insurance addresses only a small amount of out-of-pocket expenditures. Finally, there is scepticism that either the required budget will not be available or provided at the expense of other critical needs etc.

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

Background :-

- India takes a giant leap towards providing accessible and affordable healthcare to the common man with the launch of Ayushman Bharat – Pradhan Mantri Jan Aarogya Yojana (AB-PMJAY).

Ayushman Bharat – Pradhan Mantri Jan Aarogya Yojana (AB-PMJAY):-

- Under the vision of Ayushman Bharat, Pradhan Mantri Jan Aarogya Yojana (AB-PMJAY) shall be implemented so that each and every citizen receives his due share of health care.
- With Ayushman Bharat – Pradhan Mantri Jan Aarogya Yojana, the government is taking healthcare protection to a new aspirational level. This is the “**world’s largest government funded healthcare program**” targeting more than 50 crore beneficiaries.
- The objectives of the Yojana are to reduce out of pocket hospitalisation expenses, fulfil unmet needs and improve access of identified families to quality inpatient care and day care surgeries.

Benefits under the scheme:-

- Ayushman Bharat- Pradhan Mantri Jan Aarogya Yojana (PMJAY) will provide a **cover of up to Rs. 5 lakhs per family per year, for secondary and tertiary care hospitalization**.
- Over 10.74 crore vulnerable entitled families (**approximately 50 crore beneficiaries**) will be eligible for these benefits.
- PMJAY will provide **cashless and paperless access to services** for the beneficiary at the point of service.
- PMJAY will **help reduce catastrophic expenditure for hospitalizations**, which impoverishes people and will help mitigate the financial risk arising out of catastrophic health episodes.
- Entitled families will be able to use the **quality health services they need without facing financial hardships**.
- When fully implemented, PMJAY will become the world’s largest fully government-financed health protection scheme. It is a **visionary step towards advancing the agenda of Universal Health Coverage (UHC)**.
- Since its launch on September 2018, it has already benefitted close to 2,00,000 people.
- More than 80 per cent of hospital beds are in the private sector, yet the poorest 40 per cent can’t afford quality private healthcare**. PM-JAY will increase access to both public as well as private sector services.
- With significantly greater paying power due to PM-JAY**, and government incentives for the private sector and PPP operations, the private sector’s supply of quality services is bound to expand.
- PM-JAY will certainly have a **significant impact on reducing the out-of-pocket spending incurred on the catastrophic health expenses** by the poorest 40 per cent of the population.

Concerns:-

- PM-JAY focuses on secondary and tertiary care, taking away the attention from primary care and public health-related investments.
- In a supply-deficit environment, raising demand will not help.
- The current package prices are too low to encourage private-sector hospitals to fully participate in the scheme.
- Hospital insurance addresses only a small amount of out-of-pocket expenditures.
- There is scepticism that either the required budget will not be available or provided at the expense of other critical needs.
- Health budget:-**
 - The health budget has neither increased nor is there any policy to strengthen the public/private sector in deficit areas.
 - While the NHPS provides portability, one must not forget that it will take time for hospitals to be established in deficit areas. **This in turn could cause patients to gravitate toward the southern States that have a comparatively better health infrastructure than the rest of India.**
- Infrastructure constraints:-**
 - There are doubts on the capacity of this infrastructure to take on the additional load of such insured patients from other States, growing medical tourism (foreign tourists/patients) as a policy being promoted by the government, and also domestic patients, both insured and uninsured.

Way forward:-

- There is a need for multi-sectoral planning and ‘health in all policies’ approach**, where initiative of different departments and Ministries is developed and planned coordination, accountability assigned and progress



monitored jointly. It has to be coordinated at the level of Prime Minister or the Chief Minister's office, as the case may be.

- **PPP in India needs a nuanced approach and systematic mechanisms, including** legislation and regulatory aspects. The process requires wider stakeholder engagement and deliberations and oversight from top leadership.
- **There is a need to reform and re-design institutions to broader health system goals to contribute achieve sustainable development goals.**
- **Policy proposals**, such as setting up of Indian Medical Service, establishing public health cadre as well as mid-level healthcare providers and exploring lateral entry of technical experts in academic and health policy institutions, including in the health Ministry (up to the levels Joint Secretary and Additional Secretary levels) should be deliberated and given due priority.
- **A competitive price must be charged for services provided at public facilities as well.** The government should invest in public facilities only in hard to reach regions where private providers may not emerge.
- **The government must introduce up to one-year long training courses for practitioners engaged in treating routine illnesses.** This would be in line with the National Health Policy 2002, which envisages a role for paramedics along the lines of nurse practitioners in the United States.
- **There is urgent need for accelerating the growth of MBBS graduates to replace unqualified "doctors" who operate in both urban and rural areas.**
- The government needs to provide adequate funding to improve the quality of services as well.
- In a federal polity with multiple political parties sharing governance, an all-India alignment around the NHPS requires a high level of cooperative federalism, both to make the scheme viable and to ensure portability of coverage as people cross State borders.
- State governments, which will administer it through their own agency, will have to purchase care from a variety of players, including in the private sector, at predetermined rates. **Reaching a consensus on treatment costs through a transparent consultative process is vital for a smooth and steady rollout.**
- A large-scale Information Technology network for cashless treatment should be set up and validated. State governments need to upgrade the health administrative systems. The NHPM has a problem with the distribution of hospitals, the capacity of human resources, and the finances available for cost-sharing.

Conclusion :-

- Ayushman Bharat – Pradhan Mantri Jan AarogyaYojana (AB-PMJAY) is a paradigm shift from sectorial, segmented and fragmented approach of service delivery through various national and State schemes to a bigger, more comprehensive and better converged and need based service delivery of secondary and tertiary care.

Q) Discuss the objectives and achievements of Integrated Disease Surveillance Programme in India. (250 words)

[The hindu](#)
[Reference](#)

Why this question

The recent outbreak of Zika Virus disease points out the importance of epidemiological measures in order to prevent major disease outbreaks in the country. In this context it is important to discuss about one of the most vital epidemiological surveillance programmes in India.

Directive word

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

Key demand of the question.

The question wants us to write in detail about the IDSP- its objectives and its key achievements.

Structure of the answer

Introduction- *write a few introductory lines about the IDSP. e.g IDSP was launched in 2004 for a period upto March 2010. The project was restructured and extended up to 2012. The project*



continues in the 12th Plan with domestic budget as Integrated Disease Surveillance Programme under NHM for all States.

Body-

Discuss the objectives of IDSP. e.g To strengthen/maintain decentralized laboratory based IT enabled disease surveillance system for epidemic prone diseases to monitor disease trends and to detect and respond to outbreaks in early rising phase through trained Rapid Response Team (RRTs).

Discuss the achievements of IDSP. e.g Surveillance units have been established at all States and District Headquarters (SSUs, DSUs). Central surveillance Unit (CSU) is established and integrated in the National Centre for Disease Control; IT network has been established by connecting all States /Districts HQ and premier institutes in the country for data entry training, video conferencing and outbreak discussion; A portal under IDSP has been established for data entry and analysis, to report outbreaks and to download reports, training modules and other material related to disease surveillance; On an average 30 outbreaks are reported every week by the States to CSU;The weekly outbreak report generated by the CSU is shared with all key stakeholders including the Prime Minister's Office. This is significant because it indicates the paradigm shift in the outbreak reporting attitude (from the traditional reluctance to report outbreaks to one that encourages outbreak reporting and response) enabled by the project etc.

Conclusion– *based on your discussion, form a fair and a balanced conclusion on the given issue. E.g IDS has given a positive impetus to integration of surveillance functions primarily for epidemic prone diseases and decentralized symptoms-based detection of early warning signals of outbreaks at primary health care level.*

Integrated disease surveillance program in India :-

- The **Integrated Disease Surveillance Program** (IDSP) is a disease surveillance scheme under the Ministry of Health and Family Affairs in India, assisted by the World Bank.
- It is one of the major National Health Programme under National Health Mission for all States & UTs.
- The scheme aims to strengthen disease surveillance for infectious diseases to detect and respond to outbreaks quickly.
- The scheme seeks to set up a Central Disease Surveillance Unit and a State Surveillance Unit in each State where data is collected and analyzed.
- A large amount of data on disease reports are collected in order to be able to identify the outbreak of a disease, identify its causes and take corresponding preventive and responsive measures.
- An early warning system has been put into place in order to take timely preventive steps.

Objectives:-

- The key objective of the programme is to strengthen/maintain decentralized laboratory based IT enabled disease surveillance system for epidemic prone diseases to monitor disease trends and to detect and respond to outbreaks in early rising phase through trained Rapid Response Team (RRTs).

Programme Components:

- Integration and decentralization of surveillance activities through the establishment of surveillance units at Centre, State and District level.
- Human Resource Development – Training of State Surveillance Officers, District Surveillance Officers, Rapid Response Team and other Medical and Paramedical staff on principles of disease surveillance.
- Use of Information Communication Technology for collection, collation, compilation, analysis and dissemination of data
- Strengthening of public health laboratories.
- Inter sectoral Co-ordination for zoonotic diseases

IDSP Achievements

- **Surveillance units have been established at all States and District Headquarters (SSUs, DSUs). Central surveillance Unit (CSU) is established** and integrated in the National Centre for Disease Control (Formerly National Institute of Communicable Diseases, Delhi)
- **Training of State/ District Surveillance teams (Training of Trainers) has been completed for all 35 States /UTs.**
- **IT network has been established** by connecting 776 sites at all States /Districts HQ and premier institutes in the country for data entry training, video conferencing and outbreak discussion.
- **A portal under IDSP has been established** for data entry and analysis, to report outbreaks and to download reports, training modules and other material related to disease surveillance



- **Presently, about 90% districts in the country report weekly surveillance data through portal.** The weekly data gives information on the disease trends and seasonality of diseases. Data analysis and actions are being undertaken by respective States/District Surveillance Units.
- **Reports:-**
 - The weekly outbreak report generated by the CSU is shared with all key stakeholders including the Prime Minister's Office.
 - This is significant because it indicates the paradigm shift in the outbreak reporting attitude (from the traditional reluctance to report outbreaks to one that encourages outbreak reporting and response) enabled by the project.
- **Media scanning and verification cell** was established under IDSP in July 2008. It detects and shares media alert with concerned State /Districts for verification and response.
- **A 24x7 call center was established in 2008 to receive disease alerts all across the country on a toll free telephone number.**
 - The information received is provided to the States/ Districts surveillance units through e- mail and telephone for investigation and response.
 - The call centre was extensively used during 2009 H1N1 influenza pandemic and dengue outbreak in Delhi in 2010.
- Twelve labs have been strengthened and made functional under IDSP for Avian/ H1N1 influenza surveillance.
- **Recruitment of contractual manpower under IDSP has been totally decentralized in May 2010, so that the State Health Societies recruit them at the earliest.**
- **A referral lab network has been established** in 9 States (Gujarat, Punjab, Rajasthan, Uttarakhand, Karnataka, Tamil Nadu, Maharashtra, Andhra Pradesh and West Bengal), using the existing functional labs in the medical colleges and other major centers in the States and linking them with adjoining Districts for providing diagnostic services for epidemic prone diseases during outbreaks.
- IDS has given a positive impetus to integration of surveillance functions primarily for epidemic prone diseases and decentralized symptoms-based detection of early warning signals of outbreaks at primary health care level.

Way forward :-

- **Can use big data:-**
 - Although the Indian Government does not identify this project as a big data one, there is vast potential to improve the mapping solutions with the help of using improved technology. **The data collected under this scheme meets the criteria of the standard 3 V's to identify big data – Volume, Variety and Velocity of data.**
- A single portal under which data about such diseases can be traced, acts as a single information access point for all other health programs in the country.

Q) There is very poor correlation between economic development or agrarian plenty with lower malnutrition. Discuss then what solution should India employ to tackle the problem? (250 words)

[The hindu](#)

Why this question

Malnutrition is a persistent problem for India and is often in news. This article explains that economic development or greater food production is not the solution for malnutrition and discusses alternatives. This question would help you develop a deeper understanding of the issue.

Key demand of the question

The question expects us to explain why economic growth or greater food production are not exactly the cure for malnutrition. Thereafter, we need to discuss the reasons behind the problem and discuss ways in which such problems can be resolved.

Directive word

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



Structure of the answer

Introduction – Highlight India's position on the global hunger index to explain the magnitude of the problem.

Body

With the help of examples of Indian states show that neither economic development nor greater food production benefits. Highlight the reasons because the most vulnerable section, the tribals suffer from the problem of malnutrition

Explain the issues why this problem persists – lack of variety in food intake, poor government service delivery, problems with ICDS scheme etc

Discuss the way forward – An inclusive and holistic approach, including controlling/regulating food price, strengthening the public distribution system (PDS) and income support policies for making food cheaper are important steps.

Conclusion – Mention that the persistence of this problem is a matter of great shame for India and needs urgent attention and resolution.

Background :-

- Despite being one of the fastest growing economies in the world, India has been ranked at 103 out of 119 countries in the Global Hunger Index 2018.
- India is home to over 53.3 million stunted, 49.6 million underweight and 29.2 million wasted (low weight for height) children under five

Reasons why economic development or increase in food production has not reduced malnutrition:-

- Economic development :-
- Faster economic growth has enormous benefits, but it is by no means sufficient and sustainable if millions of children remain undernourished.
- Experiences with Indian states:-
- Some of the low income and Empowered-Action-Group (EAG) States like Chhattisgarh and Odisha, have performed better on this front compared to Gujarat and Maharashtra where per capita income is almost double.
- The development path prevalent in Gujarat is more about growth, development, investment, which, however, has not been able to translate as better nutritional status in the State.
- Odisha, which is a low income State, has a better network of Integrated Child Development Services (ICDS), public health facility/workforce per lakh population and educational attainment among women, which have translated into a better nutritional status when compared with Gujarat.
- Further, tribals, rural, poor and illiterate mothers children are badly off in so-called developed States of Haryana, Gujarat and Punjab.
- **Mother's health:-**
 - Scientists say the initial 1,000 days of an individual's lifespan, from the day of conception till he or she turns two, is crucial for physical and cognitive development. But more than half the women of childbearing age are anaemic and 33 per cent are undernourished, according to NFHS 2006. A malnourished mother is more likely to give birth to malnourished children.
- **Social inequality:-**
 - For example, girl children are more likely to be malnourished than boys, and low-caste children than upper-caste children.
- **Sanitation:-**
 - Most children in rural areas and urban slums still lack sanitation. This makes them vulnerable to the kinds of chronic intestinal diseases that prevent bodies from making good use of nutrients in food, and they become malnourished.
 - **Lack of sanitation and clean drinking water are the reasons high levels of malnutrition persists in India despite improvement in food availability.**
- **Lack of diversified food:-**
 - With the increase in diversity in food intake malnutrition (stunted/underweight) status declines. Only 12% of children are likely to be stunted and underweight in areas where diversity in food intake is high, while around 50% children are stunted if they consume less than three food items.
- **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.

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.
- An inclusive and holistic approach, including controlling/regulating food price, income support policies for making food cheaper are other important steps that need to be considered.



Q) The World Malaria Report 2018 of the World Health Organisation notes that India's record offers great promise in the quest to cut the number of new cases and deaths globally. Critically Analyze. (250 words)

[The hindu](#)

Why this question

The World Malaria report, 2018 provides a moment of satisfaction for India. The report highlights India's recent achievements in controlling the disease and deaths associated with it. It is therefore important to analyze the report in order to learn from the initiatives taken in this direction.

Directive word

Critically analyze- here we have to examine methodically the structure or nature of the topic by separating it into component parts, and present them as a whole in a summary. based on our discussion we have to form a concluding opinion on the issue.

Key demand of the question.

The question wants us to dig deep into the issue and bring out the findings of the given report and deliberate upon the initiatives responsible for the success achieved by India and also form a personal opinion in the form of discussion of any further suggestions in this direction.

