



# INSIGHTSIAS

SIMPLIFYING IAS EXAM PREPARATION

## **INSTA SECURE SYNOPSIS** **MAINS MISSION - 2022**

**GS- II**

**FEBRUARY 2022**



**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.





All New App for Insights IAS  
is now available for download

The Most Trusted Source for  
UPSC IAS Civil Services preparation

www.insightsonindia.com/mobile





SCAN TO  
DOWNLOAD

## Table of Contents

Indian Constitution- historical underpinnings, evolution, features, amendments, significant provisions and basic structure. .... 6

A Uniform Civil Code (UCC) which is sourced upon the best traditions and harmonizes them with the modern constitutional values of India is an essential step in the overall development of the country. Critically examine. (250 words) ..... 6

The Fundamental Duties serve as a reminder that while the Constitution conferred certain Fundamental Rights, it also requires citizens to observe certain basic norms of democratic conduct and democratic behaviour. In the light of this statement, should fundamental duties be enforced? Critically examine. (250 words) ..... 10

Trace the growth of the ‘national language’ debate in post independent India. Do you think India should have a national language? Critically analyse. (250 words) ..... 12

To what extent the mandate of the directive principle under article 46 has been fulfilled so far. Substantiate with examples. (250 words) ..... 14

The slow march to justice for undertrials must be seen in the context of a criminal justice system in need of an immediate overhaul especially the prison reforms. Elucidate. (150 words, 10 marks) ..... 17

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. .... 19

Do you think the proposed amendment to the IAS(Cadre) rules 1954, would upset the Centre-State balance? Comment (150 Words)..... 19

Appointment to various Constitutional posts, powers, functions and responsibilities of various Constitutional Bodies. .... 21



Compare and contrast the veto power of the President with that of the Governor regarding different types of bills. (250 words) .....	21
Examine the significance of ‘Neutrality Doctrine’ in case of Constitutional Bodies. (150 Words) ..	24
The role of the governor is of a sagacious counsellor, mediator and arbitrator rather than that of an active politician. Comment. (250 Words) .....	25
Governor should be non-partisan and act as lynchpin for smooth federal relations between center and state rather than acting as an agent of center. Elaborate. (250 words).....	28
Government policies and interventions for development in various sectors and issues arising out of their design and implementation.....	33
Do you think opinion polls should be banned as they are antithetical to free and fair elections? Critically analyse. (250 words) .....	33
Tribunals in India face a number of administrative constraints which add up to delays in disposal of cases and underutilisation of Indian tribunal system. Analyse. (150 words, 10 marks) .....	38
Caste based census provides data that will help further streamline affirmative action and ensure the welfare measures reach the people who truly need it. Critically analyse. (150 words, 10 marks) .....	41
Development processes and the development industry —the role of NGOs, SHGs, various groups and associations, donors, charities, institutional and other stakeholders. Pressure Groups and formal/informal associations and their role in the Polity.....	44
Pressure Groups play a pivotal role, in influencing policy making in India? Discuss (150 Words)...	44
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. ....	46
There is a growing belief that civil services in India, once known for their integrity and initiative, have lost their sheen. Do you agree? Comment. Also, Identify various related constraints and suggest measures for the better development of civil services in India. (250 Words) .....	46
Issues relating to development and management of Social Sector/Services relating to Health, Education, Human Resources. ....	48
The pandemic has upended schooling. Hence, a well-planned and a holistic effort is required on the part of the government in order to negate long term negative impact on education. Discuss. (250 words) .....	48
Salient features of the Representation of People’s Act. ....	51
What is meant by the model code of conduct (MCC) during elections? Do you think that MCC needs to be included under the statue for its uniform and effective implementation? Critically analyse. (250 words).....	51
Examine the feasibility of conducting simultaneous elections to both parliament and legislatures in India. (250 words).....	53
Important aspects of governance, transparency and accountability, e-governance- applications, models, successes, limitations, and potential; citizens charters, transparency & accountability and institutional and other measures. ....	58



Citizens’ Charters initiative is a response to the quest for solving the problems which a citizen encounters. In light of the statement, evaluate the problems faced in Implementing Citizen Charters in India (250 Words) ..... 58

Discuss the potential of e-Governance, to improve public service delivery in India. (150 Words) . 59

Corporate governance in India is in need of structural reforms which will promote transparency, fix accountability and reward efficiency. Analyse. (250 words)..... 62

It is said that Good Governance is the Technology whereas Citizen’s Charter is the Tool for citizen centricity. Highlighting the statement, discuss how Citizen Charter could be a game-changer in governance in India. (250 Words) ..... 66

India and its neighborhood- relations. .... 68

Given the present situation for India, even though the gains from engaging Central Asia may be minimal, non-engagement could be costly. Do you agree? Comment (250 Words) ..... 68

Important International institutions, agencies and fora- their structure, mandate..... 70

India’s carefully calibrated policy towards Indo-pacific is centred on two pillars of strengthening engagement and stronger partnerships with likeminded countries. Elaborate. (250 words, 15 marks) ..... 70

WHO has been found lacking in its response to COVID19 Pandemic. In this context, critically examine and suggest measures to democratise global health governance. (150 words)..... 72

Bilateral, regional and global groupings and agreements involving India and/or affecting India’s interests. .... 75

India needs an integrated foreign policy that can respond to the imperatives of building domestic capabilities, developing geo-economic partnerships, and constructing geopolitical coalitions with like-minded countries. Examine. (250 words)..... 75

“If the construction of the Sino-Russian united front has been dazzling, equally impressive has been the rebuilding and expansion of US alliances. Analyze the threats and opportunities that the current geopolitics and a ‘new cold war’ present for India. (15M)..... 77

In the ongoing Sino-U.S feud, Australia and India need to convert their intent into action and capitalise on the innumerable opportunities available in different sectors. Examine. (250 words) 79

Ties between India and Germany have been strengthening over the years but there is still vast potential that remains untapped which can be mutually beneficial for both the countries. Comment. (250 words) ..... 81

Effect of policies and politics of developed and developing countries on India’s interests, Indian Diaspora..... 84

A new free trade agreement (FTA) between India and the UAE can provide further fillip to the ever-growing relations in trade, diaspora and cultural contacts between the two countries. Analyse. (250 words) ..... 84

As war clouds gather over Ukraine, India faces a dilemma over its diplomatic balancing act, its unwillingness to publicly caution Russia against invading Ukraine, and above all its reluctance to defend Ukraine’s sovereignty. Examine the impact this can have on India. (250 words) ..... 86



**INSTACLASSES 2022**  
Full-fledged Classroom Program for Freshers  
OGP- Offline & Online Guidance Program

*We Don't Just Guide You*  
**We EQUIP You!**  
EQUIP Strategy for your SUCCESS!

**Features:**  
Explanation + Quest + Understand + Interact + Perform

- Personal Mentorship • Free Access to All India Prelims Test Series
- Ignite Session • Integrated Ethics & Essay Classes
- Mains Answer Evaluation with Feedback • Strategic Coverage of Current Affairs
- Permanent Faculties • Special Classes by Guest Faculties

**ADMISSIONS OPEN**

Early Bird Offer **15%**  
till 10<sup>th</sup> August 2021 for Batch 2  
till 5<sup>th</sup> Sept 2021 for Batch 3

**CLICK HERE**

Batch 2 starts from 16<sup>th</sup> August 2021 | Batch 3 starts from 15<sup>th</sup> Sept. 2021

Bangalore Office : 7483163074 / 9380863034 | Delhi Office : 7303318519 / 011-49520205 | Hyderabad Office : 8688512637 | [support@insightsias.com](mailto:support@insightsias.com)

**INSTA CLASSES 2022**

**A FULL-FLEDGED CLASSROOM PROGRAM FOR FRESHERS**

UPSC CSE 2022

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

**DO NOT LET TODAY'S UNCERTAINTY AFFECT YOUR TOMORROW'S GOAL.**

Join our time-tested and nationally-acclaimed **ONLINE INSTA CLASSES** to be certain amidst uncertainties. Every offline feature perfectly simulated in online mode.

**WE DON'T JUST GUIDE YOU, WE EQUIP YOU.**

**Vinay Kumar GB**  
Founder & Director  
InsightsIAS

Subscribe Here:

Any doubt? We are just a call away, contact us on  
Bangalore: 7483163074 / 9380863034 | Delhi: 9625668123 / 7303318519 / 011-49520205 | Hyderabad: 8688512637

**MINI IDM**

**INTEGRATED PRELIMS CUM MAINS 2021**

**GET MAXIMUM**

**Mini Integrated Prelims cum Mains (Mini IPM) Test Series 2021**

**A flagship program of INSIGHTSIAS**

Starts from 1st June 2021 | Prelims: 20 (14 GS + 6 CSAT) Tests, Mains: 25 Tests

FEE: **Rs. 10,000/-** including taxes

EARLY BIRD OFFER: **10% Discount** till 31st May 2021

OLD SUBSCRIBER OFFER: **15% Discount**

**FEATURES:**

- A single tailor-made timetable for both Prelims and Mains
- INSTA 30 and other INSTA Value added material
- Complete flexibility in mode\* & timings
- Post-Test Discussions
- Mentorship sessions

\* offline mode is subject to COVID regulations

Subscribe Here:

For queries contact: [support@insightsias.com](mailto:support@insightsias.com)  
Bangalore: 7483163074 / 9380863034 | Delhi: 9625668123 / 7303318519 / 011-49520205 | Hyderabad: 8688512637

**INSIGHTSIAS**  
SIMPLIFYING IAS EXAM PREPARATION

- 50 Prelims + 52 Mains Tests in EBS Approach
- A single tailor-made timetable for both Prelims and Mains
- Flexibility in Mode and Timings
- Preparatory Classes, Pre-Test & Post-Test Discussions

**INTEGRATED PRELIMS CUM MAINS (IPM) TEST SERIES 2022**

**A FLAGSHIP PROGRAM OF INSIGHTSIAS**

**STARTS FROM 20TH JULY 2021**

EARLY BIRD OFFER **15% DISCOUNT** TILL 30TH JUNE 2021

OLD SUBSCRIBER **20% DISCOUNT**

**CLICK HERE TO READ MORE**

Subscribe Here:

Bangalore: 7483163074 / 9380863034, Delhi: 7303318519 / 011-49520205, Hyderabad: 8688512637 | [support@insightsias.com](mailto:support@insightsias.com)



## YEAR LONG MAINS (YLM) TEST SERIES 2022

Starts from 30<sup>th</sup> July 2021

EARLY BIRD OFFER: **15% off**  
Till 30<sup>th</sup> June 2021

OLD SUBSCRIBER: **20% off**

SUBSCRIBE HERE: [READ MORE](#)