Structure of the answer

Introduction– write a few introductory lines about the recent world Malaria report. E.g The World Malaria Report 2018 of the World Health Organisation notes that India's record offers great promise in the quest to cut the number of new cases and deaths globally by at least 40% by 2020, and to end the epidemic by 2030.

Body-

Discuss the initiatives/ reasons responsible for the reduction of incidence/ deaths due to malaria in India. E.g In Odisha(one of the most endemic States) investments were made in recruiting accredited social health workers and large-scale distribution of insecticide-treated bednets, together with strategies to encourage health-seeking behaviour; The WHO report highlights a sharp drop in the number of cases in the State. The reduction in cases by half in 2017 compared to the same study period in 2016 appears to reinforce research findings: malaria cases in Odisha have been coming down steadily since 2003, with a marked reduction since 2008, attributed to greater political and administrative commitment. This positive trend should encourage authorities not just in Odisha, but in the northeastern States and elsewhere too to cut the transmission of the disease further etc.

Discuss what more should be done by India to reduce the burden of the disease and the deaths associated with it. E.g Eliminating malaria requires an integrated approach, and this should involve states like Chhattisgarh, Jharkhand and West Bengal, which have a higher burden of the disease. Odisha's experience with using public health education as a tool and reaching out to remote populations with advice needs to be replicated etc.

Conclusion– based on your discussion, form a fair and a balanced conclusion on the given issue. E.g Given that emerging resistance to treatment has been reported in Myanmar, among other countries in this belt, there is a need for a coordinated approach to rid southern Asia of malaria.

Background:-

- The World malaria report showed that progress against malaria has stalled in many countries, and that the world was unlikely to achieve the WHO Global technical strategy for malaria 2016–2030 ,morbidity and mortality targets for 2020.
- Despite this India has played a significant role in decreasing the number of malaria cases in the country. Since 2000, India has reduced malaria deaths by two-thirds and halved the number of malaria cases.

How did India reduce malaria burden :-

- Indian government has released a National Strategic Plan (NSP) for malaria elimination for years 2017-2022, targeting eradication by 2030.
- Scaling up a diagnostic testing, treatment and surveillance
- Ensuring an uninterrupted drug and diagnostics supply chain



- Training community workers to test all fever cases and provide medicines, and distributing medicated bed-nets for prevention, under its 'test-treat-track' in the endemic north-eastern states and Odisha.
- Odisha played a significant role:-
 - Investments made there in recruiting accredited social health workers and large-scale distribution of insecticide-treated bednets, together with strategies to encourage health-seeking behaviour, seem to have paid off.
 - Odisha is a driver of India's success against malaria, where innovations, such as improving health care worker skills, expanding access to diagnostics and treatment and strengthening data collection, has led to the state recording a path-breaking decline of over 80% in reported malaria cases and deaths
 - In Odisha, the National Institute of Malaria Research and the Odisha government collaborated with Medicines for Malaria Venture for an operational research programme called the Comprehensive Case Management of Malaria, which provided universal access to malaria diagnosis and treatment, and improved the quality of services and surveillance, and distributed 11 million medicated bed-nets.

Issues left:-

- Emergence of antimalarial drug and insecticide resistance is yet another problem.
- Lack of public health infrastructure in rural areas

How to eradicate malaria :-

- Strong surveillance system requires high levels of access to care and case detection, and complete reporting of health information by all sectors, whether public or private.
- **Lessons from Srilanka:-**
 - Most of these people live in forest-rich districts also affected by the Naxalite problem. By reaching out to marginalised communities living in inaccessible areas and also to Naxal cadres with the help of civil society India can expect to eradicate malaria.
 - Improving public health system and rolling out malaria control interventions in these areas is critical if India wants to eliminate malaria by 2030.
 - Malaria control in border districts in the north and the north-east.
- **Web-based surveillance:**
 - All fever cases were tested for malaria and each case notified with the Anti 'Malaria Campaign at the ministry of health. People with a travel history to countries with malaria transmission were closely tracked for symptoms, as were people in the armed forces on peacekeeping missions, immigrants, emigrants, tourists and pilgrims.
- **Rationing medicines:**
 - Anti-malarial medicines were only available with the AMC, which compelled the private health sector to notify all cases. With malaria cases sharply falling, it soon became unprofitable for the private sector to stock anti-malarial medicines.
- **24x7 hotline:**
 - AMC ran a 24-hour hotline to notify, track and treat the patient in isolation to stop further spread of infection.
- **Parasite control:**
 - In the early 1990s, the AMC changed from vector-control (mosquito control) to parasite control strategy to contain infection. From 1999 onwards, cases have steadily declined and by 2008, less than 1,000 cases were being reported per year.
- **Health access:**
 - A strong public health system, sanitation and roads lowered mosquito breeding and took treatment to people in the remotest of places. Early diagnosis and prompt treatment by trained health workers with focus on high-risk areas lowered disease and deaths.
- **Stakeholder partnerships:**
 - Intensive disease surveillance, integrated vector (mosquito) management, rigorous community engagement and research increased social, technical and financial support for eradication.



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

Q) The misery or sanitation workers need to be put to an end, for the success of swachh Bharat mission. In this regard, analyze the problems faced by sanitation workers and ways to resolve it ? (250 words)

Indian express

Why this question

The plight of sanitation workers is an oft recurring issue. While the government is focussing so severely on toilet provision in tandem with Swacch Bharat Abhiyan, the focus on behavioural change towards sanitation and a moral change towards sanitation workers is what is lagging behind and hence this question.

Key demand of the question

The question expects us to discuss the key issues plaguing sanitation workers, explain the steps being taken to protect them, lacunae therein and finally suggestions for improvement.

Directive word

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

Structure of the answer

Introduction – *Highlight that while the government is focussing so severely on toilet provision in tandem with Swacch Bharat Abhiyan, the focus on behavioural change towards sanitation and a moral change towards sanitation workers is what is lagging behind.*

Body

Paint a picture of the status quo of sanitation workers – Over 1.1 million sanitation workers, primarily engaged in sewer cleaning, septic tank cleaning, railway cleaning, and community/public toilet cleaning, more than 500,000 of these are women. CEC study of 200 DJB manhole workers found that 92.5% of workers wore the safety belt. But this did not prevent 91.5% of them suffering injuries, and 80% suffering eye infections.

Discuss the major issues faced by sanitation workers –

- *Economic issues – contractual workers and thus no job security*
- *Health issues*
- *Socio-economic issues – experience untouchability, are unable to find employment outside sanitation work, and their children, despite gaining basic level education, are unable to find any other form of employment*

Discuss the steps taken by the government

- *The Prohibition Of Employment As Manual Scavengers And Their Rehabilitation Act, 2013*
- *Prevention of Atrocities Act, commissions such as National Safai Karmchari Commission (NSKM), and schemes available through National Safai Karmchari Development and Finance Corporation (NSKFDC) and SC/ST Development Corporation (SDC) at national level and Maha Dalit Vikas Missions at state level*

Examine the lacunae in these measures

- *most sanitation workers are unaware of their rights under these schemes; even when they are aware, they do not know the processes to avail benefits. Further, because most sanitation workers are urban poor and reside in informal settlements, they do not have adequate documents such as residence proof, birth certificates and identity cards making it next to impossible for them to apply for these schemes.*



Give suggestions regarding what can be done

Conclusion – *emphasize on their plight and the need to address it for the success of swachh Bharat mission.*

Background :-

- Manual scavenging was banned 25 years ago with the passing of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, but it continues to find practitioners. The occupation persists mainly because of the continued presence of insanitary latrines.
- There are about 2.6 million insanitary latrines (dry toilets) that require cleaning by hand, according to Safai Karmachari Andolan.

Measures taken:- (extra)

- The **Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act** was passed by the parliament in 1993, and set imprisonment of up to one year and a fine of Rs 2,000 for pushing a person to manual scavenging.
- **Self Employment Scheme for Rehabilitation of Manual Scavengers (SRMS)**, a successor scheme to NSLRS (**National Scheme for Liberation and Rehabilitation of Scavengers and their Dependents**), was introduced in 2007 with the objective to rehabilitate remaining manual scavengers and their dependents in alternative occupations, in a time bound manner.
- **Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013**, forbids the employment of any person for the task of manual scavenging by any agency or individual.
 - As picking up untreated human excreta is harmful to one's health and hygiene, the Act seeks to completely ban the practice.
- **Supreme Court issued a slew of directions in 2014** to prevent and control the practice and also to prosecute the offenders.
 - It also directed the government to pay a compensation of 10 lakh rupees to the family members of those killed in acts of manual scavenging since 1993.
- Also, the **right to live with dignity is implicit in the Fundamental Rights guaranteed in Part III of the Constitution**. Article 46 of the Constitution, on the other hand, provides that the State shall protect the weaker sections particularly, the Scheduled Castes and the Scheduled Tribes from social injustice and all forms of exploitation.
- Apart from these under **Swachh Bharat Mission** focus has been given on conversion of insanitary latrines into sanitary latrines.

Challenges remaining for sanitation workers :-

- However, the dehumanising practice of manual scavenging, arising from the continued existence of insanitary latrines and a highly iniquitous caste system, still persists in various parts of the country.
- **Design:-**
 - Septic tanks are designed badly. They have engineering defects which means that after a point, a machine cannot clean it.
- **Under the Swachh Bharat Mission, millions of septic tanks are being built in rural India**
 - By 2019, some 30 million septic tanks and pits would have been dug along the Ganga. If the Central, state and local sanitation programmes do not take up faecal sludge management as a priority, the onus will shift to the lowest rung of the society to clean millions of dry toilets.
- **Sewage issues :-**
 - Many cities do not have sewerage that covers the whole city. Sometimes, sewage lines are connected to storm water drains which get clogged and demand human intervention.
- **Open drains:-**
 - Open drains are also badly designed, allowing people to dump solid waste into them, which accentuates the problem. Improper disposal of sanitary napkins, diapers etc clog the drains, which machines cannot clear.
- Manual scavenging is not only a caste-based but also a gender-based occupation with 90 per cent of them being women.
- **Irony of Swachh Bharat Mission :-**
 - On the one hand it aims at protecting dignity of women by providing them with private sanitation spaces, and on the other, it is perpetuating humiliation of women manual scavengers as they are the ones who clean human excreta from dry-pit latrines.



- **Legislative failure:-**
 - In 2013, the 'Prohibition of Employment as Manual Scavengers and their Rehabilitation Act came into force. However this law leaves people helpless.
 - In the earlier Act, the district magistrate had the power to solve all the cases, but that's not the case with the current one. If the assigned public official isn't doing his duty of identifying manual scavengers and processing their rehabilitation, there is no mechanism to pull them up
 - The Act does not address critical aspects of provisions like the rehabilitation of those who were liberated from manual scavenging before passing the law in 2013.
 - Liberated manual scavengers regularly face brutal atrocity and violence.
 - The law enjoins upon the government to provide Rs 10 lakh to the families of those who die inside sewers. However, data presented by the Central Monitoring Committee in 2017 said only seven states had paid compensation for such deaths in the past 25 years.
- **Safety issues:-**
 - Requirements of oxygen cylinder, torches, and constant monitoring of workers through computers etc. are not mentioned in the act and hence are not provided to the cleaners.
- **Lack of education:-**
 - Low level of education, awareness about their rights, laws and low self esteem force them to take such work.
- **National Safai Karmachari Commission which was mandated to implement the act has not been functioning properly.** Its website has not been updated about recent developments and new initiatives.
- **Lack of credible data:-**
 - One big obstacle before evolving policies for the welfare of sewage and septic tank workers is the lack of credible data.
 - There are no official numbers available on those employed in sewer and septic tank cleaning as opposed to those engaged in the relatively less hazardous cleaning of dry latrines, open drains and single pit toilets.
- Biggest reason why the mechanised cleaning of septic tanks, the prescribed norm, remains only on paper, **is lax implementation by enforcement agencies.**

Way forward:-

- It is a social and gender issue and can be eradicated by sensitising people about its ills.
- The implementation of these laws and provisions should be ensured by appointing people who can make sure that these are being followed, and that anybody who does not follow the rules and regulations is punished.
- Entire process of the liberation of scavengers includes not just talks about value conflicts or rehabilitation and the few changes in their means of livelihood. **The liberation of these people is also closely associated with the change in their social status and the 'mould' of their social relationships.** All these aspects of liberation can be achieved only when dry latrines are not used at all.
- Swachh Bharat Mission may be used to actively target conversion of insanitary latrines on priority basis. Liberated manual scavengers must be linked to social security and other welfare schemes to ensure that they are not dependent on this inhuman work for their survival.

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) More than a transformation of style of government administration into a digital form, E-governance also signifies the transformation of the relationship between public sectors and the private citizens and businesses. Comment. (250 words)

Reference

Why this question

E-governance has been sought worldwide, although variably, in order to bring transparency and efficiency in the governance. The concept has received considerable importance in India. It is essential to discuss how e-governance signifies the transformation of the relationship between public sectors and the private citizens and businesses.



Directive word

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

Key demand of the question.

The question wants us to write in detail about the e-governance and how it is more than merely digitizing the processes of the government; how it is different from simple e-government and what are the objectives and values it espouses.

Structure of the answer

Introduction– write a few introductory lines about the meaning of e-governance. E.g It can be simply defined as the public sectors' use of Information Communication Technologies (ICTs including the world-wide-web, mobile devices, digital content, etc.) to improve and enhance the efficiency and effectiveness of the delivery of information and services to citizens, businesses and organizations.

Body-

Discuss the concept of e-government. E.g The term E-government is used in a more limited sense of use of ICTs in internal operations of running a government to facilitate inter and intra departmental workflows.

Discuss how e-governance is more than simple e-government and mere digitization of government processes. E.g it facilitates the access to the governing processes and encourages active participation of citizens; The objective of the use of ICTs in governance is not just limited to achieving efficiency but also various values of good governance like improving citizen participation, enabling easy access to critical information and offering public services online; interactive dissemination of laws, improving access to justice, achieving transparency, E-democracy in law making and rule of law etc.

Conclusion– sum up your discussion in a few lines and form a fair and a balanced conclusion on the above issue.

Background:-

- E-governance is the application of ICT in government functioning to bring in **SMART** governance implying: simple, moral, accountable, responsive and transparent governance.
- E-governance is used in a broad sense involving the use of ICTs in public administration (both within the government and its external interactions) where the sovereign is involved as a party.

E- government:-

- e-government, online-government or digital government, can be simply defined as the public sectors use of Information Communication Technologies (ICTs including the world-wide-web, mobile devices, digital content, etc.) to improve and enhance the efficiency and effectiveness of the delivery of information and services to citizens, businesses and organizations .
- The term E-government is also used in a more limited sense of use of ICTs in internal operations of running a government to facilitate inter and intra departmental workflows.

How e-governance signifies the transformation of the relationship between public sectors and the private citizens and businesses:-

- E-governance facilitates the access to the governing processes and encourages active participation of citizens.
- More than a transformation of style of government administration into a digital form, E-governance also signifies the transformation of the relationship between public sectors and the private citizens and businesses in a more interactive and collaborative way.
- The objective of the use of ICTs in governance is not just limited to achieving efficiency but also various values of good governance like improving citizen participation, enabling easy access to critical information and offering public services online.
- E-governance signifies the move from passive dissemination of legal information to a more active involvement of citizens and relevant segments of the society in the wider administration of law and justice
- E-governance is dictated by a wider number of objectives. These objectives are not limited to achieving of efficiency but a range of other intrinsic values of effective governance.



- The desirability of such values is not limited to national governance issues but also issues pertaining to international relations often arising out of international obligations of sovereign states.

Q) What are the challenges faced by e-governance. Discuss with special reference to India. (250 words)

Reference

Directive word

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

Key demand of the question.

The question wants us to write in detail about the challenges and problems faced by the e-governance with a special emphasis on India.

Structure of the answer

Introduction– *write a few introductory lines about the increasing adoption of ICT technologies, increased digital literacy and increasing online presence of the citizens- turning into netizens, which makes adoption of e-governance more feasible and desirable.*

Body-

Discuss in points the challenges faced by e-governance mechanisms and institution. Place more emphasis on Indian conditions. E.g

- *Hacking*
- *Defamatory communications*
- *Loss of data and intellectual property*
- *Vulnerability to computer viruses, online threats*
- *Exposure to e-frauds*
- *Privacy risks*

Discuss some India specific concerns. E.g poor digital literacy among the vast sections of the rural and urban poor; poor data protection and cyber security structures and mechanisms in place; lack of indigenous servers and higher risks to privacy etc.

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

Background:-

- E-governance is the application of ICT in government functioning to bring in **SMART** governance implying: simple, moral, accountable, responsive and transparent governance.

Challenges faced by e-governance:-

- **Technical Issues**
 - **Interoperability:**
 - It is one of the critical issues of e-governance. Interoperation among ministries and departments is difficult, and it became hurdle for processing and sharing data
 - **Security:**
 - Now days, security of online transaction is becoming big issue. In fact, there is still discontent to citizens on availing government services due to lack of security.
 - **Privacy:**
 - This is another key issues of e-governance. Any information provided by citizens should be ensured by govt. otherwise, any person or institution may misuse the valuable information.



- **Authentication:**
 - It is very important to know the right user of the services or it may be misused by private competitors. Meanwhile, the digital signature plays major role in providing authenticity. In fact, it is expensive and causes for frequent maintenance.
- **Economic issues**
 - **Cost:**
 - It is one of the economic issues, implementation of e-governance operations and maintenance of services fetches huge cost to government.
 - **Funding**
 - Funding is the foremost issue in e-Governance initiatives. The projects that are part of the e-governance initiatives need to be funded either through the Government sector or through the private sector.
 - **Social issues**
 - **Accessibility:**
 - In the era of technology, there is still gap arising between users and nonusers. It is because of language barrier, inadequate infrastructure in rural areas, etc.
- **Delivery of services**
 - The ability of citizens to access these services is another major issue. Since the penetration of PCs and Internet is very low in the country, some framework needs to be worked out for delivery of the e-Services that would be accessible to the poorest of the poor.
- **Usability:**
 - Users of e-governance may be literate or illiterate. Any technology or software to be used as user friendly to greater extent, only then, citizens could use it as smoothly as possible.
- **Awareness about e-governance is still less.**
- **There are several security drawbacks of an E-Governance mechanism**
 - **Spoofing:**
 - In this practice, the attacker attempts to gain the access of the E-Governance system by using fallacious identity either by stealth or by using false IP address. Once the access is gained, the assailant abuses the E-Governance system by elevation of the privileges
 - **Tampering of E-Governance system:**
 - As soon as the system is compromised and privileges are raised, the classified information of the E-Governance mechanism becomes very much susceptible to illegal adjustments.
 - **Repudiation:**
 - Even the attacker can mount refutation attack during the E-Governance transaction, which is the ability of the user to reject its performed transaction.
 - **Disclosure of E-Governance Information:**
 - In case of the compromised E-Governance system, the undesirable information disclosure can take place very easily.
 - **Denial of Service:**
 - In this technique, attacker can perform Denial of Service (DoS) attack by flooding the E-Governance server with request to consume all of its resources so as to crash down the mechanism.
 - **Elevation of privilege:**
 - Once an E-Governance system is compromised; the attacker pretending to be a low profile user attempts to escalate to the high profiles so as to access its privileges to initiate further damage to the system.
 - **Cyber Crimes:**
 - Advancement of science and technology increase the rate of the cybercrime. It is a threat to the transactions accomplished between the Government and its Citizenry within the E-Governance methodology.
 - **Specific challenges to India:-**
 - **Infrastructure:**
 - It is essentially required for implementation of e-governance as much as possible in India. Electricity, internet and poor adaptability of technology will retard the progress of e-governance.



- **Digital divide:**
 - Even in the era of science and technology, there is still huge gap exists between users and nonusers of e-govt. services.
- However, **it still has some hurdles regarding e-governance**, such as:, poverty, illiteracy, security and cost of implementation, etc
- **Personnel Issues in Implementation of E-Governance Projects**
 - It demands fundamental changes in Government decision management. The employees need to be delegated more authority which does not happen.
 - Threats of job losses increase resistance.
 - Employees resist retraining.
 - **Staff are unenthusiastic when credit is not shared:** A common perception is that an e-government project is an IT department project and if the project is successful, the IT department will get all the credit.
 - Fearing that new systems may not deliver, managers tend to continue manual systems in parallel, and thus there is no incentive for staff to switch over to the new system.

Requirements for implementing successful e-governance across the nation:-

- **E-Governance framework** across the nation with enough bandwidth to service a population of one billion.
- **Connectivity framework** for making the services to reach rural areas of the country or development of alternative means of services such as e-governance kiosks in regional languages.
- **National Citizen Database** which is the primary unit of data for all governance vertical and horizontal applications across the state and central governments.
- **E-governance and interoperability standards** for the exchange of secure information with non-repudiation, across the state and central government departments seamlessly.
- **A secure delivery framework** by means of virtual private network connecting across the state and central government departments.
- **Datacenters in centre and states** to handle the departmental workflow automation, collaboration, interaction, exchange of information with authentication.

Q) India recently slipped to number 6 in global RTI rankings despite the RTI statute in India remaining the same along with its legal framework. Critically analyze. (250 words)

[Indianexpress](https://www.indianexpress.com)

Structure of the answer

Introduction– write a few introductory lines about the slip in India's global RTI ratings from no. 2 in 2011 to no. 6 in 2018.

Body-

Discuss about the nature of the index. E.g global RTI ratings is a programme founded by the Centre for Law and Democracy (CLD), a Canada-based non-governmental organisation, along with Access Info Europe; the global RTI rating is a system for assessing the strength of the legal framework for guaranteeing the right to information in a given country. It is, however, limited to measuring the legal framework only and does not gauge the quality of implementation etc.

Discuss why India has slipped to a lower position. E.g The seventh indicator is the non-exclusion of executive and administrative units like ministries, local bodies, police, armed forces and bodies controlled or owned by the above. Our public authority definition covered these aspects, but CLD says that jurisdiction exclusion of the state of Jammu and Kashmir and broad exemption to 18 bodies under Section 24 reduced India's points; Legal protections against imposing sanctions on those who, in good faith, release information which discloses wrongdoing (whistleblowers) is criterion 53. The rating agency maintains that in India there are no such protections, while Afghanistan and Serbia do have them. Section 21 of the Indian RTI Act says, "No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rule made thereunder". This gives immunity to all persons who give information under this Act. But this is ignored etc.

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

**Background:-**

- In the recent global RTI ratings in a programme founded by the Centre for Law and Democracy (CLD), India has slipped a rung further this year to the sixth position.
- Ironically, India ranks lower than smaller nations like Afghanistan which adopted the RTI later than India
- Out of the 61 indicators, there are nine indicator categories under which India's points have been downgraded.

RTI did wonders in India :-

- Ever since its adoption in 2005, in more than a decade, it has had far-reaching consequences on the governance of the country. It played a very crucial role in highlighting several scams and has helped bring about accountability and transparency in the governance of the country.

Why did India's rank slip :-

- **Faulty implementation:-**
 - India lags behind smaller countries mostly because of the negligent and faulty implementation of the law.
 - According to Transparency International India, which carried out the survey, the total number of RTI pleas received during 2005-16 were 2,43,94,951 and during the same period, the number of second appeals filed to the CIC were 18.5 lakh.
- **Shortage of staff:-**
 - **There is an increasing vacancy in multiple state information commissions including the CIC** over 30.8 per cent or 48 out of total 156 posts are vacant for information commissioners at the Union and state level.
 - Only 12 states have filled all posts like state chief information commissioners and information commissioners in their commission, leading to no vacancy.
 - No state chief information commissioners have been appointed for Andhra Pradesh, Jammu & Kashmir and Nagaland.
- **Digitisation issues:-**
 - Despite a push for digitisation by the government, most states are yet to make RTI accessible online.
 - For instance, only 11 out of a total of 29 states have provisions for online appeals/complaints.
 - Also, only 10 (out of total 29) have updated their annual reports.
- **Lack of information sharing with citizens:-**
 - In India there has been a tendency to decline giving information due to which, between 2005 and 2016, more than 18 lakh people had to knock on the door of the information commissions for the second appeal.
- Many institutions including the CBI in India are still not within the purview of RTI Act. Information is withheld under the garb of confidentiality and privacy, even in those matters that in no way violates national security or an individual's privacy.
- **Latest findings:-**
 - The seventh indicator is the non-exclusion of executive and administrative units. Our public authority definition covered these aspects, but the study says that jurisdiction exclusion of the state of Jammu and Kashmir and broad exemption to 18 bodies under Section 24 reduced India's points
 - Legal protections against imposing sanctions on those who, in good faith, release information which discloses wrongdoing (whistleblowers) is criterion 53.
 - The rating agency maintains that in India there are no such protections, while Afghanistan and Serbia do have them.
 - Section 21 of the Indian RTI Act gives immunity to all persons who give information under this Act. But this is ignored .
- **Right to Information (Amendment) Bill, 2018** empowers the Central government to decide the tenure, salaries, allowances and other terms of service of information commissioners at the Centre and states.
 - Currently, their salaries and tenures are statutorily protected and are at par with those of the Chief Election Commissioner and election commissioners.
 - **RTI activists and Opposition parties have been expressing their strong reservation against the proposed amendments.**

Conclusion:-

- Due to lack of political will, the RTI Act is not being implemented in letter and spirit. **To empower the legislative framework is the foremost responsibility of the government, but this can only be ensured when political parties and citizens are guarded and are constantly pushing the government to not dilute such a citizen-empowering law**



Q) There is a need to strengthen the whistleblower protection mechanism not dilute it. Discuss in the context of proposed changes to whistleblower protection Bill ? (250 words)

Financial express

Why this question

While the Whistle Blowers Protection Act 2014 (WBP Act), passed to protect the whistle-blowers, has not yet been notified, an amendment Bill has been introduced, seeming to dilute the original statute rather than strengthening it. Hence there is a need to know about this amendment and discuss issues related to it.

Key demand of the question

The question expects us to establish the need of a strong whistleblower protection mechanism, talk about the proposed amendments to Whistleblower protection Bill and analyze why there is a need to strengthen it.

Directive word

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

Structure of the answer

Introduction – Explain why this issue is in news by talking about the amendment Bill.

Body

Explain why there is a need for strong whistleblower protection mechanism – you can highlight some of the rankings of India in Corruption Perceptions Index, issues with transparency etc that are direct fallout of poor whistleblower protection mechanism

Discuss the changes proposed by the newly introduced bill and highlight why diluting the provisions would not be a good idea.

Bring the other side of the debate with respect to official secrets act etc

Conclusion – Give a balanced view which brings out that strengthening the whistleblower protection mechanism will go a long way in ensuring that the integrity of the fourth pillar of democracy is protected, cherished and upheld.

Background,-

- While the Whistle Blowers Protection Act 2014 (WBP Act), passed to protect the whistle-blowers, has not yet been notified, an amendment Bill has been introduced.
- As far as India is concerned, whether it is the public or corporate private sector, it is whistle-blowers and RTI activists who have contributed the most to exposing large-scale corruption. Lack of strong protection mechanisms and a loophole-free law to protect whistle-blowers harms all citizens, the economy and the environment.

Whistleblower protection Bill:-

- The Proposed amendment removes the immunity given to WB from being prosecuted under the Official Secrets Act, 1923.
- It prohibits any disclosure that might affect the sovereignty, integrity, security or economic interest of the country.
- No action will be taken on the disclosure if the identity of WB is not disclosed or if it's incorrect or wrong. Even though the WBP Act applies only to disclosure made to the competent authority.
- Puts bars on disclosure of some information, which can only be disclosed if it is obtained under the RTI Act.

Why India needs a strong whistleblower protection mechanism:-

- **A strong whistle-blower protection law in India would expose financial corruption in a way that reinforces ethical business practices.**
 - **Whistle-blower protection laws incentivise integrity to help detect and deter unethical business practices and fraud.** This type of law has been very successful elsewhere.



- **These laws place pressure on companies that are engaged in unethical practices to respect the law, commit to compliance, and not retaliate against whistle-blowers.** After all, it is better to prevent violations than to penalise after the act.
- The case against Ranbaxy marked the triumph of Dinesh Thakur, who tapped into United States' whistle-blower protection **laws that incentivise and protect people who expose unethical business practices.**
 - **The False Claims Act, a federal law in the US, provides private individuals protection and incentives to expose fraud. The law has helped the US recoup billions of dollars lost to fraud and corruption while protecting the identity of the whistleblower.** India can take inspiration from this.
- There is no dearth of examples found in India of whistle-blowers being brutally attacked or even murdered for blowing the lid of huge corruption cases.
 - The murder of several whistle-blowers in recent years makes it necessary to protect the whistleblowers In 2003, Satyendra Dubey was killed for exposing financial irregularities in the Golden Quadrilateral highway construction project in Bihar.
- The government should welcome whistleblowers, be their advocate, and use their unique status as insiders to guarantee the integrity of social programmes.
- **Strong whistleblower act compliments RTI:-**
 - The RTI law has empowered the common man to have access to information from public authorities which only government officials were earlier privy to **making every citizen a potential whistle-blower.**
 - It helps in better governance with better transparency and accountability .
 - Both the acts when complemented bring the irregularities in the government system to the public domain.
- While in the international context, on numerous occasions in the past year, the journalists, with the help of sources, **have not only questioned the authorities on fraud and illegal activities, but also have been instrumental in exposing corruption, leading to many head of countries stepping down .**
- In the 2017 Corruption Perceptions Index, India ranked 81st most corrupt country of the 180 countries surveyed. **Therefore, combating corruption and, at the same time, protecting the sources who disclose such acts of corruption should be a priority in India.**
- At present, **India has no law to regulate or protect the anonymity of any person who divulges top secret information to the journalists.**
- **Laws are deficient:-**
 - While the Information Technology Act of 2000 does lay down that the central government may prescribe the mode or methods for encryption for the secure use of electronic medium (Section 84A), it has failed to prescribe any.
 - Also, the Draft Personal Data Protection Data Bill, 2018, may be step towards compliance with the EU General Data Protection Regulation (GDPR), but it is completely deficient in providing specific provisions for protection of anonymity of sources or the information that may be given by users to the journalists.
- Scams like Coalgate, 2G, Vyapam shows lack of transparency and accountability in government functioning.
- **Issues with the bill:-**
 - Above proposed amendments of the bill are criticised for limiting the protection provided to the whistleblowers and has increased threat to their life.

Suggestions :-

- **International instances:-**
 - In Sweden, for example, a source who divulges information to a journalist on condition of anonymity is protected under the Constitution, and to breach this confidentiality agreement is a criminal offence, punishable up to a term of one year or fine.
- **Technological issues need to be resolved:-**
 - India fares even worse when it comes to protection of the information which may be communicated by the whistle-blowers through different means of technology.
 - The lack of protection provided to the confidential sources is further accentuated by the lack of encryption laws in India.

Q) The RBI, the RBI board and the government must understand the limits to which they can push each other. Discuss. (250 words)

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



Why this question

The interrelationship between RBI, RBI board and government and the limits and scope of their power had been under scrutiny in recent days. This is a general trend being seen all over the world. The regulations government this and how to reconcile the scope of power of each needs to be understood.

Key demand of the question

The question expects us to discuss the relationship between the RBI and the government and between the RBI management and its board. Thereafter we need to discuss the issues and analyze their ramifications.