52 Mains Tests in EBS Approach

Preparatory Classes, Rapid discussions & Discussion classes included

Complete flexibility in mode & timings

Mentorship

INSTA 30 and other INSTA Value added material

Daily 2 Secure Answers Review

INSIGHTSIAS  
SIMPLIFYING IAS EXAM PREPARATION

Bangalore Office : 7483163074 / 9380863034 | Delhi Office : 7303318519 / 011-49520205 | Hyderabad Office : 8688512637 | [support@insightsias.com](mailto:support@insightsias.com) / [mains@insightsias.com](mailto:mains@insightsias.com)

## INSTA PRELIMS TEST SERIES 2022

EARLY BIRD OFFER

**15% DISCOUNT**  
TILL 30<sup>TH</sup> JUNE 2021

**20% DISCOUNT**  
FOR OLD SUBSCRIBERS

www.insightsonindia.com

## ACE THE DICEY ROUND WITH EASE

- ▶ Textbook Based Prelims Test Series: **50 Tests [38 GS + 12 CSAT]** Starts from 15th July 2021
- ▶ Textbook Based Prelims Test Series Only GS: **38 GS Tests.** Starts from 15th July 2021
- ▶ Subjectwise Prelims Test Series: **50 Tests [38 GS + 12 CSAT]** Starts from 20th July 2021
- ▶ Subjectwise Prelims Test Series Only GS: **38 GS Tests.** Starts from 20th July 2021 (English & Hindi Medium)
- ▶ Combined Prelims Test Series: **78 Tests [66GS + 12 CSAT]** Starts from 15th July 2021
- ▶ Only CSAT: **12 Tests.** Starts from 14th August 2021

FEATURES

- Flexibility in mode (Online & Offline)
- Insta Preparatory Classes
- Discussion Videos of all GS Tests
- Insta 30 and Other Value addition Material
- Strategy & Tricks for Prelims exam
- Previous 5 Years UPSC Prelims Papers and Discussions

Any doubt? We are just a call away, contact us on

Bangalore: 7483163074 / 9380863034 | Delhi: 9625668123 / 7303318519 / 011-49520205 | Hyderabad: 8688512637

Subscribe Here:

INSIGHTSIAS  
SIMPLIFYING IAS EXAM PREPARATION

## OFFLINE TEST CENTRES NOW IN BENGALURU, DELHI, HYDERABAD

**Bengaluru Head Office:**

9380863034, 7483163074, 6364270311

[mains@insightsias.com](mailto:mains@insightsias.com) | [offline@insightsias.com](mailto:offline@insightsias.com)

**Delhi:**

01145637946, 7303318519, 7483163074

[delhioffice@insightsias.com](mailto:delhioffice@insightsias.com)

**Hyderabad:**

8688512637, 7483163074

[hyderabad@insightsias.com](mailto:hyderabad@insightsias.com)

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

A Uniform Civil Code (UCC) which is sourced upon the best traditions and harmonizes them with the modern constitutional values of India is an essential step in the overall development of the country. Critically examine. (250 words)

*Difficulty level: Moderate*

*Reference: Indian Express*

**Why the question:**

On the last day of campaigning for the Assembly polls, Uttarakhand Chief Minister Pushkar Singh Dhami promised that the BJP, if re-elected, would enact a uniform civil code (UCC) for the state.

**Key Demand of the question:**

To write about the role a finely balanced UCC could play the development of the country.

Telegram: <https://t.me/insightsIAStips>

Youtube: <https://www.youtube.com/channel/UCpoccbCX9GEIwaile4HLjwA>

Facebook: <https://www.facebook.com/insightsonindia>

Page 6

**Structure of the answer:****Directive:**

**Critically examine** – When asked to ‘Examine’, we have to look into the topic (content words) in detail, inspect it, investigate it and establish the key facts and issues related to the topic in question. While doing so we should explain why these facts and issues are important and their implications. When ‘critically’ is suffixed or prefixed to a directive, one needs to look at the good and bad of the topic and give a fair judgment.

**Structure of the answer:****Introduction:**

Begin by mentioning article 44.

**Body:**

First, explaining the aims and objectives behind UCC in India.

Next, discuss in detail role a finely balanced UCC could play the development of the country – uniformity of laws, achieving equality, simplification of law, progressive measure etc.

Next, discuss in detail the arguments against the UCC in India which might affect development adversely – Lack of consensus, against cultural diversity, right of minorities, tribal customs etc.

**Conclusion:**

Conclude by giving a balanced opinion regarding UCC.

**Introduction**

A **Uniform Civil Code** is one that would provide for **one law for the entire country**, applicable to **all religious communities in their personal matters** such as marriage, divorce, inheritance, adoption etc. It proposes to replace the personal laws based on the scriptures and customs of each major religious community in the country with a common set of laws governing every citizen.

**Article 44** of the Constitution lays down that the **state shall endeavor to secure a Uniform Civil Code for the citizens throughout the territory of India.**

**Body****Background**

- While delivering a judgment legitimising the Portuguese Civil Code of 1867, the Supreme Court reportedly described Goa as a “shining example” with a Uniform Civil Code
- The previous Chief Justice of India (CJI) S A Bobde recently lauded Goa’s Uniform Civil Code, and encouraged “intellectuals” indulging in “academic talk” to visit the state to learn more about it.
- The Delhi High Court, in a very revolutionary decision, backed the need for a Uniform Civil Code observing that there is a need for a Code – ‘common to all’ in the country and asked the central government to take the necessary steps in this matter.

**Time is ripe for UCC in India**

- **Promotion of secularism:** One set of laws to govern the personal matters of all citizens irrespective of religion is the cornerstone of true secularism. A **secular republic needs a common law** for all citizens rather than differentiated rules based on religious practices. It would help **end gender discrimination on religious grounds** and strengthens the secular fabric of the nation.
- **Protection of Vulnerable & Women’s Rights:** It will protect the vulnerable sections of society. Women have been denied via personal laws in the name of socio cultural-religious



traditions. Therefore UCC could bring all communities together to ensure Women the Right to a dignified life and control over their life as well as body.

- **Gender justice:** The rights of women are usually limited under religious law, be it Hindu or Muslim. Many practices governed by religious tradition are at odds with the fundamental rights guaranteed in the Indian Constitution. Courts have also often said in their judgements that the government should move towards a uniform civil code including the judgement in **the Shah Bano case**.
- **Prevents religion-based discrimination:** Personal laws differentiate between people on grounds of religion. A unified law having the same provisions regarding marital affairs would provide justice to those who feel discriminated against.
- **Ending unjust customs and traditions:** A rational common and unified personal law will help eradicate many evil, unjust and irrational customs and traditions prevalent across the communities. For example, Law against Manual scavenging. It might have been a custom in the past but in a mature democracy like India, this custom cannot be justified.
- **Indian laws do follow a uniform code in most civil matters** –Indian Contract Act, Civil Procedure Code, Sale of Goods Act, Transfer of Property Act, Partnership Act, Evidence Act etc. States, however, have made hundreds of amendments and therefore in certain matters, there is diversity even under these secular civil laws.
- Justice Prathiba M Singh of Delhi HC stated that the modern Indian society was gradually becoming homogenous, the traditional barriers of religion, community and caste are slowly dissipating and thus UCC ought not to remain a mere hope.
- **Eases Administration:** UCC would make it easy to administer the huge population base of India.

#### Challenges facing the passage of UCC:

- **Violation of fundamental rights:** Religious bodies oppose uniform civil code on the ground that it would be interference into religious affairs which would violate fundamental rights guaranteed under article 25 of the constitution.
- **Reduces diversity:** It would reduce the diversity of the nation by painting everyone in one colour. Tribals have their unique customs and traditions as per their culture. Replacing their customs and traditions with a unified law may lead to the identity crisis of the tribals. This may further lead to social tension.
- **Communal politics:** It would be a tyranny to the minority and when implemented could bring a lot of unrest in the country.
- **Threat to Multiculturalism:** Indian society has a unique identity in the form of its being multiculturalism, and unified law might do away with these unique characteristics of this nation.
- **Affects Majority as well:** For example, even Hindus themselves have separate Hindu laws for themselves. Thus, it is not merely a question for minorities but it also affects the majority.



- **Lacking Political Will:** Bigger issues have been resolved by the BJP Government like Ayodhya Dispute, repeal of Article 370, so with adequate will from the political community, UCC could also be implemented
- **Sensitive and tough task** – Such a code, in its true spirit, must be brought about by borrowing freely from different personal laws, making gradual changes in each, issuing judicial pronouncements assuring gender equality, and adopting expansive interpretations on marriage, maintenance, adoption, and succession by acknowledging the benefits that one community secures from the others. This task will be very demanding time and human resource wise. The government should be sensitive and unbiased at each step while dealing with the majority and minority communities. Otherwise, it might turn out to be more disastrous in a form of communal violence.
- **Time is not yet suitable for this reform** – Considering a major opposition from Muslim community in India over this issue overlapping with controversies over beef, saffronization of school and college curriculum, love jihad, and the silence emanating from the top leadership on these controversies, there needs to be given sufficient time for instilling confidence in the community. Otherwise, these efforts towards common will be counterproductive leaving minority class particularly Muslims more insecure and vulnerable to get attracted towards fundamentalist and extremist ideologies.

#### Way forward

- Major sensitization efforts are needed to reform current personal law reforms which should first be initiated by the communities themselves.
- Current institutions need to be modernized, democratized and strengthened for this change. Sincere efforts towards women empowerment have to be taken for all women of all religions.
- UCC can only emerge through an evolutionary process, which preserves India's rich legal heritage, of which all the personal laws are equal constituents.
- The social transformation from diverse civil code to uniformity shall be gradual and cannot happen in a day. Therefore, the government must adopt a piecemeal approach and no knee-jerk decisions.
- There is need for deliberations and discussions among members of various communities to reach a common ground.

#### Conclusion

The guiding principles of the Constitution itself visualize diversity and have tried to promote uniformity among peoples of different denominations. A uniform law, although highly desirable but may be counterproductive to the unity and integrity of the nation. Hence, only those elements of customs and traditions should be brought into a unified law that causes injustice to individuals. In a democracy and rule of law, a gradual progressive change and order must be brought about.



The Fundamental Duties serve as a reminder that while the Constitution conferred certain Fundamental Rights, it also requires citizens to observe certain basic norms of democratic conduct and democratic behaviour. In the light of this statement, should fundamental duties be enforced? Critically examine. (250 words)

*Difficulty level: Moderate*

*Reference: The Hindu*

**Why the question:**

*The Supreme Court on Monday asked the Centre and States to respond to a petition to enforce the fundamental duties of citizens, including patriotism and unity of the nation, through “comprehensive, well-defined laws”.*

**Key Demand of the question:**

*To write about whether or not fundamental duties should be enforced.*

**Directive:**

**Critically examine** – When asked to ‘Examine’, we have to look into the topic (content words) in detail, inspect it, investigate it and establish the key facts and issues related to the topic in question. While doing so we should explain why these facts and issues are important and their implications. When ‘critically’ is suffixed or prefixed to a directive, one needs to look at the good and bad of the topic and give a fair judgment.