Directive word

Discuss –

Structure of the answer

Introduction – *Explain the recent turn of events relating to RBI and government which has brought this issue in focus.*

Body

Discuss about section 7 of RBI Act – This section gives the government the right to issue directions to the RBI in public interest. Highlight how this section governs the relationship between RBI and government from a historical, economic and political perspective

Explain about the recent change in the monetary policy framework setting up the Monetary Policy Committee and giving it full freedom to determine the policy rate is a giant step forward in terms of giving the RBI autonomy.

Discuss about the relationship between the RBI management headed by the Governor and the board. Explain why the debate arose because of the contentious issues between the government and the RBI being referred to the board. The question that has been raised is whether the board as it is constituted today can discuss such issues and compel the Governor to act according to the majority view.

Conclusion – *Give your view on the interrelationship between the three and discuss way forward.*

Background:-

- Recently simmering differences between the Reserve Bank of India (RBI) and the Central government **over issues of public sector bank regulation, resolution of distressed assets and the central bank's reserves, independent payments bank regulator, easing credit to small firms** have raised questions about the independence of RBI and its relationship with government and RBI board.

How were the limits pushed in the past:-

- **Section 7 of the RBI Act sets out the relationship between the government and the RBI.**
 - **The Central Government may from time to time give such directions to the Bank** as it may, after consultation with the Governor of the Bank, consider necessary **in the public interest.**
 - Subject to any such directions, the general superintendence and direction of the affairs and business of the Bank shall be **entrusted to a Central Board of Directors** which may exercise all powers and do all acts and things which may be exercised or done by the Bank
 - Save as otherwise provided in regulations made by the Central Board, the Governor and in his absence the Deputy Governor nominated by him in this behalf, shall also have powers of general superintendence and direction of the affairs and the business of the Bank, and may exercise all powers and do all acts and things which may be exercised or done by the Bank.
- Clearly, the section empowers the government to issue directions in public interest to the central bank, which otherwise does not take orders from the government.
- This section gives the government the right to issue directions to the RBI in public interest. Monetary policies must necessarily depend upon the larger policies which a government pursues. **It is in the ambit of those larger policies that the Reserve Bank can advise.**
- Similarly the earlier instance of the issue of ad hoc Treasury Bills along with the above act shows the tone of the relationship set between RBI and the government.



- **The recent change in the monetary policy framework setting up the Monetary Policy Committee and giving it full freedom to determine the policy rate is a giant step forward in terms of giving the RBI autonomy.** Literally, the Finance Minister gets to know the decision along with others.

RBI and its board:-

- The second issue is about the relationship between the RBI management headed by the Governor and the board. The debate arose because of the contentious issues between the government and the RBI being referred to the board.
- The question that has been raised is whether the board as it is constituted today can discuss such issues and compel the Governor to act according to the majority view.
- In order to understand the relationship between the government and board there is a need to look at Clause 2 of Section 7 :-
 - The affairs and business of the Bank shall be entrusted to a Central Board of Directors which may exercise all powers and do all acts and things which may be exercised or done by the Bank.
- However, Clause 3 says
 - The Governor shall also have powers of general superintendence and direction of the affairs and business of the Bank and may exercise all powers and do all acts and things which may be exercised or done by the Bank.
- **The right way of interpretation is that both the board and the Governor have concurrent powers in almost all matters.** The board has members nominated by the Central government from various walks of life including industry leaders. This can result in a conflict of interest because the actions taken by the RBI could directly affect their interest. **Therefore, the tradition that had evolved is that the board has largely functioned as an adviser.**
- However it is **not as if the board has not passed resolutions on matters which are operational and policy oriented.**
 - The change in the Bank rate in the past had the prior approval of the board. But with the Governor's concurrent powers, in the past, on occasions, the Bank rate had been changed without going to the board.
 - The board has the powers to discuss and even pass resolutions, which have been done. But given the nature of the board and the interests of the members, it becomes difficult to let the board to take binding decisions.

Way forward:-

- Section 7 gives powers to the board and it gives powers to the Governor as well. The way the relationship between the board and the Governor has evolved over time in India is a good one. The board by and large has played an advisory role. Based on this background while the Governor can act on his own, **he must listen to what the members feel and the sense of the board must be fully reflected in his actions.** A spirit of accommodation must prevail.
- **International examples:-**
 - There has to be a forum within the democratic structure where the RBI is obligated to explain and defend its position.
 - Different countries have taken different routes and by and large each model is appropriately tuned to their specific contexts.
 - US example is a good model to work upon. Presentation by the chairman of the Federal Reserve to the Congress makes for public exposure and transparency but does not take away the chairman's autonomy.
- **The governor should be responsible and accountable to Parliament and not to a particular government or the ministry of finance, or minister** He can testify to Parliament twice a year. In separate testimony in both houses of Parliament, the lawmakers can ask questions of the RBI Governor and the latter can respond.
- A better way to sort out these differences and to come to a conclusion is to have a larger debate with technical experts weighing in.
- On issues of operational autonomy, the central government needs to lay off its pressure on the RBI.
- On macro issues such as exchange rate management and RBI's dividend policy, written agreements that clearly demarcate roles and responsibilities can be thrashed out.
- The Monetary Policy Framework Agreement and the FRBM Act are good illustrations of how a mutually agreed rule-based framework can broker peace between the central bank and the executive arm of government.
- If the issues are not resolved, the tussle will undermine investor confidence and strengthens fears about institutional erosion when India is already experiencing economic turmoil



Topic –India and its neighborhood- relations.

Q) Peace remains elusive but India's engagement demonstrates commitment to the idea of a stable, independent and peaceful Afghanistan. Comment. (250 words)

[The hindu](#)

[Wikipedia](#)

Directive word

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

Key demand of the question.

The question wants us to express our knowledge and understanding of the situation in Afghanistan at present and demonstrate that peace still remains elusive in Afghanistan. It also wants us to bring out India's role in Afghanistan and its pursuit for peace and development in the region.

Structure of the answer

Introduction – write a few lines about the India's engagement with the multiple processes underway on Afghan reconciliation. E.g In a reconciliation process between the Taliban and the Afghan authorities, India was present at the meeting, making it the first time that all stakeholders were present in the same room.

BODY

Discuss as to why peace remains elusive in Afghanistan. E.g The Afghan government controls barely half the country, with one-sixth under Taliban control and the rest contested. Most significant is the ongoing depletion in the Afghan security forces because of casualties, desertions and a growing reluctance to join; The Afghan war has already become the longest war in US history. With the passage of time, the conflict has not only become more intense – it has also become more complicated; The major challenge is the cooperation of regional players. Peace in Afghanistan and the wider region can only be achieved through a multilateral mechanism involving the US as well as major regional players, including Pakistan, Russia, Iran, China, India and Saudi Arabia. But in the end, it will be the dialogue among Afghans themselves which will determine the political future of their war-torn Afghanistan etc.

Discuss India's role in Afghanistan e.g India was the only South Asian country to recognize the Soviet-backed Democratic Republic of Afghanistan in the 1980s, its relations were diminished during the 1990s Afghan civil war and the Taliban government. India aided the overthrow of the Taliban and became the largest regional provider of humanitarian and reconstruction aid to Afghanistan; India is the biggest regional donor to Afghanistan and fifth largest donor globally with over \$3 billion in assistance. India has built over 200 public and private schools, sponsors scholarships and hosts Afghan students; Build Afghan Parliament building; Salma dam etc

Conclusion – Based on your discussion form a fair and a balanced conclusion on the given *ISSUE*.

Background :-

- Afghanistan and India share cultural and historical ties. Indo- Afghanistan ties were strengthened by Strategic Partnership Agreement signed between the two countries in 2011.
- Recently Russia hosted a regional conference on Afghanistan to nudge the reconciliation process between the Taliban and the Afghan authorities. Representatives from Afghanistan, China, Pakistan, Iran, Kyrgyzstan, Tajikistan, Uzbekistan, Kazakhstan, Turkmenistan, the U.S. and India were also present at the meeting, **making it the first time that all stakeholders were present in the same room.**

Why peace is elusive in Afghanistan:-

- **Continuous attacks :-**
 - Recently there has been a spike in violence, with the Taliban carrying out a set of coordinated assaults around Afghanistan, rejecting an offer of a three-month ceasefire by President of Afghanistan and laying siege to Ghazni city.
 - The violence this year has also put 2018 on course to be the deadliest year for Afghan civilians, with an average of nine people killed every day, according to UN data.



- **Pakistan factor :-**
 - The major challenge is the cooperation of regional players. Peace in Afghanistan and the wider region can only be achieved through a multilateral mechanism involving the US as well as major regional players, including Pakistan, Russia, Iran, China, India and Saudi Arabia.
 - Despite six months of concerted American punitive actions on Islamabad, the Pakistan establishment is not shutting down support for Taliban fighters.
- **US role:-**
 - The Afghan war has already become the longest war in US history. With the passage of time, the conflict has not only become more intense – it has also become more complicated
 - Situation puts serious doubt on any U.S. plans to draw down troops as US may have envisaged.
 - S. President's recent South Asia policy aimed at breaking the military stalemate by expanding the U.S. and NATO presence, putting Pakistan on notice and strengthening Afghan capabilities has clearly failed.
- **Iran factor :-**
 - US administration's collision course with Iran is another hurdle to realising its South Asia policy. Iran is a neighbour to both Afghanistan and Pakistan, and any action against Tehran will have consequences on the region.
 - US is also against Iran which is important to give access to the sea to landlocked Afghanistan through Chabahar port- which is in India's interests etc.
- **Islamic state:-**
 - After losing occupied territories in and around Mosul, IS is now slowly enlarging its presence in neighbouring countries, particularly Afghanistan. It is now targeting mainly the Shias and the Hazara minority, joining forces with the Taliban thereby changing the dynamics of the war in Afghanistan.
- **Russia:-**
 - Russia proposed an international conference on Afghanistan with the participation of all neighbours of Afghanistan including Iran, Pakistan, and India, but the US did not attend citing possible growing Russian military association with the Taliban.
- **Control of Afghan government:-**
 - The Afghan government controls barely half the country, with one-sixth under Taliban control and the rest contested.
 - Most significant is the ongoing depletion in the Afghan security forces because of casualties, desertions and a growing reluctance to join
 - Afghanistan launched the Kabul Process for Peace and Security Cooperation and also made an unconditional dialogue offer to the Taliban. The Taliban rejected his overture, declaring that they were ready to engage in direct talks only with the Americans.

India's commitment towards peaceful Afghanistan :-

- India's development assistance has been the source of its considerable influence and goodwill among Afghan citizens.
- Major projects, such as the Salma Dam and Parliament building in Kabul, that began in 2008-09, have now been completed.
- Current crop of Small Development Projects launched in 2016, encompassing drinking water plans for several cities including Kabul, supply of buses, construction of low-cost housing, and assistance in health and education are important.
- India inaugurated dam in Herat, which will boost the agricultural and industrial sectors of Herat. India has made long term commitment to Afghanistan's security and development.
- **New Afghanistan Policy of USA** supports India's greater role in Afghanistan. Apart from that the policy also emphasized that Pakistan should end its support to terror groups who are involved in destabilization of Afghanistan.
- **Last year India and Afghanistan agreed to initiate an ambitious and forward-looking 'New Development Partnership'**, according to which India agreed to take up 116 high-impact community development projects to be implemented in 31 provinces of Afghanistan, including in the fields of education, health, agriculture, irrigation, drinking water, renewable energy, flood control, micro-hydropower, sports infrastructure and administrative infrastructure.
- **The new projects are:**
 - Shahtoot dam and drinking water project for Kabul that would also facilitate irrigation.
 - Low cost housing for returning Afghan refugees in Nangarhar province to promote resettlement.



- Road connectivity to Band-e-Amir in Bamyan province that would promote tourism to the national park and economic development.
- Besides these government-funded projects, Aptech, a private firm, is providing IT training for Afghan youth in the country.
- India has been giving a lot of non-lethal military assistance. In 2016 four MI 25 attack helicopters were given to Afghanistan.
- India is the biggest regional donor to Afghanistan and fifth largest donor globally with over \$3 billion in assistance.
- India has built over 200 public and private schools, sponsors scholarships and hosts Afghan students.
- India has shied away from involving itself in full scale war for the following reasons:
 - Any deeper security co-operation with Afghanistan would have negative impact on Pakistan-India ties.
 - India does not share border with Afghanistan. It poses limitation to physical access to Afghanistan.
 - In past years USA was reluctant to involve India into the war to avoid grating Pakistan's political sensitivities. Though it did try to promote regional economic cooperation between Delhi, Islamabad and Kabul
- **India does not want to strengthen security cooperation with Afghanistan as that may antagonize Pakistan.**

What should India do:-

- India must focus on assisting Afghanistan in every manner possible to ensure that the country's elections are as peaceful and participative as possible.
- On the military front as well, India must move quickly to provide helicopters as well as engineering/tech support for Afghan hardware.
- Indian government must realise that its consistent undermining of the South Asian Association for Regional Cooperation (SAARC) because of problems with Pakistan is also weakening Afghanistan's engagement with the subcontinent, which India had worked hard to foster
- For regional security there must be closer involvement of regional powers in international efforts to ensure non-interference and a stable Afghanistan; this also requires involvement of the Central Asian Republics, which border Afghanistan. It is important for India to coordinate its efforts with those of Russia and Iran to ensure success.

Q) While INS Arihant makes India's nuclear deterrence more robust, it also changes deterrence stability in the southern Asian region. Analyze. (250 words)

The hindu

Why this question

India recently launched its first nuclear powered submarine, INS Arihant. In this context it is important to analyze the enlarged defence powers gained by deploying INS Arihant and also bring out how the induction changes the stability in the southern Asian region.

Directive word

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

Key demand of the question.

The question wants us to bring out the benefits of deploying INS Arihant and any defence lags still left. It also wants us to discuss how the induction of the INS Arihant would alter the security scenario in the south Asian region.

Structure of the answer

Introduction– *write a few lines about the recent induction of India's first nuclear Submarine. E.g INS Arihant, India's first nuclear ballistic missile submarine that completed its sea patrol earlier this month, will contribute significantly to making India's deterrence capability more robust.*

Body-

Discuss how and to what extent INS Arihant will strengthen India's defence capabilities. E.g Submarine-based nuclear capability is the most survivable leg of a nuclear triad, and its benefit must be seen especially in the light of the growing naval capabilities of India's potential adversaries; However its range of 750 km is insufficient to reach key targets in, say, China or Pakistan unless it gets close to their waters, which would then make the Indian SSBN a target; Maintaining a huge



nuclear force and its ancillary systems, in particular the naval leg, would eventually prove to be extremely expensive. One way to address the costs would be to reduce the reliance on the air and land legs of the nuclear triad etc.

Discuss how it will affect the power dynamics and future clash of interests in the south Asian region. E.g it is bound to make the maritime competition in the Indian Ocean region sharper; Pakistan's reaction to India's response to China would be to speed up its submarine-building spree, with assistance from Beijing. Add to this mix China's mega infrastructure project, the Belt and Road Initiative, with its ambitious maritime objectives; and the revival of the Quadrilateral Security Dialogue, or Quad, with India, U.S., Japan, and Australia; This sharpening of the maritime competition further engenders several regional 'security dilemmas' wherein what a state does to secure itself could end up making it more insecure etc

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

Background:-

- India's first indigenously designed and built nuclear-powered submarine, the INS Arihant, which is equipped with nuclear-tipped ballistic missiles had just completed a nearly month-long nuclear deterrence patrol. This is a landmark development to India.
- India's nuclear deterrence 20 years after the country went nuclear is now secure as it rests on a triad of land, air and undersea vectors.

How INS Arihant makes India's nuclear deterrence more robust :-

- Submarine-based nuclear capability is the most survivable leg of a nuclear triad, and its benefit must be seen especially in the light of the growing naval capabilities of India's potential adversaries.
- **Difficult to detect:-**
 - It provides the ultimate credibility to nuclear deterrence as both land and air-launched nuclear weapons are much more susceptible to destruction than those launched from undersea platforms which are difficult to detect.
- It sends out an unambiguous message to those inimically disposed towards India that they cannot trifle with it and efforts at nuclear blackmail will not work.
- The nuclear deterrence patrol signifies India having come off age as a mature nuclear-armed state.
 - **The Arihant's successful nuclear deterrence patrol signifies India's attainment of complete mastery over all the highly complex systems and procedures entailed in operating the sea leg of the triad.** These are much more intricate and exacting than those for land and air vectors. Unlike the latter, they entail not only nuclear-propelled platforms but also ab initio custody of fully mated nuclear weapons.
- The Arihant is believed to be the first in a series of six submarines. These will form the core of India's sea-based nuclear deterrent and constitute a potent and formidable weapons system which will ensure national security. **With the serial production of Arihant-type submarines, there will be an even higher element of indigenisation.**
- With the Arihant's nuclear deterrence patrol, India has added immeasurably to the credibility of its nuclear deterrence. **This will obviously add to national security and will be a factor for peace.**
- Analysts said the 6,000-tonne vessel with a range of about 750km sends a powerful signal to Pakistan and China that India's underwater nuclear deterrence is credible potent and functional.
- **Arihant propels India into a club so far dominated by the US, France, Britain, China and Russia,** demonstrating India's technological capability to design, build and operate nuclear-powered ballistic missile submarines or SSBNs.
- It helps India in gaining respect from South Asian countries and beyond where Chinese economic might is impediment to India's influence. India is the only country having a sea-based nuclear deterrent, which is not a Permanent Member of the UN Security Council.

How INS Arihant changes deterrence stability in the Southern Asian region :-

- **There is no clarity on whether the first deterrence patrol of INS Arihant had nuclear-tipped missiles on board.**
 - Without nuclear-tipped ballistic missiles on board an SSBN (ship submersible ballistic nuclear) such as INS Arihant, it might not be any more useful than an ordinary nuclear-powered attack submarine (SSN).
- **Even if INS Arihant had nuclear-tipped ballistic missiles on board, it is not clear what ranges they would cover.**
 - Reports suggest that it had the 750 km range K-15 missiles on board, which is insufficient to reach China or Pakistan unless it gets close to their waters, which would then make the Indian SSBN a target.



- While the K-4 missile currently under development would give the country's sea deterrent the necessary range vis-à-vis its adversaries, INS Arihant **would not be able to carry them on board**. The Navy would require bigger SSBNs (S-4 and S-5) to carry the K-4 ballistic missiles.
- **Huge costs:-**
 - Maintaining a huge nuclear force and its ancillary systems, in particular the naval leg, would eventually prove to be extremely expensive.
- **Naval leg of the nuclear triad also poses significant command and control challenges:-**
 - Communicating with SSBNs without being intercepted by the adversaries tracking systems while the submarines navigate deep and far-flung waters is among the most difficult challenges in maintaining an SSBN fleet.
- **Impact on strategic and regional stability**
- **It is bound to make the maritime competition in the Indian Ocean region sharper.**
- Pakistan's reaction to India would be to speed up its submarine-building spree, with assistance from Beijing.
- This sharpening of the maritime competition further **engenders several regional 'security dilemmas'** wherein what a state does to secure itself could end up making it more insecure.
- **The absence of nuclear confidence-building measures (CBMs) among the three key players in the region would further complicate the relations**
 - While India and Pakistan have only rudimentary nuclear CBMs between them, India and China have none at all.
 - In the maritime sphere, neither pairs have any CBMs.
 - In case of a bilateral naval standoff, the absence of dedicated conventional or nuclear platforms could potentially lead to misunderstandings and accidents.
- **India is located in a very challenging weapons of mass destruction (WMD) region**, and the fact that both its nuclear capable neighbours (China and Pakistan) are in a deep and covert WMD cooperation framework compounds the challenge for India. Also the Pakistan has also used its nuclear capability to shield its terrorism investment and the strategic picture becomes even more muddy.

Way forward:-

- One way to address the costs would be **to reduce the reliance on the air and land legs of the nuclear triad**.
- Given that India does not have 'first strike' or 'launch on warning' policies, it **can adopt a relatively relaxed nuclear readiness posture**.
- India could, in the long run, **invest in a survivable fleet of nuclear submarines armed with nuclear-tipped missiles of various ranges**, and decide to reduce its investment in the land and air legs of its nuclear deterrent, thereby reducing costs.
- It is important for India and Pakistan and also India and China to have an **'incidents at sea' agreement like the one between the U.S. and USSR in 1972**, so as to avoid incidents at sea and avoid their escalation if they took place.

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

Q) Existing nuclear arms control agreements need to be brought in line with today's political realities. Comment in the context of the recent withdrawal of US from INF treaty. (250 words)

The hindu

Directive word

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

Key demand of the question.

The question wants us to dig deep into the recent US withdrawal from INF agreement and express our opinion as to why existing nuclear arms control agreements need to be brought in line with today's political realities. However, we can also form an opinion against the statement. But our opinion has to be based on substantial and valid facts/ arguments.



Structure of the answer

Introduction– write a few introductory lines about the INF agreement (signed in 1987, Under the INF Treaty, the U.S. and the U.S.S.R. agreed to eliminate within three years all ground-launched-missiles of 500-5,500 km range and not to develop, produce or deploy these in future) and recent withdrawal of US from INF agreement.

Body-

Discuss why the withdrawal of US from INF does not have much significance today. E.g The U.S.'s 2018 Nuclear Posture Review (NPR) reflects a harsher assessment of the security environment faced by the U.S. and envisages a more expansive role for nuclear weapons than in the past. Russia is blamed for seeking the break-up of NATO and a re-ordering of 'European and Middle East security and economic structures in its favour'. China is identified for the first time as a strategic competitor seeking regional hegemony in the Indo-Pacific region in the near-term and 'displacement of the U.S. to achieve global pre-eminence in the future'; Even more worrisome are developments that blur the line between nuclear and conventional weapons. In order to lessen its dependence on nuclear weapons, the U.S. developed layered missile defences and conventional Prompt Global Strike (PGS) capabilities that use conventional payloads against strategic targets. Other countries have responded with hypersonics and a shift to lower yield tactical warheads. With growing dependence on space-based and cyber systems, such asymmetric approaches only increase the risks of accidental and inadvertent nuclear escalation; The key difference with today's return of major power rivalry is that it is no longer a bipolar world, and nuclear arms control is no longer governed by a single binary equation. There are multiple nuclear equations — U.S.-Russia, U.S.-China, U.S.-North Korea, India-Pakistan, India-China, but none is standalone. Therefore, neither nuclear stability nor strategic stability in today's world can be ensured by the U.S. and Russia alone and this requires us to think afresh etc.

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

Background :-

- Recently US president declared that the U.S. is quitting the Intermediate-Range Nuclear Forces (INF) Treaty, a bilateral agreement with Russia signed in 1987.

INF treaty :-

- Under the INF Treaty, the U.S. and the U.S.S.R. agreed to eliminate within three years all ground-launched-missiles of 500-5,500 km range and not to develop, produce or deploy these in future.
- The U.S. destroyed 846 Pershing IIs and Ground Launched Cruise Missiles (GLCMs) and the U.S.S.R., 1,846 missiles (SS-4s, SS-5s and SS-20s), along with its support facilities.

The treaty was very significant because:-

- The treaty played a major role in enabling and locking in the diminution of tensions that ended the Cold War.
- In particular, it eliminated all of the Soviet Union's SS-20 intermediate-range missiles, which posed a particularly pressing threat to NATO's defenses in the 1970s and 1980s.
- Leaving the INF treaty is tantamount to tearing down the late-Cold War arms-control architecture, thus bringing the world to the nuclear brink.
- Having the treaty in place reduces tensions between the US and Moscow according to experts mostly because both countries destroyed about 2,600 ground-based cruise missiles in total along with their corresponding launchers as a result of the treaty. That was particularly important for Washington's allies in Europe, who were directly threatened by Russia's stockpile.**

However withdrawal is apt related to political realities at present :-

- Cold war times:-**
 - INF Treaty reflected the political reality of the Cold War of a bi-polar world with two nuclear superpowers no longer consistent with today's multi-polar nuclear world.
 - Since 2008, the U.S. has voiced suspicions that with the Novator 9M729 missile tests, Russia was in breach .in 2014, U.S. formally accused Russia of violating the INF Treaty.
- Multipolar world:-**
 - Key difference with today's return of major power rivalry is that it is no longer a bi-polar world, and nuclear arms control is no longer governed by a single binary equation.
 - There are multiple nuclear equations like U.S.-Russia, U.S.-China, U.S.-North Korea, India-Pakistan, India-China, but none is standalone.



- Therefore, neither nuclear stability nor strategic stability in today's world can be ensured by the U.S. and Russia alone
- **China:-**
 - China is identified for the first time as a strategic competitor seeking regional hegemony in the Indo-Pacific region in the near-term and displacement of the U.S. to achieve global pre-eminence in the future.
 - The United States no longer benefits from a ban on ground-based intermediate-range systems because of China.
 - China, which is not bound by the INF Treaty, has been rapidly expanding its intermediate-range rocket forces. It has recently begun deployment of the DF-26 ballistic missile.
- **Non proliferation treaty:-**
 - India, Israel, Pakistan, North Korea are out of the ambit of the non-proliferation treaty (NPT) which has not succeeded in nuclear disarmament.

Q) In the current volatile global geostrategic framework, India and Japan seem to find a unique congruence of views. Examine. (250 words)

[Financial express](#)

Why this question

The recent visit of the PM to Japan led to signing of several agreements and reaffirmation of India Japan friendship. In context of their bilateral relationship, India and Japan are often called as natural partners. The article explains the complementarities in the relationship and discusses why the two countries are natural partners.

Key demand of the question

The question expects us to bring out the content of the outcome of Modi's visit to Japan. Thereafter, we need to show how the outcomes reflect a congruence of views between the two nations, wherein we need to show the complementary nature of the relationship between the two countries. In conclusion, we need to provide 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 – *Talk about the fact that the two countries in several joint statements have called each other natural partners. Explain what natural partners are.*

Body

Discuss the outcomes of the visit such as a 2+2 framework institutionalisation of the relationship.

Discuss the perfect fit that exists between the two countries when it comes to economy, strategy etc. Discuss that there is a congruence of foreign policy objectives between the two nations.

Highlight the potential of the relationship and the pitfalls that the two countries need to be aware of

Conclusion – *Give your view on the progress of relationship and discuss way forward.*

Background :-

- India-Japan relationship is a cornerstone of India's Act East Policy. In the recent India Japan summit both the countries leaders vowed not only to actively cooperate in several infrastructure projects of immense importance for India's growth story, but also to join hands to foster shared interests in the sensitive and strategic domains.

India Japan have congruent views :-

- **Security:-**
 - The two areas of particular interest and importance to Japan are **maritime security and strategic connectivity**, obliging it to raise its Indian Ocean profile, which, in fact, synergises Modi's Act East outreach and Abe's vision of a Free and Open Indo-Pacific.



- Committing to a '2+2' strategic dialogue the Japan Maritime Self-Defense Force and the Indian Navy could enhance their security cooperation, from Yokosuka to Port Blair to Djibouti.
- **The two sides decided to start negotiations on the crucial Acquisition and Cross-Servicing Agreement (ACSA).**
 - This will enhance the strategic depth of bilateral security and defence cooperation.
 - Once concluded, it will give the two defence forces access to each other's military bases for logistical support
- Exercise Malabar – trilateral naval exercise involving the United States, Japan and India.
- Quadrilateral Security Dialogue – an informal strategic dialogue between India, United States, Japan and Australia.
- **Economic:-**
 - They would impart a thrust to the Platform for Japan-India Business Cooperation in Asia-Africa Region for Asia-Africa Growth Corridor, and the India-Japan Act East Forum for the development of India's Northeast.
 - **Conclusion of a bilateral currency swap agreement worth USD 75 billion.**
 - This is expected to help stabilise fluctuations in the value of the rupee vis-a-vis the dollar.
 - Bring down the cost of capital for Indian companies while accessing foreign capital markets
 - As Japan moves increasingly to higher value chain manufacture, India's corporate sector may upgrade its capital stock in Japan, especially in the field of telecommunication, machinery and equipment.
 - The two countries signed a Comprehensive Economic Partnership Agreement (CEPA) in 2011 to facilitate growth in bilateral trade. This was described as the most comprehensive of all such agreements concluded by India.
 - As of October 2016, there were 1,305 Japanese companies registered in India, an increase of 76 companies (6% growth) as compared to 1,229 in October 2015.
 - Japan has ratified the framework agreement for the International Solar Alliance.
 - Japanese ODA supports India's development in sectors such as power, transportation, environmental projects and projects related to basic human needs.
 - \$90 billion has gone into the Delhi-Mumbai Industrial Corridor.
 - Japan is also backing the Mumbai-Ahmedabad High Speed Rail (bullet train) service.
 - **International:-**
 - Two leaders underlined the urgent necessity to reform the WTO for free, fair, and open trade
 - The two countries called for reforms of the United Nations and supported each other's candidature for permanent membership in UNSC.
 - **Medical sector:-**
 - India being the world's second largest market for pharmaceutical products and its per-capita annual spending on medical expenses about \$8,000 offers another area of promise in biotechnology and medical sector.
 - **Research:-**
 - Indians are also employed in basic research in some of the high-tech companies and government research institutes.
 - **Manpower:-**
 - From the Indian perspective, Japan offers opportunities for absorption of technical and skilled manpower. Some four score Indian IT companies already have a presence in Japan.
 - **New areas of engagement:-**
 - A 'Cool EMS Service' was started, under which Japanese food items are transported in cool boxes from Japan to India through postal channels. Both sides are striving to push a digital partnership.
 - Areas of potential collaboration include AI, IoT, and big data.

Some issues still remain in the relationship:-

- Trade engagements have been below potential.
- On the list of countries that India exports to, Japan is at 18th position in the list of top 25 countries.
- On the list of countries importing into India, Japan ranks 12th.
- India's exports to Japan in FY18 were lower than in FY15 in value terms.
- India struggling to penetrate the Japanese market as a result of language barriers, high quality and service standards.
- Negotiations to purchase amphibious US-2 planes have dragged on for years.



Way Forward:

- Another **new area** where India is likely to make a pitch is for **greater synergy or integration** between the **Ayushman Bharat project** and the Japanese programme called **Asia Health and Wellbeing Initiative**, including how to leverage Japan's strengths in areas such as medical equipment and hospitals.
- To do business with Japan in the coming decades, the importance of its social and cultural evolution cannot be overstated. **India would need to make an effort to understand and comprehend Japanese psyche, their traits and sensitivities, their penchant for details, and their obsession with quality, punctuality and discipline**
- The two leaders shared their view that in order to **achieve shared vision**, India and Japan must endeavour to **work together for a rules-based and inclusive world order** that fosters trust and confidence by **enhancing communication and connectivity** to ensure rule of law, unimpeded trade and flow of people, **technology and ideas for shared prosperity**.
- The **two countries have far more to do by way of a liberal exchange of their people through tourism**, cultural festivals, scholarships, student exchange schemes, language courses, and deeper interaction between entrepreneurs and intellectuals.
- India must leverage Japan's strengths in areas such as medical equipment and hospitals.
- India and Japan must endeavour to work together for a rules-based and inclusive world order.
- Enhancing communication and connectivity for unimpeded trade and flow of people, technology and ideas for shared prosperity.

Q) Examine the significance of ASEAN for India's economic, geo-strategic and security imperatives ? (250 words)

Reference

Why this question

Prime Minister Narendra Modi is in Singapore this week to attend the East Asia Summit, ASEAN-India informal meet and the Regional Comprehensive Economic Partnership (RCEP) Summit. In the backdrop of this visit, Asean would come in news again and its significance for India. Hence this question.

Key demand of the question

The question is quite straightforward in its demand and expects us to bring out the economic, geo-strategic and security significance of Asean for India.