**Structure of the answer:**

**Introduction:**

*Begin by giving brief about Article 51 and Part IV-A of the constitution.*

**Body:**

*In the first part, write about the rationale behind enactment of article 51, its aims and objectives that it strives to achieve.*

*Next, write about the advantages of enforcing certain fundamental duties – greater unity, spirit of fraternity etc*

*Next, write about drawbacks of enforcing fundamental duties – lack of enforcing mechanism, additional burden on governance etc.*

**Conclusion:**

*Conclude by writing a way forward.*

**Introduction**

In 1976, the Congress Party set up the **Sardar Swaran Singh Committee** to make recommendations about fundamental duties, the need and necessity of which was felt during the operation of the internal emergency (1975–1977). The committee recommended the inclusion of a separate chapter on fundamental duties in the Constitution.

Government enacted the **42nd Constitutional Amendment Act in 1976**. This amendment added a new part, namely, **Part IVA** to the Constitution. This new part consists of only one Article, that is, **Article 51A** which for the first time specified a code of ten fundamental duties of the citizens.

**Body**

**Need for enforcing fundamental duties**

- **Fills legal vacuum making them obligatory:** If the existing laws are inadequate to enforce the needed discipline and behavioural change among citizens, the legislative vacuum needs to be filled. This could call for strategies such as making fundamental duties enforceable.
  - **In M.C. Mehta v. Union of India**, the Supreme Court introduced compulsory learning of lessons on protection and improvement of the natural environment in all the



educational institutions of the country as a part of Fundamental duty under Article 51-A (g).

- **Promote patriotism:** The Fundamental Duties are defined as the moral obligations of all citizens to help promote a spirit of patriotism and to uphold the unity of India.
  - For instance, to **uphold and protect sovereignty, unity and integrity of India**, to defend the country and render national service when called upon to do so and to disseminate a sense of nationalism and to promote the spirit of patriotism to uphold the unity of India.
  - These fundamental duties assume significance after the **emergence of China as a superpower**.
- **Legislative potentials like DPSP:** At times, Directive Principles Of State Policy (DPSP) has taken precedence over Fundamental Rights and some of them have found their way into statute books
- **Guide the elected representatives:** The fundamental duties enjoined on citizens under Article 51-A should also guide the legislative and executive actions of elected or non-elected institutions and organisations of the citizens including the municipal bodies.
- **Enables judiciary to examine legislative reasonableness:** There have been certain situations, where the Courts have been called upon to examine the reasonableness of any legislative restriction on the exercise of a freedom, the fundamental duties are of relevant consideration.

#### Drawbacks of enforcing fundamental duties

- **Provides opportunity to implant political propaganda:** To attain vested interests under the garb of fundamental duty like protecting the culture, tampering with curriculum is facilitated.
  - **For example, omitting and tampering with school curriculum.**
- **Redundant when suitable legislative actions are available:** For example fundamental duty to protect and improve the natural environment including forests and wildlife only repeat what the existing environment protection laws prescribe for.
- **Futility of legal enforcement without will and aspirations of citizens:** Out of the ten clauses in Article 51A, five are positive duties and the other five are negative duties.
  - **Clauses (b), (d), (f), (h) and (j)** require the citizens to perform these Fundamental Duties actively. It is said that **by their nature, it is not practicable to enforce** the Fundamental Duties and they must be left to the will and aspiration of the citizens.
- **Difficulty in determining scope:** Fundamental duty such as 'to value and preserve the rich heritage of our composite culture' **leaves the scope of such duties open ended**.
  - Such ambiguity enables unscrupulous elements for moral policing.
  - **Example recent lynching by cow vigilantes.**



- **Voluntary obedience more suitable:** Making fundamental duties may facilitate compulsory allegiance of citizenry obligations but that's not democratic. Even Gandhiji always believed in moral persuasion rather than forceful adherence.
- **Lack of adequate awareness:** For the proper enforcement of duties, it is necessary that it should be known to all. This should be done by a systematic and intensive education of people that is by publicity or by making it a part of education.

### Conclusion

The inclusion of fundamental duties has helped to strengthen democracy. The moral value of fundamental duties would be not to smother rights but to establish a democratic balance by making the people conscious of their duties equally as they are conscious of their rights'. The **provisions for enforcement of fundamental duties should be made considering the multiculturalism and pluralism of India.**

Trace the growth of the 'national language' debate in post independent India. Do you think India should have a national language? Critically analyse. (250 words)

*Difficulty level: Moderate*

*Reference: Indian polity by M. Lakshmikanth.*

#### **Why the question:**

*The question is part of the static syllabus of General studies paper – 2 and mentioned as part of Mission-2022 Secure timetable.*

#### **Key Demand of the question:**

*To write about the 'national language' debate and to analysed the need for a national language.*

#### **Directive word:**

**Critically analyze** – When asked to analyse, you must examine methodically the structure or nature of the topic by separating it into component parts and present them in a summary. When 'critically' is suffixed or prefixed to a directive, one needs to look at the good and bad of the topic and give a balanced judgment on the topic.

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

##### **Introduction:**

*Begin by context about the 'national language' debate.*

##### **Body:**

*In the first part, write about various growth of the language debate in post independent India – constitutional assembly debate, Munshi-Ayyangar formula, official language commission, official languages act, 1963 etc.*

*Next, write about need for a national language for India. Write about its pros and cons.*

##### **Conclusion:**

*Conclude by writing a balanced comment forward on the issue of national language.*

##### **Introduction**

India is a land of diversity comprising of individuals from different communities, backgrounds, religions etc. It is famously said, that in India language changes every few kilometres just like the water. Language is integral to culture and therefore privileging a national language over all other languages spoken in India takes away from its diversity. The debate over Hindi being India's "National Language" has been on since the time the Constitution was being written.

##### **Body**

##### **Growth of the 'national language' debate in post independent India**



- The issue of adopting a national language could not be resolved when the Constituent Assembly began drafting India's Constitution.
- Members from the Hindi-speaking provinces who moved a number of pro-Hindi amendments and argued for adopting Hindi as the sole national language.
- The Assembly was divided on this issue and it seemed that this debate would result in breaking down of the Assembly's unity. Therefore, a compromise called the '**Munshi-Ayyangar' formula** was evolved and accepted. It stated that for a period of 15 years, English would continue to be used for all official purposes and the parliament could substitute it later with Hindi.
- In 1965, as the period of 15 years drew closer, proposals to substitute Hindi in place of English were raised and met with threats of violent disturbances in the southern states of India.
- In response, Prime Minister Jawaharlal Nehru gave an assurance that English would not be substituted by Hindi, until the non-Hindi speaking people desire a change.
- Widespread resistance to the imposition of Hindi led to the passage of the **Official Languages Act of 1963**, which provided for the continued use of English for all official purposes.
- Hindi became the sole working language of the Union government by 1965 with the State governments free to function in the language of their choice.
- The constitutional directive for the Union government to encourage the spread of Hindi was retained within Central government entities in non-Hindi-speaking States.
- After 1971, India's language policy focused on promoting regional languages by enlisting them in the Eighth Schedule of the Constitution of India, which meant that those languages would be entitled to representation on the Official Languages Commission.

#### **Benefits of having a national language**

- Language is not simply a tool for communication but is a central and defining feature of identity as all human thoughts are conceptualised through a language and all human values are pronounced and perceived through it.
- It is in a language that an individual conceptualises and communicates his thoughts which enables him to actively participate in society.
- In fact, language gives people a primary group as people can identify with each other using a language.
- Language is the most important tool of participation in the polity of the state

#### **Challenges posed by imposition of National language**

- The unifying role of a shared language in most nationalisms is well known, however, its hegemonic imposition remains problematic and divisive.
- The dangers of imposing a language are manifold.
- It can affect the learning ability of non-native speakers thereby affecting their self-confidence.



- It can also endanger other languages and dialects and reduce diversity.
- National integration cannot come at the cost of people's linguistic identities.
- One doesn't have to look further than Bangladesh's example to know that history is rife with instances when language has been used as a vehicle to promote chauvinism and divisions.

#### Probable situation if Hindi is made a national language

- If Hindi is declared as the national language, every citizen of the country would be required to learn the same.
- Such a situation would definitely benefit a north Indian (as Hindi is the most prominent language in the region) over citizens from the other regions, as the latter would be expected to learn a language from scratch.
- In effect, members of northern India would be placed at an advantage over the others, which is wrong.
- The governments continue to push for Hindi aggressively, a recent example of which is the controversial three language formula where the Union mandated teaching of Hindi in all government schools.
- Nehru had rightly said that Hindi should not be imposed till the non-Hindi speaking states agreed.
- However, despite their disagreement, the central governments have forcefully imposed Hindi on them.

#### Conclusion

It has been rightly said that India is like a beautiful carpet woven in a design that has a language of diverse cultural representations woven by knots tightly holding the entire fabric of the nation. The beauty of this carpet is besmirched if one culture or language is given more importance than the other. If we don't protect and promote other well-evolved or endangered and indigenous languages, our future generations may end up never understanding their 'real' roots and culture. Instead, all languages should be treated with equal respect and promoted. A step towards it has been taken by the Supreme Court recently, where it made its judgments available not only in Hindi but also in other regional languages.

To what extent the mandate of the directive principle under article 46 has been fulfilled so far. Substantiate with examples. (250 words)

*Difficulty level: Easy*

*Reference: vikaspedia.in*

#### **Why the question:**

*The question is part of the static syllabus of General studies paper – 2 and mentioned as part of Mission-2022 Secure timetable.*

#### **Key Demand of the question:**

*To write about successes and limitations of welfare schemes for Scheduled Castes and Scheduled Tribes and other weaker sections.*

#### **Directive word:**



**Substantiate** – When you are asked to Substantiate, you must pass a sound judgement about the truth of the given statement in the question or the topic based on evidence. You must appraise the worth of the statement in question using suitable case studies or/ and examples.

**Structure of the answer:**

**Introduction:**

Begin by giving scope of Article 46 of Indian constitution.

**Body:**

In the first part, mention the various measures taken for the welfare and upliftment of – Scheduled Castes – their success and limitations, Scheduled Tribes – their success and limitations and other weaker sections – their success and limitations.

Substantiate with statistics, facts and examples.

**Conclusion:**

Conclude by writing a way forward to further streamline welfare measures.

**Introduction**

**Article 46** of the Constitution under the **Directive Principles of State Policy** provides that the State shall promote with special care the educational and economic interests of the weaker sections of the society and in particular, of the Scheduled Castes and Scheduled Tribes and shall protect them from social injustice and all forms of exploitation.

Governments have taken many measures to alleviate the conditions of these communities since the inception of Constitution in India.

**Body**

**Constitutional provisions for welfare of Scheduled Caste and Scheduled Tribes**

- **Reservation in educational institution** has been provided in **Article 15(4)** while reservation in posts and services has been provided in Article 16(4), 16(4A) and 16(4B) of the Constitution.
- **Article 23** which prohibits traffic in human beings and beggar and other similar forms of forced labour has a **special significance for Scheduled Tribes**.
  - In pursuance of this Article, Parliament has enacted the Bonded Labour System (Abolition) Act, 1976.
  - Similarly, **Article 24 which prohibits employment of Children** below the age of 14 years in any factory or mine or in any other hazardous activity is also significant for Scheduled Tribes as a substantial portion of child labour engaged in these jobs belong to Scheduled Tribes.
- **Article 243D provides** reservation of Seats for **Scheduled Tribes** in **Panchayats**.
- **Article 330 provides** reservation of seats for **Scheduled Tribes in the House of the People**.
- **Article 332 provides** reservation of seats for **Scheduled Tribes in Legislative Assemblies** of the States.
- **Article 334** provides that reservation of seats for Scheduled Castes and Scheduled Tribes in the **Lok Sabha and the State Vidhan Sabhas**.

**Various measures by governments to uplift the weaker sections**



- **Protection of Civil Rights Act (PCRA), 1955** deals with untouchability
- **SCs and STs (Prevention of the Atrocities) Act, 1989**, prevents commission of atrocities against SC/ST by person other than SCs & STs
  - It leads to establishment of special courts for speedy trial of such offence.
- **Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013:** The law prohibits the employment of manual scavengers, the manual cleaning of sewers and septic tanks without protective equipment and the construction of insanitary latrines.
  - This is mainly carried out based on caste and invariably by Scheduled Caste communities. Hence the act is significant in protecting lives of SC/ST community.
- **Panchayats (Extension to Scheduled Areas) Act, 1996:** It is a law enacted by the Government of India for ensuring self-governance through traditional Gram Sabhas for people living in the Scheduled Areas of India.
  - It was enacted by Parliament in 1996 and came into force on 24th December 1996.
  - The PESA is considered to be the backbone of tribal legislation in India.
  - PESA recognises the traditional system of the decision-making process and stands for the peoples' self-governance.
- **Forest Rights Act, 2006:** In December 2006, the Forest Rights Act was passed which accords **legal recognition to the rights of traditional forest-dwelling communities** and partially corrects the injustice caused by colonial-era forest laws.

#### Issues that still exist

- **Only 1.6 per cent of the 2.9 million** claims approved under the **Forest Rights Act** recognise community rights; the rest recognise individual rights over forest dwellings and farms in forestland.
  - The focus has mostly been on giving individual pattas (for agricultural land and housing) while ignoring rights over Minor Forest Produce.
  - **Eg: In Chhattisgarh**, the ground reality is no different. Of the 214,918 claims processed in the state, only 250 relate to community rights and none of them grant rights over MFP.
- **The NCRB data of crimes against SC/ST (PoA) Act**, as revealed in its 2017 annual report, reveals that while in 2014 the number of cases were 40,401, they had dropped marginally by 4.3% to 38,670 in 2015, but had risen by 5.5% to reach 40,801 in 2016.
  - **Conviction rate was 15.4 %** while the **pendency** percentage took at **90.5%**.
- **Honour killings:** In a society like India, where caste structures are still dominant in the form of endogamy, honour killings are prevalent on a wide scale.
  - Dalits are almost always at the receiving end of the violence.
- **Khap panchayat, or caste panchayat** often acts as an arena for perpetuating atrocities against Dalits by ostracizing them from the society.



## Conclusion

Indian Constitution, Indian Parliament, and various state legislatures have stringent provisions against atrocities targeting SCs or STs. Though independent Indian state has introduced many measures to curb the atrocities and usher in socio-economic justice, the results are often not satisfactory. Legislations have been passed repeatedly on this subject is proof of the fact that the law alone cannot end this social practice.

By socio-cultural upliftment of SC/ST through their meaningful integration into society, by giving adequate capacity building opportunities through education, employment etc. must be the end of this struggle.

The slow march to justice for undertrials must be seen in the context of a criminal justice system in need of an immediate overhaul especially the prison reforms. Elucidate. (150 words, 10 marks)

## Introduction

The Prisons in India are **more than a century-old system** which are in dire need of repair. Prisons in India, and their administration, are a state subject covered by item 4 under the State List in the Seventh Schedule of the Constitution of India. But they have been in general overlooked and ill maintained.

## Body

### Key findings from prison statistics of 2020

- The **prison statistics of 2020** show that more than 70 per cent of such undertrial prisoners are from marginalised classes, castes, religions and genders.
- It reveals that as compared to 2019, “the release of convicts has declined by 41.2 per cent and the release of undertrials has declined by 19.6 per cent” in 2020.
- As compared to 2019, the number of undertrial prisoners increased by 11.7 per cent and the number of detainees increased by 11.4 per cent in 2020.
- As prisons instituted a lockdown on public accountability, the rates of custodial deaths have increased by 7.0 per cent in 2020. So-called unnatural deaths, which include suicides, accidents, and murders in prisons, increased by 18.1 per cent.

### Need for Prison reforms

- Prison reform is necessary to ensure that human rights of prisoners are protected and their prospects for social reintegration are increased.
- Prisons are not isolated from the society and prison health is public health. It is important to provide adequate health facilities.
- **Overcrowding:** During the pandemic, the mass incarceration of undertrials led to a humanitarian crisis in overcrowded prisons. Prison officials struggled to prevent mass contagion among inmates and staff, even as thousands fell ill and many died.



- According to experts, the main reason for “overcrowding” in our prisons is due to the mass incarceration of pre-trial prisoners. The penal policy of the state has not focused on de-criminalisation.
- Instead, it has resulted in a shocking 31.8 per cent increase in the incarceration of the number of undertrial prisoners and increase in imprisonment of detenues by 40.1 per cent from 2015 to 2020 (as of December 31, 2020).
- Overcrowding of prisons, under trials, custodial violence all are the gross violations of human rights.
- Prisoners’ health conditions deteriorate in prisons which are overcrowded, where nutrition is poor, sanitation inadequate and access to fresh air and exercise often unavailable.
- Prison staff is also vulnerable to most of the diseases of which prisoners are at risk.
- According to the NCRB 1.2% of the prisoners have mental illness and they are being ill treated and discriminated and deprived of their right of good health.
- The UN’s Bangkok Rules which state that “non-custodial means should be preferred for pregnant women during the pre-trial phase” has been grossly violated.
- Public interest appeals to the committees to adopt a public health and gender-sensitive classification to decongest the most overcrowded prisons in the country were rejected.
- Poverty: Many prisoners are unable to execute bail bonds or provide sureties.
- Little public scrutiny in jails provides the possibility of violation of basic rights.
- Most of the installed CCTV cameras are not functioning in prisons.

#### Way forward

- Governments and courts adopt a public health and gender-sensitive approach to the question of mass incarceration of undertrial prisoners.
- The participation of prison watchdogs in bringing accountability to these dark custodial spaces must be restored.
- The decline in the rate of release of undertrials from prison and the increase in custodial deaths must be named as a humanitarian crisis.
- The bureaucratic approach of the HPCs should be reviewed.
- Courts must privilege prisoners’ experiences of “lockdown” prisons rather than pay lip service to dead letter reform.
- Qualified health professionals — independent of the prison administration — are essential to provide services to inmates.
- Prison and Jail Overcrowding Commission: Should meet regularly and dispose of any prison related issue.
- Ensuring Accountability of Police – any crime like custodial violence must be fast tracked within specified time period through Independent investigation Agency



## Conclusion

It is time to end the law's attachment to inflicting cruel, inhuman and degrading punishment on pre-trial prisoners. The mass incarceration of pre-trial prisoners must be abolished. Surely institutionalised indifference to the cruel and inhuman conditions of custody must be abhorrent to any society.

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.

Do you think the proposed amendment to the IAS(Cadre) rules 1954, would upset the Centre-State balance? Comment (150 Words)

*Difficulty Level: Moderate*

*Reference: The Indian Express*

**Why the question:**

*The proposed amendment to the Cadre rules are in news*

**Key Demand of the question:**

*Whether the proposed changes to cadre rules, would affect the centre-state relations of Government in India*

**Directive word:**

**Comment**– here we must express our knowledge and understanding of the topic and form an overall opinion thereupon

**Structure of the answer:**

**Introduction:**

*Brief on the proposed changes, act, rules if any.*

**Body:**

*First, mention the purpose of the amendment*

*Then, show how the proposed rules would disturb the balance of power between the central and state Governments*

**Conclusion:**

*A relevant way forward*

**Introduction**

India is a quasi-federation, with its executive organised between the Centre and the states. Both the Centre and the states exercise full control over their services independently of each other. However, to preserve unity between them, Sardar Patel envisioned the creation of the All-India Services. Unlike a central service or state service, an **All-India Service is compositely administered under Article 312.**

While recruitment and allotment to a cadre (state) are determined by the Centre, the states determine the work and posting. Hence, All-India Services are carefully balanced between the Centre and the states.



## Body

### Background

- A unique feature of All India Services, ie Indian Administrative Service, Indian Police Service and Indian Forest Service, created under the AIS Act, 1951, is that the **members** of these service are **recruited by the Central Government** and are placed **under various State Cadres**.
- It is incumbent upon the members of service to **serve both under the State and the Centre**.
- To ensure service of IAS officers at the Centre, suitable provisions have been made under the **IAS (Cadre) Rules, 1954**.
- The Indian Administrative Service regulations provide for Central Deputation Reserve (CDR) not exceeding **40 per cent of the Sanctioned Duty Posts (SDP) of a cadre/joint cadre**.
- The Central Deputation quota fixes the share of the Government of India out of the State cadre.

### Changes proposed by the Centre

New Insertions are as follows

- If the **State government delays posting** a State cadre officer to the Centre and does not give effect to the Central government's decision within the specified time, the **officer shall stand relieved from cadre from the date** as may be **specified by the Central government**.
- The **Centre** will decide the **actual number of officers** to be **deputed** to the Central government in consultation with the State and the latter should make eligible the names of such officers.
- In case of any **disagreement between the Centre and the State**, the matter shall be decided by the Central government and the State shall give effect to the decision of the Centre.
- In specific situations where services of cadre officers are required by the Central government in "**public interest**," the State shall give effect to its decisions within a specified time.