Directive word

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

Structure of the answer

Introduction – Explain about Asean and about the recent meet which is why the topic is in news.

Body

Explain the economic significance of Asean for India – India is part of Asean led RCEP, high quantum of two way trade etc

Explain the geostrategic significance – curb Chinese presence in Indo Pacific, regional connectivity projects such as kaladan multimodal highway etc

Explain the security imperative such as curbing terror financing, cybersecurity, joint military exercises etc

Conclusion – Give your view on India's relationship with Asean and discuss way forward.

Background :-

- The Association of Southeast Asian Nations (ASEAN) is among the world's largest regional intergovernmental organisations. India's relationship with ASEAN is a key pillar of its foreign policy.
- India has repeatedly underscored the centrality of the ASEAN in its Indo-Pacific vision. Recently Indian Prime Minister attended the 16th ASEAN-India Summit and 13th East Asia Summit (EAS) at Singapore.

**Significance of ASEAN :-**

- **Geostrategic:-**
 - **Integrating the region:-**
 - Since ASEAN inception, the countries in the region have become more integrated through enhanced intraregional trade and connectivity.
 - ASEAN is seen as the most successful regional organisation next only to the EU
 - **Issues dealt:-**
 - In its first two decades, **ASEAN focussed on a limited range of issues, but over time its mandate expanded and now includes climate change, disaster management, counterterrorism, drugs and human trafficking.**
 - **Maritime issues:-**
 - In the last decade, India has been able to make small but valuable contributions to the bilateral maritime engagement with individual ASEAN nations. **These range from providing training to pooling resources, to dealing with lower order security challenges such as piracy, gun-running and criminality at sea.**
 - **Naval exercises:-**
 - Bilateral naval and coast guard patrols and exercises are progressing and the India-ASEAN maritime comfort level is becoming more robust as evidenced during the Delhi Dialogue deliberations.
 - **ADMM+:-**
 - It has conducted a total of 12 exercises in the seven designated areas of cooperation: counterterrorism, cyber security, humanitarian assistance and disaster relief, humanitarian mine action, maritime security, military medicine, and peacekeeping.
 - ADMM+ countries could consider leveraging their mutual goodwill to conduct joint maritime naval exercises in the South China Sea. ADMM+ still has the potential to stand out from the disappointments of past ASEAN initiatives and contribute substantively to regional defence.
 - **Partnership with ASEAN nations might help India counter the growing presence of Beijing.**
 - **Blue economy:-**
 - It is an important aspect, INDIA-ASEAN maritime relations would help India to combat ecological maritime degradation by curbing plastic pollution, illegal and unregulated fishing and illicit trafficking of marine animals.
 - **Economic:-**
 - Trade in ASEAN has grown rapidly and it has focussed on promoting rapid economic growth and modernisation. For the first time, bilateral trade between ASEAN and India has crossed US\$ 80 billion mark.
 - Connecting India's North-eastern states with ASEAN.
 - India is part of ASEAN led RCEP which aims to create the world's largest free trade area with more than a third of the global GDP and commerce.
 - The India-ASEAN Free Trade pact in services and investments, which was concluded in 2014 and came into effect a year later, has the potential to reduce India's trade deficit with the region as also impart a strong impulse to bilateral exchanges.
 - **Connectivity projects:-**
 - **Connectivity projects, viz., the Trilateral Highway between north-east India and Myanmar and onwards to Thailand (and Laos and Vietnam) as well as the Kaladan multi-modal transit and transport project,** have been under implementation for several years.
 - **Rih Tedim Project in Myanmar** was in progress to enhance connectivity between India and ASEAN nations via the North East. The Rih-Tedim Road project will provide all weather connectivity between eastern Mizoram and western Myanmar,
 - Process for Kalewa-Yargi road has also been speeded up.
 - **Security:-**
 - India and several other countries have supported **freedom of navigation, ensuring maritime security, expeditious resolution of disputes according to provisions of international law**, viz., the UN Convention on the Law of the Seas 1982, developing a Code of Conduct, and settlement of disputes through dialogue and peaceful means.



- **China's increasing intemperance and intractability over the last many years** has added to the anxieties and concerns of countries in South East Asia and beyond. They want India to play a more active countervailing role in the region.
- **Stronger relations between India and Myanmar have also helped to quell insurgency and extremism in the north-eastern states of India.** Peace, stability and security of north-east India will be further preserved and promoted with more robust ties and understanding with Myanmar
- **Cooperation to curb terrorism especially in the face of the rising influence of the Islamic State has assumed priority. Defence partnerships with several ASEAN states are advancing rapidly.**
- **India and ASEAN are natural partners in their desire to create a free, open and inclusive regional architecture.** They are active participants in the East Asia Summit (EAS), ASEAN Regional Forum (ARF), ASEAN Defence Ministers Meeting Plus (ADMM-Plus), and the Expanded ASEAN Maritime Forum (EAMF).
- Both want freedom of navigation, and are fighting piracy
- ASEAN occupies a central place in the security architecture of the Indo-Pacific region
- India and ASEAN can collaborate to combat terror financing, cyber security threats, tax evasions and many more.
- India needs ASEAN support in achieving a rules-based regional security architecture.

Challenges:-

- **Chinese role:-**
 - **Rise of China and its assertiveness in the South China Sea (SCS) has led to considerable unease in the entire region** and the rejection of the international tribunal award in relation to artificial installations has caused uneasiness in ASEAN nations.
 - The growing footprint in the Indian Ocean now extends from certain Indian Ocean islands to Djibouti in the Horn of Africa.
 - **China is a major trading partner for ASEAN** (over US \$500 billion in 2017) and many ASEAN nations obtain substantive military inventory items from Beijing. Thus it is a complex and contradictory relationship that ASEAN has with China.
- **Delay of projects:-**
 - India's navy is still having limited reach and the speed of project implementation is slow.
- **Geostrategic Concerns:-**
 - Issues related to increasing the maritime and air connectivity between ASEAN and India and transforming the corridors of connectivity into economic corridors are under discussion.
- **Economic Concerns:-**
 - India's difficulties with the 16-nation Regional Comprehensive Economic Partnership (RCEP) :-
 - India is holding out over concerns of unfettered access to Chinese goods, and the lack of access for Indian services
 - India's economic focus too is not in tune with other regional powers which view ASEAN as an important market for exports and investments. **India's export sector remains weak and the government's focus has shifted to boosting manufacturing domestically.**
- **Other Concerns:**
 - India's expectations regarding a more robust support for its regional outreach too have not been met.
 - India's capacity to provide development assistance, market access and security guarantees remains limited
 - ASEAN's inclination to harness New Delhi for regional stability remains circumscribed by its sensitivities to other powers.
 - The interests and expectations of the two sides remain far from aligned, preventing them from having candid conversations and realistic assessments.

Way forward:-

- ASEAN could **reiterate India's commitment to a common, rules-based order in the Indo-Pacific region**
- India and ASEAN can evolve a consensual way ahead in the maritime domain where the least politically discordant areas for cooperation can be advanced, thereby punctuating the Indo-Pacific in a manner that prioritises the collective 'good order at sea' over the individual interest.
- Full utilisation of the ASEAN-India Free Trade Area and the swift conclusion of a modern, comprehensive and high quality Regional Comprehensive Economic Partnership (RCEP) are the next steps.
- India must speed up work on connectivity projects, such as the India-Myanmar-Thailand trilateral highway, and building new trade and transport linkages with all the ASEAN Nations



- Stronger strategic and security relations with equally strong economic ties will create greater interdependence between India and the ASEAN members
- An alternative, economic corridor based multimodal connectivity such as Mekong-India Economic Corridor may be promoted, which will connect Indian coast with unexplored Southeast Asian coast and beyond.

Q) Indian policymakers need to be mindful of domestic industry's concerns and not get into a raw deal with respect to the RCEP. Critically analyze. (250 words)

[Financial express](#)

Why this question

The article discusses the concerns that the domestic industry has with respect to finalization of RCEP negotiations. The article brings out the issues over which consensus is elusive as well as the threat of China in RCEP. RCEP being a very important mega regional trade agreement, is important for mains.

Key demand of the question

The question expects us to first explain in brief about RCEP, the issue that India is facing in finishing negotiations and the concerns of domestic industry of India. We are expected to discuss the pros and cons of the stand India is taking and finally provide a fair and balanced view on India's stand along with way forward.

Directive word

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

Structure of the answer

Introduction – Explain what RCEP is and the current status of the agreement.

Body

Explain India's stand at a macro and micro level in RCEP negotiations. Discuss the concerns being raised by domestic industry in India. Eg. access to Chinese goods may have impact on the Indian manufacturing sector, There are demands by other RCEP countries for lowering customs duties on a number of products and greater access to the market than India has been willing to provide, developed countries such as Australia and Singapore are unwilling to accommodate India's demands to liberalise their services regime and allow freer mobility of Indian workers.

Discuss the advantages that RCEP deal would offer to India.

Examine what stand should India take which would make sense from IR, social, political perspective.

Conclusion – Give a fair and balanced view to the question asked and discuss the way forward ie what could be an agreeable middle ground.

Background:-

- The RCEP was built upon the existing ASEAN+1 FTAs with the spirit to **strengthen economic linkages** and to **enhance trade and investment** related activities as well as to contribute to minimising development gap among the parties.
- The legally binding RCEP covers a wide range of issues including trade in goods and services, investment, intellectual property rights, competition policy, dispute settlement and economic and technical cooperation

Indian domestic industry might face challenges :-

- **China:-**
 - Greater access to Chinese goods may have impact on the **Indian manufacturing sector**.
 - India has got **massive trade deficit** with China.
 - The bilateral trade deficit has risen exponentially. This surge in Chinese imports from electrical and electronic goods, plastics, chemicals, boilers and mechanical appliances to toys and stationery items has undeniably hurt Indian manufacturing, without helping it move up the technology and productivity ladder.



- There are demands by other RCEP countries for **lowering customs duties** on a number of products and greater access to the market than India has been willing to provide.
- **Trade deficit:-**
 - The RCEP is led by China, with the 10 ASEAN countries, Australia, New Zealand, India, Japan and South Korea as partners. India's trade engagement with these countries has not been favourable, when seen in terms of the trade deficit.
 - Recent NITI Aayog note on Free Trade Agreements and their costs points out that India's trade deficit with the RCEP group (it already has FTAs with the ASEAN, South Korea and Japan) has risen from \$9 billion in 2004-05 to over \$80 billion today.
- **Given the discontent over lack of jobs and agrarian distress**, with the general elections less than a year away, this cannot be an opportune time to throw open sensitive sectors such as dairy products.
- 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.
- **Diary sector:-**
 - On the other hand, New Zealand's export-oriented dairy products will decimate India's growing dairy sector, which is still largely small-scale.
- **Intellectual property:-**
 - **IP chapter in RCEP is at risk of including provisions far stricter than those mandated by the World Trade Organisation (WTO)** and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).
- **E-commerce:-**
 - E-commerce commitments, if any, will allow companies such as Alibaba from China to displace Indian manufacturing especially in the SME segment.
- **Medicine:-**
 - Agreeing to data exclusivity, extending patent terms and unduly strong enforcement measures will weaken the entire generic medicine sector and take away several health safeguards in India's Patent Act, notably section 3(d). This will make medicines inaccessible not only for Indian patients but for those in the entire developing world.
- **Industrial sector :-**
 - If India offers to reduce/eliminate import tariffs on a larger number of industrial products than already committed to Asean, Japan and South Korea, its industrial sector could be under stress.
 - Further, India is being asked to eliminate export restrictions on minerals and raw material by Japan and South Korea; this may **threaten domestic raw material availability for industrialisation and encourage over-mining**
- **Services:-**
 - More developed countries such as Australia and Singapore are unwilling to accommodate India's demands to **liberalise their services regime and allow freer mobility of Indian workers**.
 - Given India's inability to negotiate a good services deal in the past, RCEP negotiations, especially with China, need a second thought.
- **It has the potential to overthrow India's policies of rural development and industrialisation especially 'Make in India'**, and to provide accessible healthcare and medicines to all. It also threatens the policy flexibility and sovereignty to pursue independent economic, social and environmental policies.
- **Other countries have advantage in many sectors:-**
 - Under the ambit of RCEP, countries like China, South Korea and Japan are manufacturing powerhouses, and Australia and New Zealand have strengths in processed foods, wine, and dairy products, while Asean has comparative advantages in plantations, electronics and auto-components.
 - Sectors of India such as plantations, automobiles, textiles, pharmaceuticals, and engineering goods would be impacted negatively
 - India's steel ministry has strongly opposed the inclusion of finished steel products in the proposed regional free-trade agreement, saying it would have an adverse impact on the industry that's recovering from a crisis.
- **Past experiences:-**
 - India already has bilateral FTAs with ASEAN, Korea and Japan and negotiations are underway with Australia and New Zealand.



- Role of regional supply chains bind the other RCEP economies together and India has marginal participation in these chains. These supply chains flourish on the basis of low tariffs and efficient logistics which are not India's strong points.
- **Issue of competitiveness:-**
 - Recent studies have shown that India has treated FTAs mostly to preserve market share rather than as opportunities to expand it
 - The reason why India has not been able to take advantage of these existing FTAs again comes back to this issue.

RCEP holds significant importance for India :-

- **India believes an ambitious services deal** will help it provide job opportunities in RCEP member countries for its millions of skilled professionals at home.
- **RCEP agreement would complement India's existing free trade agreements with the Association of South East Asian Nations** and some of its member countries, as it would deal with Japan and South Korea. It can address challenges emanating from implementation concerns vis-à-vis overlapping agreements, which is creating a "noodle bowl" situation obstructing effective utilization of these FTAs.
- **The RCEP would help India streamline the rules and regulations of doing trade, which will reduce trade costs.**
- It will also help achieve its goal of greater economic integration with countries East and South East of India through better access to a vast regional market ranging from Japan to Australia.
 - **The RCEP can be a stepping stone to India's "Act East Policy."**
- **RCEP will facilitate India's integration into sophisticated "regional production networks" that make Asia the world's factory.** The RCEP is expected to harmonize trade-related rules, investment and competition regimes of India with those of other countries of the group.
- **Through domestic policy reforms on these areas, this harmonization of rules and regulations would help Indian companies plug into regional and global value chains** and would unlock the true potential of the Indian economy.
- **Because the RCEP will contain three of the largest economies in the world- China, India, and Japan hence it is globally important.** The bloc represents 49% of the world's population and accounts for 30% of global GDP. It also accounts for 29% of world trade and 26% of world foreign direct investment (FDI) inflows
- **It will also reduce the overlap among Asian FTAs.**
- Exports will become even less competitive staying out of RCEP since members will enjoy preferential access.
- **India cannot sustain an expanding political and security role in the Indo-Pacific with a shrinking economic role.** RCEP is important as it is excluded from the Asia-Pacific Economic Cooperation (APEC), whose 22 members are actively considering a Free Trade Area of the Asia-Pacific.
 - Neither is India included in the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, which has been concluded among 12 countries after the US walked out.
 - Several RCEP countries are also its members. Opting out of RCEP may push India irretrievably on the margins of Asia.

Way forward for India:-

- Before getting into any multilateral trade deal, **India should review its existing FTAs in terms of benefits to various stakeholders like industry and consumers, trade complementarities and changing trade patterns in the past decade.** Negotiating bilateral FTAs with countries where trade complementarities and margin of preference is high may benefit India in the long run.
- Also, higher compliance costs nullify the benefits of margin of preference. **Thus reducing compliance cost and administrative delays is extremely critical to increase utilisation rate of FTAs.**
- **Proper safety and quality standards should be set to avoid dumping of lower quality hazardous goods into the Indian market.**
- **Circumvention of rules of origin should be strictly dealt with by the authorities.** Well-balanced FTA deals addressing the concerns of all the stakeholders is the need of the hour
- Developing countries like India which have taken the leadership in instituting and using balanced intellectual property protection for pharmaceuticals should not only proudly protect their laws in the RCEP negotiations, **they should also encourage other countries to adopt and use similar measures that ensure generic competition.**
- Sanitary & phytosanitary issues and technical barriers to trade measures are the most frequently used against Indian exports. Thus the non-tariff barriers in RCEP countries should be negotiated transparently before negotiating market access.