### Issues with changes disturbing Centre-State balance

- At the outset, **stripping away the consent of the state government** is a move towards greater **centralisation in the IAS**, bringing it functionally closer to a central service.
  - This has the **potential to disrupt the delicate balance between the Centre and states** and the sui generis character of the IAS as a composite service, and render **Article 312 as a dead letter law**.
- **It is against the spirit of cooperative federalism** as the proposed amendment would **weaken** the State's political **control** over the **bureaucracy**.
- It would hobble effective governance and create avoidable legal and administrative disputes.
- The **Centre could weaponize the bureaucracy** against an elected State government.



- There is a feeling that the insertions in the **Rules are unilateral** as it makes it mandatory on the States to necessarily nominate officers for Central deputation, but whether to take the officer or not is left to the Centre.
  - Also, in case of a disagreement, the upper hand is with the Centre, thus distorting the federal structure.

### Way forward and Conclusion

- Any proposed changes must have **consent of the states unanimously**. In this case, as both State and Centre control the postings of officers, there must be acceptance of the decision from the States as well.
- Moreover, the **inherent problem of shortage of officers** must be **addressed**.
- Centre can explore **Lateral Entry for Central Deputation** as well, like it has been doing in the recent times.

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

Compare and contrast the veto power of the President with that of the Governor regarding different types of bills. (250 words)

*Difficulty level: Easy*

*Reference: The Hindu*

### **Why the question:**

*The Tamil Nadu Assembly has once again adopted a Bill that was earlier returned by Governor R.N. Ravi. The Bill seeks to grant exemption from the mandatory National Entrance-cum-Eligibility Test (NEET) for seats allotted by the Government in undergraduate medical and dental courses in Tamil Nadu. Last week, the Governor returned the Bill, contending that it was against the interests of rural and poor students.*

### **Key Demand of the question:**

*To compare the nature of veto power available with the President and the Governor.*

### **Directive word:**

**Compare and contrast** – provide for a detailed comparison of the two types, their features that are similar as well as different. One must provide for detailed assessment of the two.

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

#### **Introduction:**

*Begin by mentioning about Article 111 and 200 respectively*

#### **Body:**

*In the body, compare the powers of President and Governor on the various types of veto available with them as per constitution. Absolute veto, Suspensive Veto and Pocket veto. Mention how these are applicable to various types of bills like ordinary bills, money bills and constitutional amendment bills. Give a special emphasis on nature of veto enjoyed by the President in case of bill reserved by the Governor.*

#### **Conclusion:**

*Conclude with mentioning the need of veto power with the President and Governor.*

### **Introduction**

When a bill is introduced in Parliament, it can be passed by the Parliament, but before it becomes an act, it must be presented to the Indian President for his approval. It is up to the President of India to



either reject the bill, return it, or withhold his assent to it. The President's decision on the bill is referred to as his veto power. The homologous situation in the state gives Governor his veto power.

**Body**

**Veto Powers of President and Governor**

**1. With Regards to Ordinary Bills**

**President**

Every ordinary bill is presented to the President for his assent after it has been passed by both Houses of Parliament, either singly or in a joint sitting. He has three options:

1. If he gives his assent to the bill, it becomes an act.
2. If he does not give his assent to the bill, it dies and does not become an act.
3. He may refer the bill back to the Houses for reconsideration.

If the bill is passed by both Houses again, with or without amendments, and presented to the President for his signature, the president must sign it. As a result, the president only enjoys a "suspensive veto."

When the governor reserves a state bill for the President's consideration, the President has three options:

1. If he gives his assent to the bill, it becomes an act.
2. If he does not give his assent to the bill, it dies and does not become an Act.

**Governor**

Every ordinary bill is presented to the governor for his assent after it has been passed by the legislative assembly in the case of a unicameral legislature or by both Houses in the case of a bicameral legislature, either in the first or second instance. He can choose from four options:

1. If he gives his assent to the bill, it becomes an act.
2. If he does not give his assent to the bill, it dies and does not become an act.
3. He may refer the bill back to the House or Houses for reconsideration.

If the bill is passed by the House or Houses again, with or without amendments, and presented to the governor for his signature, the governor must sign it. As a result, the governor has only a "suspensive veto."

1. He may reserve the bill for the President's consideration.

When the governor reserves a bill for the President's consideration, he has no further role in the bill's enactment. If the President returns the bill to the House or Houses for reconsideration and it is passed again, the bill must be presented again for presidential assent only. When the President signs the bill, it becomes an act. This means that the Governor's approval is no longer required.



3. He may refer the bill back to the House or Houses of the state legislature for reconsideration.

When a bill is returned in this manner, the House or Houses must reconsider it within six months. If the bill is passed by the House or Houses again, with or without amendments, and presented to the president for his signature, the president is not required to sign it. He may give or withhold his assent to such a bill.

## 2. With Regards to Money Bills

### President

Every money bill is presented to the President for his assent after it is passed by the Parliament. He can choose between two options:

1. If he gives his assent to the bill, it becomes an act.
2. If he does not give his assent to the bill, it dies and does not become an act.

As a result, the President cannot return a money bill to Parliament for reconsideration.

Normally, the president gives his assent to a money bill as soon as it is introduced in Parliament with his prior approval. When the Governor reserves a Money Bill for the President's consideration, the President has two options:

1. If he gives his assent to the bill, it becomes an Act.
2. If he does not give his assent to the bill, it dies and does not become an act.

### Governor

Every money bill is presented to the governor for his assent after it is passed by the state legislature (unicameral or bicameral). He has three options:

1. If he gives his assent to the bill, it becomes an act.
2. If he does not give his assent to the bill, it dies and does not become an act.
3. He may reserve the bill for the president's consideration.

As a result, the governor cannot return a money bill to the state legislature for reconsideration. Normally, the governor signs a money bill as soon as it is introduced in the state legislature with his prior approval. When the governor reserves a money bill for the President's consideration, he has no further role in the bill's enactment. When the President signs the bill, it becomes an Act. This means that the governor's approval is no longer required.



As a result, unlike the Parliament, the President cannot return a money bill for reconsideration by the state legislature.

### Conclusion

Thus, the purpose of granting the President this power of veto is to prevent hasty and ill-considered legislation by Parliament and to prevent legislation that may be unconstitutional.

Examine the significance of 'Neutrality Doctrine' in case of Constitutional Bodies. (150 Words)

### Introduction

The **Doctrine of Political Neutrality** is a bedrock of a constitutional democracy. Neutrality is about being 'a third' vis-à-vis a conflict between others. The claim of neutrality is a claim addressed to the belligerent parties to show respect for the choice of the neutral and not to become involved in their conflict.

### Body

#### Background

- The Supreme court has highlighted the need for authorities like the Speaker and the Governor to be faithful to constitutional morality and not vacillate under "prevailing political pressures".
- The court has made it clear that as "the sentinel on the qui vive of the Constitution, it is under obligation to see that the democracy prevails and not gets hollowed by individuals".

#### Significance of 'Neutrality Doctrine' in case of Constitutional Bodies

##### Upholding constitutional trust:

- A constitution vests the trust in the office of Speaker, Governor, EC etc. which needs to ensure their neutrality in their actions.
  - **Ensuring political fairness:** The exercise of the wide constitutional powers by the constitutional office such as Governor's, speaker's, CAG's and Election Commission's is supposed to be in line with the "sacred" conventions of political neutrality and fairness. ○ However, we see erosion of such conventions in case of Uttarakhand and Arunachal Pradesh, the Speakers in both assemblies had helped ruling parties keep their flocks together by using their powers to disqualify MLAs under the Tenth Schedule.
  - **Upholding federalism:** In India, the balance of power is tilted towards the Union. The importance of the constitutional posts such as Governor's arises from, he being the crucial link within this federal structure in maintaining effective communication between the Centre and a State.
  - **For continuity in governance and keeping a check on the executives:** Constitutional posts such of Speakers and Governors, acting independently of each other or in concert, can navigate the destiny of State governments. As a figurehead who ensures the continuance of governance in the State, even in times of constitutional



crises, Governor's role is often that of a neutral arbiter in disputes settled informally within the various strata of government, and as the conscience keeper of the community.

#### **For a fair system of election and thus strengthening democracy:**

- Elections are pivotal to the quality of a country's governance and can either greatly advance or set back a country's long-term democratic development. Therefore here EC's neutrality is of utmost significance and value.

#### **To maintain the health of the economy:**

- The independence, powers and responsibilities of the constitutional offices like CAG's place high ethical demands on the auditor and the staff he employs or engages for auditing and accounting work. The general standards for the CAG include independence from the legislature and from the executive so that any economic misconduct by the government or siphoning of the public exchequer can be pointed out.

#### **Conclusion**

The principle of political neutrality, which requires the state to remain neutral on disputed questions is an extension of traditional liberal principles of toleration and independence of opinion. Thus, political neutrality casts duties not only on constitutional offices but also on government of the day. The political leaders must protect independent constitutional offices from political interference and must not involve them in political activities or debates.

The role of the governor is of a sagacious counsellor, mediator and arbitrator rather than that of an active politician. Comment. (250 Words)

*Difficulty Level: Moderate*

*Reference: The Hindu*

#### **Why the question:**

*Controversies regarding the role of the Governor in the Indian political system have constantly been in News.*

#### **Key Demand of the question:**

*Role of Governor*

#### **Directive word:**

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

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

##### **Introduction:**

*Give a brief background and constitutional provisions related to Governor.*

##### **Body:**

*Enumerate the constitutional duty of the Governor and whether they have been holding it. Mention the issues of the tussle between the governor and elected government e.g. in West Bengal, Maharashtra, Delhi, Tamil Nadu.*

*Then bring out the suggestions for making the relationship between the two constitutional organs harmonious.*

##### **Conclusion:**

*Give a way forward about the need to rise above the politics, and uphold the constitutional values and principles.*

##### **Introduction**



**Article 154** of the Constitution envisages Governor as the executive chief of the state. All executive actions are taken in his name. B R Ambedkar called the office of the Governor as the “office of dignity”. He is not an agent of the Centre, but the governor’s post in an independent Constitutional office. His office is the linchpin of Indian Cooperative Federalism.

## Body

### Role of the Governor:

- The Constitution thus assigns to the Governor the role of a Constitutional sentinel and that of a vital link between the Union and the State.
- The Governor, on occasions, could also play a useful role as a channel of communication between the Union and the State in regard to matters of mutual interest and responsibility
- India invented the role of state governor after Independence to act as a conduit between the ceremonial head of state (the president) and the chief minister of each state, as the president’s eyes and ears in the country’s diverse and far-flung states.
- Their duty is to be neutral guardians of the complex relationship between the federal government and state governments belonging to different political parties.
- Being the holder of an independent Constitutional office, the Governor is not a subordinate or a subservient agent of the Union Government.
- The Governor is expected to advance the cause of federalism and democracy in the contemporary constitutional landscape, which form a part of the basic structure of the constitution.
- As the distinguished constitutional expert, **Nani A. Palkhivala** explained it “the Constitution intended that the Governor should be the instrument to maintain the fundamental equilibrium of the people of the State and to ensure that the mandates of the Constitution are respected in the State”.
- In his speech on the constitutional role of Governors, **B.R. Ambedkar** described how a Governor should use his discretion not as “representative of a party” but as “the representative of the people as a whole”

### Tyranny of the unelected in recent times

- **Gubernatorial powers:** Misusing the powers of Governor. **g.:** In Maharashtra, Governor Bhagat Singh Koshyari has stalled the election of Speaker since the post fell vacant in February 2021. He had refused to accept the recommendation of the Council of Ministers on the nomination of 12 members to the Legislative Council, until the matter reached the High Court.
- **Locking horns with Government:** **g.:** West Bengal Governor Jagdeep Dhankhar has made allegations of impropriety in welfare schemes, questioned Government claims about investments in the State, and taken up the cudgels for the Opposition BJP. He has been summoning the Chief Secretary and the Director General of Police on a regular basis, and when they do not turn up, taking to Twitter and often tagging the Chief Minister.



- **Governor's appointment: Article 155** says that governor should be appointed (not elected) from amongst persons of high status with eminence in public. The elected government at the state is not even consulted while making appointment of the Governors. Further successive governments have reduced this important constitutional office to a sinecure and resting place for loyal and retired / about to retired / about to retire politicians apart from docile bureaucrats.
- **Appointment and dismissal of the Chief Minister:** Governor appoints Chief Minister, other ministers, Advocate General, Chairmen and members of the State Public Service Commission in the state. After elections in the state, there is a convention to invite the largest party to form government in the state. This convention has been flouted many times at the whim of the governor. E.g.: **The recent episode Maharashtra where Governor inducted a new government at 5:00 am without ascertaining the requisite numbers for the government.**
- **Reservation of Bills for Consideration of President:** As per **Article 200** of the Constitution, the governor can reserve certain types of bills passed by the State Legislature for the President's consideration. Centre, through the governor in case of different parties ruling, used this provision to serve partisan interests. g. In Tamil Nadu, Governor R.N. Ravi has not acted upon the T.N. Admission to Undergraduate Medical Degree Courses Bill, adopted by the Assembly in September 2021. the indefinite delay in taking a decision amounts to undermining the legislature, and is unjustifiable.
- **Misuse of Article 356: Article 356** is the most controversial article of the Constitution. It provides for State emergency or President's rule in State if the President, on receipt of report from the Governor of a State. But since the **SR Bommai case**, this has been sparsely used.
- **Removal of the Governor: Article 156** says that the governor will hold office during the pleasure of the President for five years. The governor has no security of tenure and no fixed term of office. This prevents to uphold neutrality of the governor, fearing retribution. E.g.: The mass changing of the governors of state whenever a new government comes to power at Centre.

### Need for codification of powers of the Governor

Below committee recommendations must be codified to remove any ambiguity.

- **Rajamannar Committee:** Consultation of the CM must become mandatory before the appointment of the Governor.
- **Punchhi Commission:** The phrase "during the pleasure of the President" should be deleted from the Constitution.
  - Governor should be removed only by a resolution of the state legislature.
  - Qualification for the post must be laid down in Constitution while giving security of tenure. This will enable the Governor to take impartial and neutral decisions.
- **Sarkaria Commission Report (1988):** On appointment of Governor: –
  - Governor should be an eminent person and not belong to the state where he is to be posted.



- State chief minister should have a say in the appointment of governor
- Governor should be a detached figure without intense political links or should not have taken part in politics in recent past.
- Governor should not be a member of the ruling party.
- **Other recommendations:** Governor must act at all times in aid and advise of CM, unless as given specifically in the Constitution.
  - He or she must not overpower or assume the role of state government.

### Conclusion

In a federal structure, the states cannot function as vassals of the Centre. Governors are a relic of the British past and many of them have downgraded themselves to mere agents of the Centre with utter disregard to constitutional provisions, conventions, precedents and even court verdicts. It is perhaps time to take a re-look at the post of governor itself or at least codify their powers to ensure that tyranny of the unelected does not triumph over popular governments.

Governor should be non-partisan and act as lynchpin for smooth federal relations between center and state rather than acting as an agent of center. Elaborate. (250 words)

*Difficulty level: Moderate*

*Reference: The Hindu*

#### **Why the question:**

*Governor R.N. Ravi returning the National Eligibility-cum-Entrance Test (NEET) Bill passed by the Tamil Nadu Assembly and the running battle between West Bengal Governor Jagdeep Dhankhar and Chief Minister Mamata Banerjee underline again the problematic role that governors play in Indian politics.*

#### **Key Demand of the question:**

*To throw light on the role of Governor in Indian federalism and how partisan actions of the Governor cause strain in center state relationships.*

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

##### **Directive:**

**Elaborate** – Give a detailed account as to how and why it occurred, or what is the particular context. You must be defining key terms where ever appropriate, and substantiate with relevant associated facts.

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

##### **Introduction:**

*Begin by mentioning article 155 and role envisaged for governor.*

##### **Body:**

*Mention about increasing politicization of the post of Governor and him/her acting as the 'agent of center'. Mention the recent examples of Tamil Nadu, Maharashtra and West Bengal.*

*Write about the impact it has on Center-State relations. centre-state relations have created widespread public sensitivity and opinion regarding various wrong doings of the centre through the office of the governor which have proved to be damaging for the essential federal structure in India.*

##### **Conclusion:**

*Conclude with a way forward to reduce politicization of the role of the governor as suggested by various committees.*

##### **Introduction**



**Article 154** of the Constitution envisages Governor as the executive chief of the state. All executive actions are taken in his name. B R Ambedkar called the office of the Governor as the “office of dignity”. He is not an agent of the Centre, but the governor’s post in an independent Constitutional office. His office is the linchpin of Indian Cooperative Federalism.

The controversy over the politicization of the Governor post is once again in the news over delayed decision making by the Governor of TN in the appointment of CM.

Body:

### **Appointment of Governor:**

Under the Articles 155 and 156, Governors in India are appointed directly by the President and holds office “during the pleasure of the President”.

### **Role of the Governor:**

- India invented the role of state governor after Independence to act as a conduit between the ceremonial head of state (the president) and the chief minister of each state, as the president’s eyes and ears in the country’s diverse and far-flung states.
- Their duty is to be neutral guardians of the complex relationship between the federal government and state governments belonging to different political parties.
- But this role got diluted as Supreme Court said in one of the judgements ‘agents of the centre’.

### **Criticism of regarding the Governor Posts**

- The governor selections have come to be made on grounds of political partisanship, favouritism, patronage and cronyism.
- The governors are becoming the eyes and ears for Central Government.
- The misuse of the office of the Governor for political purposes to dispose the rival political parties’ government by invoking the Article 356 on dubious or doubtful grounds.
- Appointment of Judges as governors.
- Appointment of people involved in the active politics of the State.
- Removal of Governor merely because he is not on the same political or ideological page as that of the government, this happens despite constitutional bench saying
- A Governor won’t be removed on the ground that he is out of sync with the policies and ideologies of the Union Government or the party in power at the Centre.
- Nor would he be removed on the ground that the Union Government has lost confidence in him.

### **Recommendations made regarding the Governor Posts**

#### **Sarkaria Commission Report Recommendations**



- “The Governors tenure of office of five years in a State should not be disturbed except very rarely and that too for some extremely compelling reason. It is very necessary to assure a measure of security of tenure to the Governor’s office.”
- Governor should be an eminent person and not belong to the state where he is to be posted.
- State chief minister should have a say in the appointment of governor
- Governor should be a detached figure without intense political links or should not have taken part in politics in recent past.
- Governor should not be a member of the ruling party.
- Governor should be removed before his tenure only on the grounds as if aspersions are cast on his morality, dignity, constitutional propriety, etc.

#### **The National Commission to Review the Working of the Constitution** recommendations:

- Governor’s appointment should be entrusted to a committee comprising the prime minister, the home minister, the speaker of the Lok Sabha and the chief minister of the concerned state.
- If they have to be removed before completion of their term, the central government should do so only after consultation with the Chief Minister.

#### **The Punchhi commission recommendations**

- The person who is slated to be a Governor should not have participated in active politics at even local level for at least a couple of years before his appointment.
- For office of Governor, the *doctrine of pleasure should end* and should be deleted from the constitution. Governor should not be removed at whim of central government. Instead, a resolution by state legislature should be there to remove Governor.
- There should be provisions for impeachment of the Governor by the state legislature along the same lines as that of President by President.
- The convention of making the Governors as chancellors of universities should be done away with.
- *The commission recommended for “localising emergency provisions” under Articles 355 and 356, contending that localised areas— either a district or parts of a district — be brought under Governor’s rule instead of the whole state.*

#### **The Supreme Court’s interpretation**

- In 2010, a constitutional bench of the Supreme Court interpreted these provisions and laid down some binding principles (B.P. Singhal v. Union of India), the Supreme Court held:
- President, in effect the central government, has the power to remove a Governor at any time without giving him or her any reason, and without granting an opportunity to be heard.



- However, this power cannot be exercised in an arbitrary, capricious or unreasonable manner. The power of removing Governors should only be exercised in rare and exceptional circumstances for valid and compelling reasons.
- The mere reason that a Governor is at variance with the policies and ideologies of the central government, or that the central government has lost confidence in him or her, is not sufficient to remove a Governor. Thus, a change in central government cannot be a ground for removal of Governors, or to appoint more favourable persons to this post.
- Such a decision, to remove a Governor can be challenged in a court of law.

### Conclusion

Despite several commissions appointed by Government themselves and the Supreme Court guidelines, the post of governor is misused again and again.

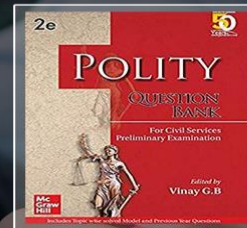
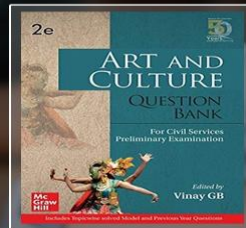
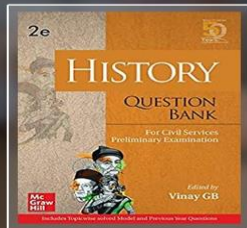
It is, however, time for a thorough review of the Governor's powers and the process of appointment and removal.