- RCEP has the East Asian economies as partners, who have thrived on export-led growth model, unlike India whose domestic economy is its strength. Therefore India should choose a model that will complement this setup.

Q) Vietnam is crucial to India's Look East Policy and bilateral ties must build on common concerns among the two nations. Analyze. (250 words)

[The hindu](#)

Why this question

Vietnam is an important regional player in SE Asia and its growing economic clout demands increased engagement with the country. Besides there are several common concerns among India and Vietnam which need to be used as foundations to build the bilateral relationship.

Directive word

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

Key demand of the question.

The question wants us to dig deep into the India-Vietnam relationship and bring out the importance of Vietnam in India's look East policy. It wants us to discuss the concerns common to the two countries which demand closer cooperation.

Structure of the answer

Introduction- *write a few introductory lines about the Look East (or Act East) policy of India. E.g briefly mention the main purpose of the policy.*

Body-

Discuss the growing importance of Vietnam in India's look East policy. E.g A close 'ally' of India for over 70 years, and not limited to official diplomatic ties, Vietnam is critical for India's foreign policy at the regional and systemic levels; Vietnam ratified the CPTPP, asserting its growing economic impact globally, with exports increasing to approximately \$240 billion for the year 2018. Membership to the CPTPP, which accounts for nearly 14% of the global GDP, will boost Vietnam's economic growth, from 6.8 % in 2017-18, by a further 1.1% to 3.5% by 2030 etc.

Discuss the common concerns among the two countries which can be used to further strengthen the relationship. E.g An area of potential convergence for both Vietnam and India is health care. Vietnam has highlighted the importance of linking economic growth to universal health care, whereby 80% population would be covered by health insurance. India too, since 2011, has been focussing on the need to deliver accessible and affordable health insurance to weaker sections of society; A potential area of convergence in the realm of health care through joint public-private partnership agreements can be explored by the two countries; Internationally, Vietnam's foreign policy is characterised by 'multi-directionalism', which addresses regional asymmetries of the power balance by engaging across a broad spectrum of states to achieve its interests. Increasingly, this asymmetrical power structure in the region, offset by the rise of China, is bringing regional and extra-regional states together to address the shifts in the normative order; Today there is increasing commonality of security concerns between Vietnam India particularly in the areas of maritime security and adherence to the United Nations Convention on the Law of the Sea etc.

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

Background:-

- Recently Indian President held a three day visit to Vietnam. India and Vietnam agreed to further strengthen bilateral cooperation in defence, peaceful uses of atomic energy and outer space, science and technology, oil and gas, infrastructure development, agriculture and innovation-based sectors.
- A close 'ally' of India for over 70 years, and not limited to official diplomatic ties, Vietnam is critical for India's foreign policy at the regional and systemic levels.

Vietnam is important for India's look east policy:-

- Vietnam is a strategic pillar of India's Act East Policy, and key interlocutor in ASEAN.



- Over the years, political contacts have strengthened as reflected in several high-level visits by leaders from both sides.
- India's thrust under the 'Act East' policy combined with Vietnam's growing engagement within the region and with India has paid rich dividends.
- India and Vietnam closely cooperate in various regional forums such as ASEAN, East Asia Summit, Mekong Ganga Cooperation, Asia Europe Meeting (ASEM) besides UN and WTO.
- Both India and Vietnam possess the capacity to find compatibility in areas promoting defence cooperation and infrastructure simultaneously
- Vietnam, which is under maritime pressure from China's activities in the South China Sea (SCS), wants India to deepen its military engagement further.
- The India-Vietnam Joint Statement of March 2018 reiterates the focus given to sub-regionalism.
- India's proposal to improve humanitarian and disaster relief and maritime transportation links found the eager backing of Vietnam, which also supported India's proposed anti-terrorism measures.
- Mutual trust, threats emerging from a rising China and a convergence of strategic interests have contributed to the deepening of ties between the two nations to an extent that Vietnam now engages India at the level of a 'comprehensive strategic partner', which is **a clear indication of importance both the nations put in this critical partnership.**
- Vietnam ratified the CPTPP, asserting its growing economic impact globally, with exports increasing to approximately \$240 billion for the year 2018.
 - Membership to the CPTPP, which accounts for nearly 14% of the global GDP, will boost Vietnam's economic growth, from 6.8 % in 2017-18, by a further 1.1% to 3.5% by 2030 etc.

Common Concerns between the two nations:-

- **An area of potential convergence for both Vietnam and India is health care.**
 - Vietnam has highlighted the importance of linking economic growth to universal health care, whereby 80% population would be covered by health insurance.
 - India too, since 2011, has been focussing on the need to deliver accessible and affordable health insurance to weaker sections of society.
 - A potential area of convergence in the realm of health care through joint public-private partnership agreements can be explored by the two countries.
- Today there is **increasing security concerns** in the areas of maritime security and adherence to the United Nations Convention on the Law of the Sea.
- Amid a rapid build-up of Chinese military presence and massive reclamation of submerged features in Southeast Asia, both Vietnam and India are concerned about the balance of power in nautical Asia.

Other concerns:-

- Vietnam opposed the "Quad" or quadrilateral coalition among India, the US, Japan and Australia.
- The proposed sale of the BrahMos supersonic cruise missile has taken a back seat as there has been no response from Hanoi.
- The \$ 500 mn line of credit offered in 2016 has yet to be operationalised for facilitating deeper defence cooperation.

Conclusion:-

Based on the three legs of regional security, defence and trade engagements, India and Vietnam have managed to build a strong partnership over the last few years. Given their mutual convergence, it is likely that this relationship will only grow stronger in the coming years as well.

Q) Regional agreements such as the BRI could embrace greater trade liberalisation goals. Do you agree. Comment. (250 words)

[The hindu](#)

Why this question

In the face of growing protectionism being witnessed across the globe it is important to evaluate the BRI of China to see how it could positively balance or even overcome the protectionism policies and politics.



Directive word

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

Key demand of the question.

The question wants us to express our knowledge and understanding of the Belt and Road initiative of China and form an opinion as to whether such regional agreements could help in achieving greater trade liberalisation goals.

Structure of the answer

Introduction– write a few introductory lines about the trade protectionism witnessed across the world in recent years. E.g write a few introductory lines about the growing protectionist policies and politics of the US and the China.

Body-

Discuss the positive points of the BRI in terms of how it could help embrace greater trade liberalisation goals. E.g There is indeed an ambition to influence the world if not directly control it — by making the rules on which it functions. This normative determination to achieve a far greater objective has hardly been addressed when analysing China’s BRI and its impact; The BRI “shared interest” and “shared growth” hence coexist with Marxism-Leninism and “capitalism with Chinese characteristics” in a country now said to be more trade-friendly than its protectionist American rival, the U.S. Beijing has never been afraid of contradictions in terms and this capacity to ‘Sinicise’ concepts is a signature trait; The BRI indeed develops without any dedicated law, nor is it a comprehensive trade or economic partnership. It is different from conventional trade agreements that seek to eliminate market access barriers, harmonise regulations and impose preconditions for entry; The BRI’s dispute resolution will be predominantly on commercial disputes, involving either projects or contractual obligations. However, with the world trading system passing through a turmoil, the possibility of regional trade agreements or amorphous legal devices such as the BRI embracing greater trade liberalisation goals cannot be entirely ruled out.

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

Background:-

- The BRI initiative comprises the Silk Road Economic Belt and the 21st Century Maritime Silk Road and aims to build a trade, investment and infrastructure network connecting Asia with Europe and Africa along and beyond the ancient Silk Road trade routes.
- BRI was launched in 2013 and has become the most ambitious project of the Chinese government to reshape the regional and global order.
- The BRI covering 76 countries from Asia, Africa and Europe, account for half the world’s population and a quarter of global GDP.
- **Five key areas of cooperation:**
 - Coordinating development policies
 - Forging infrastructure networks
 - Strengthening investment and trade relations
 - Enhancing financial cooperation
 - Deepening social and cultural exchanges.

BRI boosts trade liberalization goals:-

- The Belt and Road Initiative is intended to **integrate markets, promote infrastructural development and cooperation**
- Improving connectivity for trade and investment would **lead to decrease in trade costs and thereby promote opportunities of mutual trade.**
 - For instance shipping is the main means of transporting goods to and from the Pacific Islands, and one way to improve transport efficiency is to promote integration of different means of transportation
 - The Belt and Road Initiative will reduce shipment times for BRI economies, particularly along economic corridors.
 - Reduction in travel times translates into significant reductions in trade costs.



- Chinese-led investment program is creating a web of infrastructure, including roads, railways, telecommunications, energy pipelines, and ports. This would serve to **enhance economic interconnectivity** and facilitate development across Eurasia, East Africa and more than 60 partner countries.
- It is different from conventional trade agreements that seek to eliminate market access barriers, harmonise regulations and impose preconditions for entry
- The BRI's dispute resolution will be predominantly on commercial disputes, involving either projects or contractual obligations.
- If appropriately implemented, the "Belt and Road" initiative has the potential of rebutting protectionism while fostering inclusive growth.
- The B&R initiative has the **potential to strengthen cross-border dialogue and to foster multinational cooperation, which will in turn create stability and encourage mutual investment beyond the home country.**
- While the bulk of the funding is denominated in RMB, China has encouraged the use of local currencies instead of major currencies such as the US dollar for B&R projects. In doing so, **the risks of exchange rate fluctuations and the cost of foreign exchange conversion could be reduced.**
- In an increasingly fragmented global economy, the B&R initiative promotes cooperation and common development. It seeks to boost efficiency in the flow of production and integration of markets to achieve diversified, independent, balanced and sustainable development. **As such, the initiative should bring about a greater level of economic activity among participating countries.**

Issues:-

- India argues that the China-Pakistan Economic Corridor project violates its sovereignty because it passes through the part of the Pakistan-occupied Kashmir that belongs to India.
- **Debt trap:-**
 - BRI projects are pushing recipient countries into indebtedness, do not transfer skills or technology and are environmentally unsustainable.
 - For instance story of Sri Lanka being saddled with great amounts of debt to China was well known.
- Behind the rhetoric of harmony and mutuality lies a substantive strategy for growing an emerging China-led operating system for the international economy.

Conclusion:-

- For the time being, it may be worthwhile to carefully evaluate those components of the BRI . Countries like India must strengthen defence ties with USA and Russia to strengthen naval and military power. Moreover, there must be separate and independent dispute settlement body for the BRI so as to ensure transparency.

Q) Indo-German development cooperation has deepened over the six decades and the two countries today are natural partners making a joint effort for prosperity. Comment. (250 words)

Indian express

Why this question

India and Germany share several values and objectives. They are among the world's largest economies and share a long history of a bilateral relationship. It is essential to discuss this relationship in detail.

Directive word

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

Key demand of the question.

The question wants us to express our knowledge and understanding of the Indo-German relationship, trace the relationship and highlight the key aspects of cooperation and mutual interest and also express our opinion as to how the two nations are natural partners making joint efforts for prosperity.



Structure of the answer

Introduction– Write a few introductory lines about the Indo-German relationship. E.g India was one of the first nations to recognise the young Federal Republic of Germany in 1951 etc.

Body

Discuss the history of cooperation between the two countries. E.g In the early years and in line with the government policy of that time, their joint projects targeted industrial growth, poverty reduction and rural development. To mention one example, in the 1960s German development cooperation supported the agricultural revolution in the Nilgiris by helping small farmers to get loans and determine favourable cultivation practices for potatoes etc.

Discuss the commonalities between the two countries. E.g Both share common values and constitutional principles, and the bilateral relationship has always been based on great mutual respect and understanding. Today, India is one of the biggest and fastest-growing economies, and Germany is the biggest economy in Europe. Both are natural partners making a joint effort for prosperity, while ensuring that they safeguard the environment etc.

Discuss the focus of cooperation between the two countries today. E.g First, the Clean Ganga initiative in which Germany has pledged a loan of Rs 970 crore to strengthen sewage water treatment infrastructure in Uttarakhand; Second, In 2013, the Maharashtra Power Generation Corporation Limited, supported by German funds, set up a 125 Megawatt solar photovoltaic power plant in Sakri; Third, green mobility and development are one of the key issues for the future of countries and Germany has pledged up to Rs 8,900 crore over five years to improve solid and liquid waste management and provide climate-friendly urban transport like the Metro in Nagpur, which is the single biggest project of German financial cooperation in India etc.

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

Background :-

- India-Germany bilateral ties date back to the 1950s. Despite Cold War considerations, West Germany contributed significantly to India's military development, and relations only diversified between a unified Germany and an economically liberalised India after the Cold War.
- Today, Germany is amongst India's most important partners both bilaterally and in the global context. 2018 marks the 60th anniversary of the strategic relationship.

Indo-German cooperation over the decades :-

- Bilateral relations between India and Germany are founded on common democratic principles and are marked by a high degree of trust and mutual respect.
- **In the early years the joint projects targeted industrial growth, poverty reduction and rural development.**
- **Earlier efforts:-**
 - **Agriculture:-**
 - In the 1960s German development cooperation supported the agricultural revolution in the Nilgiris.
 - IIT Madras and Polio immunisation programme were set up with financial contribution from Germany.
 - **Parliamentary Exchanges:**
 - The Indo-German Parliamentary Friendship Group, which was established in German Bundestag in 1971, has contributed to strengthening links between the two Parliaments.
 - **Science & Technology:**
 - Indo-German Science & Technology cooperation started with the signing of the Intergovernmental S&T Cooperation Agreement in 1971 and 1974. Today, Germany is one of the most important global partners for S&T cooperation.
 - **India and Germany have a 'Strategic Partnership' since 2001**, which has been further strengthened with the Intergovernmental Consultations (IGC) at the level of Head of Governments which allows for a comprehensive review of cooperation and identification of fresh areas of engagement.
 - **Institutional Cooperation Arrangements:**
 - Several institutionalized arrangements exist between India and Germany to discuss bilateral and global issues of interest namely, Foreign Office Consultations, High Technology Partnership Group, High Defence Committee, Indo-German Energy Forum etc.



- **Both countries consult each other in G-20 on global issues such as climate change, sustainable development, etc.**
 - There have been consultations between the two countries on regional and international issues such as UN issues, International Cyber Issues, Disarmament & Non-proliferation, Export Controls, East Asia, Eurasia, etc.
- **Sister City Arrangements:**
 - Some of the States and Cities of both countries have entered into twinning arrangements. Karnataka and Bavaria (Germany) have Sister States arrangement since 2007. Similarly, Mumbai and Stuttgart (Germany) are sister cities since 1968.
- **Commonalities between the two Countries**
 - Both share common values and constitutional principles, and our relationship has always been based on great mutual respect and understanding.
 - Today, India is one of the biggest and fastest-growing economies, and Germany is the biggest economy in Europe.
 - Both are natural partners making a joint effort for prosperity, while ensuring that they safeguard the environment etc.
 - India is Germany's biggest development partner with a proven track record of success.
 - **Economic & Commercial Relations:**
 - Germany is India's largest trading partner in Europe. India was ranked 24th in Germany's global trade during 2016
 - Now, the areas of focus are renewable energy and energy efficiency, sustainable urban development, environment protection and resource management.
 - **Culture:** India and Germany have a long tradition of academic and cultural exchange.
- **Mutual Cooperation**
 - Germany pledges a loan of Rs 970 crore to strengthen sewage water treatment infrastructure in Uttarakhand.
 - Germany's Official Development Assistance (ODA) towards India, are in sync with India's priority sectors and SDG 2030 including solar energy, smart cities, and environment.
- **Energy:-**
 - India and Germany cooperate closely on energy matters.
 - In 2006, the Indo-German Energy Forum was set up to promote cooperation in this field.
 - In 2013, the Maharashtra Power Generation Cooperation Limited, supported by German funds set up a 125 Megawatt solar photovoltaic power plant in Sakri.
 - German development cooperation has given loans worth Rs 9,300 crore for India's strategic Green Energy Corridors project.
 - This will ensure the supply of clean electricity to millions of Indians while reducing network losses and improving the carbon footprint.
- **Green Mobility**
 - Green mobility is one of the key issues for the future of our countries.
 - Germany pledged up to Rs 8,900 crore over five years to improve solid and liquid waste management and for Metro in Nagpur, which is the single biggest project of German financial cooperation in India.
 - Germany has partnered with three smart cities Bhubaneswar, Kochi and Coimbatore to provide sustainable urban public transport.