- New rules and conventions may need to be put in place so that Governor's constitutional mandate is strengthened.
- All part conference to review the role of the Governors, the powers exercised by him and the manner in which he should be appointed and removed.
- The Constitution should be amended and security of tenure must be provided to the Governors. The judgment of the Supreme Court delivered in B. P. Singhal case is the law of the land and the Government should respect it.
- The Governors should be treated with dignity, and should not be fired only for political considerations.
- The Constitution of the land prohibits the arbitrary exercise of power and the Government is not an exception to the equality law.



## QUESTION BANKS FOR CIVIL SERVICE PRELIMINARY EXAMINATIONS

Prepare in the Most Comprehensive Way!



**BUY NOW**



**INSIGHTSIAS**  
SIMPLIFYING IAS EXAM  
PREPARATION

Apply Now at

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



## INSTA COURSES

Join our Courses & Get Ready for **IAS**



**INSIGHTSIAS**  
SIMPLIFYING IAS EXAM  
PREPARATION

Apply Now at

[www.instacourses.insightsonindia.com](http://www.instacourses.insightsonindia.com)



**INSTACLASSES 2022**  
Full-fledged Classroom Program for Freshers  
OGP- Offline & Online Guidance Program

*We Don't Just Guide You*  
**We EQUIP You!**  
EQUIP Strategy for your SUCCESS!

**Features:**

Explanation + Quest + Understand + Interact + Perform

- Personal Mentorship
- Free Access to All India Prelims Test Series
- Ignite Session
- Integrated Ethics & Essay Classes
- Mains Answer Evaluation with Feedback
- Strategic Coverage of Current Affairs
- Permanent Faculties
- Special Classes by Guest Faculties

**ADMISSIONS OPEN**

Early Bird Offer **15%**  
till 10<sup>th</sup> August 2021 for Batch 2  
till 5<sup>th</sup> Sept 2021 for Batch 3

**CLICK HERE**

Batch 2 starts from 16<sup>th</sup> August 2021 | Batch 3 starts from 15<sup>th</sup> Sept. 2021

Bangalore Office : 7483163074 / 9380863034 | Delhi Office : 7303318519 / 011-49520205 | Hyderabad Office : 8688512637 | support@insightsias.com

**INSIGHTSIAS**  
SIMPLIFYING IAS EXAM PREPARATION

**INTEGRATED PRELIMS CUM MAINS (IPM)**  
**TEST SERIES 2022** A FLAGSHIP PROGRAM OF INSIGHTSIAS

**STARTS FROM 20TH JULY 2021**

EARLY BIRD OFFER **15% DISCOUNT** TILL 30TH JUNE 2021

OLD SUBSCRIBER **20% DISCOUNT**

**CLICK HERE TO READ MORE**

SUBSCRIBE HERE

Bangalore: 7483163074 / 9380863034, Delhi: 7303318519 / 011-49520205, Hyderabad: 8688512637 | support@insightsias.com

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

Do you think opinion polls should be banned as they are antithetical to free and fair elections? Critically analyse. (250 words)

*Difficulty level: Moderate*

*Reference: Indian Express*

**Why the question:**

Every election season, we find television channels flooded with opinion polls. Critics have often questioned their authenticity. All political parties too have opposed these polls, demanding a ban — except when they are shown as winning. The media, on the other hand, invariably opposes the idea of a ban as seat forecasts attract primetime viewership.

**Key Demand of the question:**

To write about if there should be a ban on opinion polls in India.

**Directive word:**

**Critically analyze** – When asked to analyse, you must examine methodically the structure or nature of the topic by separating it into component parts and present them in a summary. When ‘critically’ is suffixed or prefixed to a directive, one needs to look at the good and bad of the topic and give a balanced judgment on the topic.

**Structure of the answer:**

**Introduction:**



*Begin by defining the concept of opinion polls.*

**Body:**

*In the first part, mention the various drawbacks of opinion polls and reasons what it should be banned – Manipulations, Voter influencing, corruption, Propaganda, Consensus among political parties, Ban on exit polls etc.*

*Next, mention the reasons as to why it doesn't warrant a ban – freedom of speech, a sample survey, not enough to influence voters etc.*

**Conclusion:**

*Conclude by writing a way forward how to properly regulate opinion polls without affecting the free and fair elections.*

**Introduction**

**An opinion poll is a pre-election survey** to gather voters' views on a range of election-related issues. On the other hand, **an exit poll** is a post-election survey which is conducted immediately after people have voted to assess the support for political parties and their candidates.

As per guidelines of **Election Commission of India (ECI)**, Exit poll results cannot be published till the last round of elections is over. **While there is no express ban on Opinion polls**, Opinion poll results can be published **only before 48 hours before the voting is scheduled to begin**. The EC wants to restrict the publication and telecast of opinion polls as soon as it announces the enforcement of the model code of conduct for elections.

**Body**

**Background**

- The EC has several times tried to ban and regulate these polls. For example, in 1998 EC mandated that while carrying the results of exit and opinion polls, newspapers and channels should disclose: –
  - sample size of the electorate,
  - details of polling methodology,
  - margin of error and
  - background of the polling agency
- There were strong protests from both the print and electronic media, who contended that the guidelines violated their fundamental right of free speech and expression.
- The EC order was challenged and a constitutional bench of Supreme Court ruled that the EC cannot enforce such guidelines in the absence of statutory sanction.
- Since then, **EC has at several times approached the Law ministry** seeking an amendment in the law to ban these polls.
- In 2010, **restrictions were imposed only on exit polls** through the introduction of **Section 126(A) in the Representation of People Act 1951**.

**Opinion polls antithetical to free and fair elections**

- **Credibility of polling organization:** Opinion polls can be controversial if the **agency conducting them is perceived to be biased**.



- **Issue with misleading:** Critics say the projections of these surveys can be influenced by the choice, wording and timing of the questions, and by the nature of the sample drawn.
- **Paid polls to distort election result:** Political parties often allege that many opinion and exit polls are **motivated and sponsored by their rivals**, and could have a **distorting effect** on the choices voters make in a protracted election, **rather than simply reflecting public sentiment or views**.
- **Suffer from bias:** Representatives of most national and state parties have conceded that these polls are unscientific, and suffer from biases in the size and nature of samples.
- **No transparency:** The real problem with Indian opinion polls, barring some honourable exceptions, lies with their **non-transparency and non-professionalism**.
  - A general unwillingness on the part of polling agencies and the media to share even basic methodological details about their polls compounds the problem.
  - Most polls get away by announcing the most perfunctory methodological information and making vague claims about the representative nature of the survey. There is thus **no way of telling a rogue poll from a professional effort**.
- **Awareness on nature of polls:** Unfortunately, there is very little understanding among the common people or even media persons of what the polls can and cannot deliver.
  - Pollsters make matters worse by making excessive claims, nothing short of black magic.

### Support to opinion polls

- Regulating these polls is seen as a **curb on the fundamental freedom of speech and expression**.
- Another criticism is that the **voters have the right to know what other people's views** are on critical electoral issues so that **they can form an informed opinion** before casting their votes.
- Since **elections are not a private act**, citizens wish to, and need to, know how others are making up their mind.
  - Survey based tracking of the mood of the electorate performs that crucial role.
- In an unequal country like India, **where a tiny but voluble elite is used to passing off its voice as public interest, scientific sample surveys** of public opinions are one of the few ways in which the voice of the poor and the disadvantaged gets registered.
- All things considered; this is a **better method to monitor the popular mood** than anything else that exists. This creates a widespread need for this information among politicians, the media and people at large.

### Creating the balance: Way forward

- Every election-related poll, or any opinion poll for that matter, must be required to make the following disclosures:



- the ownership and track record of the organisation carrying out the survey, details of the sponsor;
  - sampling frame, sample size and the exact technique used to draw the sample; the social profile of the achieved sample;
  - where, when and how were the interviews conducted; the exact wording of the question and sequence of questions asked;
  - raw vote shares reported in the survey and how they were converted into vote estimates and seats forecast.
- Besides this proactive disclosure, the polling organisation should be required to supply some additional information on demand. This second-order disclosure could include providing basic tables for some key variables.
  - Finally, in case of dispute or challenge, the polling organisation should be required to open its unit level data (raw data file) for in-camera examination by a committee of experts.
  - There could be a provision for strictures and sanctions against those who violate these norms.

### Conclusion

What matters is the existence of a regime of mandatory disclosures rather than an agency in charge of implementing it. Once in place, such a mechanism would help the public tell the difference between a genuine and rogue poll and incentivise transparent practices. That would be a significant step forward in democratic public culture. After all, public opinion polling is too valuable and consequential to be left to politicians, or pollsters.

### Value addition

#### ***International practice on opinion polls***

- *Sixteen European Union countries ban reporting of opinion polls, with ban timeframes ranging from a full month to just 24 hours before polling day.*
- *Italy, Slovakia and Luxembourg have a ban of more than 7 days.*
- *France – The French ban has been reduced to 24 hours ahead of voting day.*
- *UK – There are no restrictions on publishing results of opinion polls – however, results of exit polls can't be published until the voting is over.*
- *US – Media coverage of opinion polls is regarded as an integral part of free speech in elections, and publication is allowed at any time.*
- *The only restriction that exists – not reporting likely outcomes from exit polls before voting is over on election day – is one that news organisations commissioning the polls voluntarily impose upon themselves.*

### **[Compare and contrast the veto power of the President with that of the Governor regarding different types of bills. \(150 words\)](#)**



Reference: [The Hindu](#)

## Introduction

When a bill is introduced in Parliament, it can be passed by the Parliament, but before it becomes an act, it must be presented to the Indian President for his approval. It is up to the President of India to either reject the bill, return it, or withhold his assent to it. The President's decision on the bill is referred to as his veto power. The homologous situation in the state gives Governor his veto power.

## Body

### Veto Powers of President and Governor

#### 1. With Regards to Ordinary Bills

##### President

Every ordinary bill is presented to the President for his assent after it has been passed by both Houses of Parliament, either singly or in a joint sitting. He has three options:

1. If he gives his assent to the bill, it becomes an act.
2. If he does not give his assent to the bill, it dies and does not become an act.
3. He may refer the bill back to the Houses for reconsideration.

If the bill is passed by both Houses again, with or without amendments, and presented to the President for his signature, the president must sign it. As a result, the president only enjoys a "suspensive veto."

When the governor reserves a state bill for the President's consideration, the President has three options:

1. If he gives his assent to the bill, it becomes an act.
2. If he does not give his assent to the bill, it dies and does not become an Act.
3. He may refer the bill back to the House or Houses of the state legislature for reconsideration.