Way Forward

- India needs to work towards further strengthening the bilateral relations between two nations.
- With increasing environmental degradation and adverse effects of global warming, both the countries need to actively protect our habitat and cooperate closely on this matter internationally.
- Both countries must work as equal partners to tackle global development challenges.
- Germany must continue to create innovative solutions with India for the future, for the benefit of both of our societies and the world at large.
- Counter-terrorism, maritime security, and cyber security offer areas of possible cooperation going forward, but a truly strategic relationship will also require improving commercial and people-to-people relations.
- **Lessons to be learnt from Germany:-**
 - Smart city project can utilize technologies to achieve water, waste and urban development objectives.
 - Germany's achievements in the application of technology solutions to meet environmental challenges.



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

Q) Oil prices are not only subject to the economics of demand and supply but also to the subjective wishes of the leaders of oil producing countries. Critically analyze in the light of India's energy security. (250 words)

Indian express

Why this question

In spite of the recent international events, which have the ability to lead to a increase in oil prices, it is important to discuss the factors which affect oil prices and its relevance for India.

Directive word

Critically analyze- here we have to examine methodically the structure or nature of the topic by separating it into component parts, and present them as a whole in a summary. based on our discussion we have to form a concluding opinion on the issue.

Key demand of the question.

The question wants us to dig deep into the issue and bring out the effect of subjective wishes of oil producing countries along with the effect of demand and supply on oil prices. It wants us to discuss the issue in the context of India's energy security needs and how India should respond in such situations.

Structure of the answer

Introduction– write a few introductory lines about the India's energy needs and its dependence on oil imports.

Body-

- *Discuss the effect of demand and supply on oil prices. E.g discuss how a decline in supply from the oil producing countries leads to spike in oil prices or how a decreased global demand for oil results in reduction of oil prices.*
- *Discuss how subjective wishes of leaders of oil producing nations affects oil prices. E.g discuss the diplomatic tensions between countries like US and Iran, which are constructed out of subjective assessments of the leaders leads to spike or reduction in oil prices. Similarly give the example of US Iraq war and the recent Saudi Arabia and Egypt tussle etc.*

Conclusion– based on your discussion, form a fair and a balanced conclusion on the given issue. E.g mention that India needs to invest in renewable sources, diversify oil sources and enter into long term supply contracts with oil producing countries etc.

Background :-

- Oil constitutes one-third of the country's total imports and is considered to have wide-ranging impact on its economy.
- Oil is a commodity, and as such, it tends to see larger fluctuations in price than more stable investments such as stocks and bonds. There are several influences on oil prices, a few of which we will outline below.

Oil prices change due to economics of supply and demand :-

- Laws of supply and demand cause oil prices to change. When supply exceeds demand, prices fall and the inverse is also true when demand outpaces supply.
- The 2014 fall in oil prices can be attributed a lower demand for oil in Europe and China, coupled with a steady supply of oil from OPEC. The excess supply of oil caused oil prices to fall sharply.

Oil prices change due to subjective wishes of oil producing countries :-

- In 1973 OPEC ratcheted up prices four fold in anger at the Western World's support for Israel in the Yom Kippur Arab-Israel conflict.
- **Recently US pulled itself out of the JCPOA** , the multi-nation nuclear deal that had been signed in 2014 to contain Iran's nuclear programme. Simultaneously, US issued notices that all countries and companies must stop doing



business with Iran within six months and that if they did not comply, US would sanction them under the US law, **CAATSA** (Countering American Adversaries through Sanctions Act).

- So oil importing countries are likely to move away from buying oil from Iran. This is likely to drive up global oil prices further.
- The **levers of oil policy in most petro states are in the hands of autocratic leaders**
- Personalisation would not have been an issue in the past when oil was traded mostly against long-term supply contracts. **Today, however, in an integrated, liquid and fungible market characterised by flexible, short-term deals, it is of relevance. The local actions of individual leaders have global ramifications on prices.**
- **Venezuela**
 - The political and economic crises affecting the oil-rich South American country have resulted in its crude production going into freefall.
 - The collapse has tightened oil markets much more quickly than anticipated, experts said. Output is down so much that Venezuela has cut production even more than Saudi Arabia, Opec's biggest producer.

Other reasons that affect oil prices :-

- **Political instability in the Middle East** causes oil prices to fluctuate, as the region accounts for the lion's share of the worldwide oil supply.
- **Production costs, political turmoil and even interest rates** can play a significant role in the price of oil.
- **Natural disasters** are another factor that can cause oil prices to fluctuate. For example, when Hurricane Katrina struck the southern U.S. in 2005, affecting 19% of the U.S. oil supply.

Way forward:-

- Demand management, accelerated development of electric vehicles and increased investment in clean energy R&D are necessary. Such measures would most effectively counter the impact of personalised and emotional oil policy.
- **Indian measures :-**
 - Expedite the process of exploring domestic avenues and diversify its sources of oil supply.
 - There is an urgent need for development of non-conventional (including renewable) sources as a substitute for conventional sources to meet the energy needs.
 - Energy subsidy reforms along with regulations, standards, and targets directing the efficient level of utilization of oil as a fuel are important to reduce dependence on oil imports.
 - Public Transport should be made available and user friendly so that Individual vehicles reduce and demand for oil decreases.

Q) India has a central role in the Washington's "Indo-Pacific" policy. Do you agree. Comment. (250 words)

The hindu

Why this question

The article provides critical and valuable insights into India's position and role as envisaged by the Indo-pacific policy of the US.

Directive word

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

Key demand of the question.

The question wants us to express our knowledge and understanding of the Indo-Pacific policy of the US and thereupon form an opinion as to whether India has a central role in it or not. We have to back up our opinion with proper and valid arguments and facts.

Structure of the answer

Introduction– write a few introductory lines about the Indo-Pacific policy of the US.

Body-

Discuss the role India is envisaged to play in the policy. E.g The NSS 2017 views the Association of Southeast Asian Nations (ASEAN) and APEC as "centerpieces of the Indo-Pacific's regional



architecture”; The Indo-Pacific, as described in the NSS, represents the most populous and economically dynamic part of the world and “stretches from the west coast of India to the western shores of the United States”; That strategic vision does not cater to India’s interests. The NSS 2017 has omitted some of India’s most vital interests, including the Bay of Bengal and the Arabian Sea. Also left out is the Strait of Malacca, which links the Indian and Pacific Oceans and is India’s gateway to trade with Southeast Asia, Japan and South Korea; China is the main security threat to U.S. primacy in Asia. It also has a long-standing border dispute with India. That gives India and the U.S. a shared interest in countering China’s growing military power and territorial revisionist tendencies etc.

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

Background :-

- In recent years, the Indo-Pacific strategy and the Quad concept have been introduced and advocated by various countries at various points in time.

What is Indo pacific policy of US :-

- Indo-Pacific used by US means that India, the United States, and other major Asian democracies, especially Japan and Australia, will join in curbing China in the new framework of growing “Cold War” influence.
- Chinese scholars believe that the geopolitical changes brought about by China’s rise are the main reason Washington is devoting efforts to boost Indo-Pacific alliances, and the Indo-Pacific strategy is intended to hedge against China’s foreign and security policy behaviour.
- As such, changes in the geopolitical environment in the Asia-Pacific region are the fundamental causes motivating the creation of the Indo-Pacific strategy.
- Against the backdrop of the relative weakening of the United States dominant position and the increasing shift of geopolitical and economic gravity to the Indo-Pacific, **the aim is to reshape alliances and partnerships to respond to China’s rise.**
- **It (Indo-Pacific) captures the importance of the maritime free commons that allow security and prosperity to continue .**

India has a central role in this policy :-

- The Indo-Pacific, as described in the National security strategy, represents the most populous and economically dynamic part of the world and stretches from the west coast of India to the western shores of the United States.
- India has always been a country with great national ambitions and is one of the most important advocates of the concept of “ Indo-Pacific Strategy“.
- India can take this opportunity to promote the justification and rationalization of its interests in Southeast Asia, expand its presence in East Asia, strengthen its political, economic and military cooperation with the United States and its allies, and comprehensively increase India’s influence in international affairs.
- The National Security Strategy (NSS) 2017 views the Association of Southeast Asian Nations (ASEAN) and APEC as “centerpieces of the Indo-Pacific’s regional architecture”.
- China is the main security threat to U.S. primacy in Asia. It also has a long-standing border dispute with India. **That gives India and the U.S. a shared interest in countering China’s growing military power and territorial revisionist tendencies etc.**

Concerns for India:-

- **India-Russia relationship:-**
 - India’s recent decision to buy the S-400 missile system from Russia puts a question mark about the future of India-U.S. cooperation in the Indo-Pacific for the following reasons.
 - Washington perceives Russia as a security threat.
 - It stresses interoperability with U.S. armed forces.
 - **The NSS 2017 has omitted some of India’s most vital interests, including the Bay of Bengal and the Arabian Sea.** Also left out is the Strait of Malacca, which links the Indian and Pacific Oceans and is India’s gateway to trade with Southeast Asia, Japan and South Korea
- **China:-**
 - US wants India to offer more investment to Asian countries. But India needs Chinese investment to upgrade its own infrastructure and is nowhere near competing successfully against China as an investor in Southeast Asia
 - **This strategy has a strong military stance against China.** At the very least, it is re-dividing Asia-Pacific with Cold War thinking.



- It is understandable that India wants to keep its sphere of influence as an emerging power, but this shouldn't come at the cost of its domestic development. **Indulging in the game of military balance will only consume India's strength**
- India's simultaneous efforts to cultivate good relations with the U.S., Russia and China highlight the conceptual differences between US and India on the Indo-Pacific and on how best to counter China in Asia.
- **India-U.S. ties could also be encumbered by India's need for greater economic strength, its red tape and its trading methods.**

Conclusion:-

- The future effectiveness of the Indo-Pacific strategy is uncertain, not least as the United States, Japan, India and Australia have yet to improve coordinating and joint adoption of policies and strategies.
- India's message is clear: it sees itself as no pawn in the game the United States seems to be shaping up to play against China or compliant partner in a US-led political–security order that would put at risk the development of its important relationships with China and others in the region.

Q) US China trade war had wider ramifications, particularly for ASEAN. Analyze and also examine how India is affected ? (250 words)

Reference

Why this question

East Asia summit has recently concluded which brought to the fore tensions in ASEAN with regards to the ongoing trade war between USA and China and how this would eventually force them to take sides. This region is one of the most dynamic region with indo Pacific having wider strategic significance. Hence the impact of this ongoing rivalry and India's dilemmas and constraints need to be understood.

Key demand of the question

The question expects us to first mention in brief about the trade conflict and the direct geo economic impact it is having. Thereafter, we need to bring out the wider geopolitical and geostrategic ramifications, especially in ASEAN and Asia Pacific region. Next we need to discuss how this affects India. Finally we 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.

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

Structure of the answer

Introduction – *explain about the trade war and highlight it's economic impact and the rise of protectionism.*

Body

Highlight the wider ramifications of the trade war – trade tensions are a manifestation of the strategic competition between the two countries. US steps to limit technology transfers to China through legislation, such as the Foreign Investment Risk Review Modernisation Act (FIRRMA), will set the tone for the relationship regardless of trade deals.

Explain the position that it puts the Asean countries into, and how it brings into focus the fault lines within Asean. Also explain that all these nations have economic stakes and interest in indo Pacific.

Highlight that India is also impacted due to its own interests as well as the role that Asean countries expect India to play.

Conclusion – *explain how India should act in this situation*

Background:-

- Trade tensions are a manifestation of the strategic competition between the two countries China and US



- US has started imposing tariffs on as much as 25 percent on \$34 billion in Chinese imports.
- China responded with retaliatory tariffs of 25% on US goods worth an equivalent \$34 billion, including soybean, automobiles, and marine products such as lobsters.
- US steps to limit technology transfers to China through legislation, such as the Foreign Investment Risk Review Modernisation Act (FIRRMA), will set the tone for the relationship regardless of trade deals.

US China trade war impact on India:-

- **Benefits:-**
 - Diminished US-China trade engagement could have positive results for countries such as Brazil and India from a trade perspective, at least in the short run.
 - For instance in the case of soybean there could be a cascading impact in terms of openings for India to enter other markets
 - US-China trade war could accelerate the transition. US companies that rely heavily on imports from China **would be forced to redesign their supply chains around tariffs.**
 - **Multinationals and their suppliers would look for alternative facilities outside China.** This is bad news for China but might benefit India.
 - Even if tariff walls went up, India's large market and relatively swift growth would force multinationals who wanted a piece of that **growth to manufacture locally.**
 - India would receive a **large boost from China on the hunt for new supply chains.**
- **Threats :-**
 - In the long term, a full-fledged trade war is not good for India. It **invariably leads to a higher inflationary and low growth scenario.**
 - Increase in interest rates in the US has implications for emerging economies such as India, both for the equity and debt markets.
 - Higher interest rates do make the option of investors borrowing cheap money in the US and investing in Indian equities significantly less attractive.
 - The three external risk factors **higher tariffs, rising interest rates, and elevated bond sales** will come at a time when the domestic banking system is grappling with a renewed stress of bad loans.
 - India cannot grow on a sustained basis until it exports and free trade is in existence. **With the trade war free trade might affect global economy and in turn India's as well.**
 - Trade war among major economies **would affect multilateral trading system globalisation and** disrupt global supply chains.
 - Reducing investment flows into India.

How US China trade war impacts ASEAN:-

- **Concerns:-**
 - **Made to choose leading to economic ramifications :-**
 - Asian nations may be forced to make a difficult choice between their ties with China and their relationship with the US, if tensions continue to grow between the two.
 - Trade tensions between the US and China have introduced their own dynamic into the situation, because many ASEAN nations have deep ties with China. **Singapore, for example, is the biggest investor in China.**
 - The fallout will also have a **direct impact on Asian economies such as Malaysia**
 - A trade war could **weaken investment**, depress spending, unsettle financial markets and slow the global economy.
 - It could also result in **other countries raising protectionist barriers.**
 - Asian economies are intricately linked to China's fortunes, **through their highly connected supply chains.** And what hurts China can also hurt countries further afield, like South Korea, Taiwan or Singapore etc.
 - Escalating trade tensions could hurt China's industrial growth in the long term, **and eventually affect the regional petrochemicals industry.**
- **Benefits:-**
 - Officials in Cambodia, where about 630,000 workers are employed in the garment industry, say the country is benefiting from the trade war escalation.
 - Good thing for certain markets in Asia, as companies look for alternative supply sources beyond the U.S.
 - Potential beneficiaries are Malaysia's chemical industry and Vietnam's consumer goods sector.
 - Chinese tariffs on U.S. primary products could help fruit exporters of Thailand and Myanmar cattle owners .



- Both ASEAN and India will be drawn into the geopolitical tensions between US and China as well.

Way forward:-

- ASEAN needs to continue to take steps that will make it an attractive investment destination.
 - One step towards this is the removal of non-tariff barriers.
 - Harmonising ASEAN's approach toward services and labour mobility would cement the South-east Asian regional organisation, as well as taking political steps to hedge against long term uncertainties such as the Sino-US competition.

INSIGHTSIAS