When a bill is returned in this manner, the House or Houses must reconsider it within six months. If the bill is passed by the House or Houses again, with or without amendments, and presented to the president for his signature, the president is not required to sign it. He may give or withhold his assent to such a bill.

#### 2. With Regards to Money Bills

##### Governor

Every ordinary bill is presented to the legislative assembly in the case of a bicameral legislature, four options:

1. If he gives his assent to the bill, it becomes an act.
2. If he does not give his assent to the bill, it dies and does not become an act.
3. He may refer the bill back to the Houses for reconsideration.

If the bill is passed by the House or Houses again, with or without amendments, and presented to the governor for his signature, the governor has only a "suspensive veto."

1. He may reserve the bill for the President's consideration.

When the governor reserves a bill for the President's consideration, the President has three options in the bill's enactment. If the President gives his assent, the bill becomes an act. If the President withholds his assent, the bill is returned to the Governor's approval is no longer required.

President

Governor



Every money bill is presented to the President for his assent after it is passed by the Parliament. He can choose between two options:

1. If he gives his assent to the bill, it becomes an act.
2. If he does not give his assent to the bill, it dies and does not become an act.

As a result, the President cannot return a money bill to Parliament for reconsideration. Normally, the president gives his assent to a money bill as soon as it is introduced in Parliament with his prior approval. When the Governor reserves a Money Bill for the President's consideration, the President has two options:

1. If he gives his assent to the bill, it becomes an Act.
2. If he does not give his assent to the bill, it dies and does not become an act.

As a result, unlike the Parliament, the President cannot return a money bill for reconsideration by the state legislature.

### Conclusion

Thus, the purpose of granting the President this power of veto is to prevent hasty and ill-considered legislation by Parliament and to prevent legislation that may be unconstitutional.

Tribunals in India face a number of administrative constraints which add up to delays in disposal of cases and underutilisation of Indian tribunal system. Analyse. (150 words, 10 marks)

### Introduction

**Tribunal** means a set or a bench upon which judge or judges sit and decide controversies between the parties and exercises judicial powers as distinguished from purely administrative functions. It is a **quasi-judicial institution** that is set up to deal with problems such as resolving administrative or tax-related disputes. **Part XIV-A** of the Constitution which consist of **two articles 323A and 323B** deals with these Tribunals **E.g.:** National Green Tribunal, Central Administrative Tribunal etc

The **Chief Justice of India** N V Ramana had termed the state of tribunals and the thousands of litigants waiting for justice "pitiable".

### Body

#### Constraints faced by tribunals in India

Every money bill is presented to the governor for his assent after it is passed by the bicameral). He has three options:

1. If he gives his assent to the bill, it becomes an act.
2. If he does not give his assent to the bill, it dies and does not become an act.
3. He may reserve the bill for the president's consideration.

As a result, the governor cannot return a money bill to the state legislature for reconsideration. Normally, the governor gives his assent to a money bill as soon as it is introduced in the state legislature with his prior approval. When the President reserves a Money Bill for the President's consideration, he has no further role in the bill's enactment. When the President gives his assent to a Money Bill, it becomes an Act. This means that the governor's approval is no longer required.



- The **manner of appointment of its members, performance appraisal, career path for tribunal members, remuneration, terms of service, are all outside the oversight of the judiciary.** This is the foremost problem with tribunalisation.
- In India, **executive interference in the functioning of tribunals** is often seen in matters of appointment and removal of tribunal members, as well as in provision of finances, infrastructure, personnel and other resources required for day-to-day functioning of the tribunals.
- Administrative tribunals, with their separate laws and procedures often made by themselves, puts a **serious limitation upon the principles of Rule of Law.**
- Most of the tribunals **do not enjoy the same amount of independence of the Executive** as do the Courts and the judges.
- Recently, the Chief Justice of India NV Ramana-led bench of the Supreme Court pulled up the central government for the **rising number of vacancies in various law tribunals** across the country. The bench asked the centre to “clear its stand” on the urgent need to fill these vacancies.
- The civil and criminal courts have a uniform pattern of administering justice. A uniform code of procedure in administrative adjudication is not there.
- **Administrative tribunals are manned by administrators and technical heads** who may not have the background of law or training of judicial work. At times they adopt summary procedures to deal with cases coming before them
- In **Chandra Kumar case**, SC held that the appeals to such tribunals lies before the court and hence **defeats the whole purpose of reducing burden of the superior courts.**
- Since the tribunals are mainly chaired by the retired judges who are appointed by the government, so the **present judges in courts may favour government** in certain matter to gain political patronage in appointment to such tribunals after retirement.
- **Lack of adequate infrastructure** to work smoothly and perform the functions originally envisioned for them. There is a **lack of understanding of the staffing requirements** in tribunals.

#### **National tribunal commission – a way forward**

- The idea of an NTC was first mooted by the Supreme Court in L. Chandra Kumar v. Union of India (1997).
- NTC is envisaged to be an independent umbrella body to supervise the functioning of tribunals, appointment of and disciplinary proceedings against members, and to take care of administrative and infrastructural needs of the tribunals.
- NTC will support uniform administration across all tribunals. It could set performance standards for the efficiency of tribunals and their own administrative processes.
- Giving the NTC the authority to set members’ salaries, allowances, and other service conditions, subject to regulations, would help maintain tribunals’ independence.



- The NTC could pave the way for the separation of the administrative and judicial functions carried out by various tribunals.
- A 'corporatised' structure of NTC with a Board, a CEO and a Secretariat will allow it to scale up its services and provide requisite administrative support to all tribunals across the country.
- NTC could function as an independent recruitment body to develop and operationalise the procedure for disciplinary proceedings and appointment of tribunal members.
- An NTC will effectively be able to bring in uniformity in the appointment system meanwhile ensuring that it is independent and transparent.

### Conclusion

The tribunalisation of justice was introduced to speed up the adjudication process, and they have been productive in their goal. The tribunals have carved out a distinct position in the Indian landscape by adjudicating several interesting issues. The independence of these tribunals was described as a fundamental feature of the Indian Constitution in the case of **Rojer Mathew's decision**. This fundamental feature must be encapsulated and maintained in reality through the creation of the NTC, which will be solely responsible for choosing, monitoring, and removing appointees to make sure that the tribunals are occupied with men of honesty and great behaviour.

### Value addition

#### **Tribunals and their mandate**

- *The original Constitution did not contain provisions with respect to tribunals.*
- *The 42nd Amendment Act of 1976 added a new Part XIV- A to the Constitution.*
- *This part is entitled as 'Tribunals' and consists of only two Articles—**Article 323 A dealing with administrative tribunals and Article 323 B dealing with tribunals for other matters.***
- *Article 323 A empowers the Parliament to provide for the establishment of administrative tribunals for the adjudication of disputes relating to recruitment and conditions of service of persons appointed to public services of the Centre, the states, local bodies, public corporations and other public authorities.*
- *Under Article 323 B, the Parliament and the state legislatures are authorised to provide for the establishment of tribunals for the adjudication of disputes relating to the following matters:*
  - *Taxation*
  - *Foreign exchange, import and export*
  - *Industrial and labour*
  - *Land reforms*
  - *Ceiling on urban property*
  - *Elections to Parliament and state legislatures*

#### **Tribunals and judicial efficiency**

Telegram: <https://t.me/insightsIAStips>

Youtube: <https://www.youtube.com/channel/UCpoccbCX9GEIwaile4HLjwA>

Facebook: <https://www.facebook.com/insightsonindia>



- **Flexibility:** Rigid procedures and evidence ordeals of courts are not followed, rather it goes by the principle of natural justice.
- **Less Expensive:** Administrative justice ensures cheap and quick justice. Its procedures are simple and can be easily understood by a layman.
- **Relief to Courts:** The tribunals perform an important and specialised role in justice mechanism. They take a load off the already overburdened courts. They hear disputes related to the environment, armed forces, tax and administrative issues.
- **Reduce pendency:** To overcome the situation that **arose due to the pendency of cases in various Courts**, domestic tribunals and other Tribunals have been established under different Statutes, hereinafter referred to as the Tribunals.
- **Adequate Justice:** In the fast-changing world of today, administrative tribunals are the most appropriated means of administrative action, and also the most effective means of giving fair justice to the individuals.
  - Lawyers, who are more concerned about aspects of law, find it difficult to adequately assess the needs of the modern welfare society
- **Efficiency:** The Tribunals were set up to reduce the workload of courts, to expedite decisions and to provide a forum which would be manned by lawyers and experts in the areas falling under the jurisdiction of the Tribunal.

Caste based census provides data that will help further streamline affirmative action and ensure the welfare measures reach the people who truly need it. Critically analyse. (150 words, 10 marks)

### Introduction

Every Census in independent India from 1951 to 2011 has published data on Scheduled Castes and Scheduled Tribes, but not on other castes. **Caste Has Important Position in Indian Society**, while census data has been captured for **Scheduled Castes, Scheduled Tribes**, religions and linguistic profiles, there has been no profiling of all castes in India since 1931.

### Body

The 2021 Census of India, the **16th Indian Census**, will be taken in 2021. But the growing demands for a **caste census** from various **sections of society** have once again surfaced the issue like its immediate need and long-term repercussions.

### Merits of Caste Census

- **Benefit in Policy Making:** The purpose of a caste census is not merely geared to the reservation issue; a caste census would actually bring to the fore the large number of issues that any democratic country needs to attend to, particularly the number of people who are at the margins, or who are deprived, or the kind of occupations they pursue.
  - A caste census, which will generate exhaustive data will **allow policymakers to develop better policies, implementation strategies**, and will also enable a more rational debate on sensitive issues.



- **Enumerating the marginalized:**A caste census would actually bring to the particular the number of people who are at the margins, or who are deprived, or the kind of occupations they pursue, or the kind of hold that institutions like caste have on them.
- **Also Reveal Privileged Section of Society:**Caste is not only a source of disadvantage; it is also a very important source of privilege and advantage in our society.
  - We have to stop thinking of caste as being applicable to only disadvantaged people, poor people, people who are somehow lacking.
  - The opposite is even truer: caste has produced advantages for certain communities, and these also need to be recorded.
- **To Address Prevalent Inequalities:**Unequal distribution of wealth, resources and education has meant an acute shortage of purchasing power among the majority of Indians.
  - As a democratic nation, **we cannot forcibly overthrow the system**,but we need to address it in a democratic, scientific and objective manner.
- **Constitutional Mandate:**Our Constitution too favours conducting a caste census. **Article 340** mandates the appointment of a commission to investigate the conditions of **socially and educationally backward classes** and make recommendations as to the steps that should be taken by governments.
- **Caste doesn't marginalize:**We need to do away with the idea of caste being applicable to only disadvantaged people, poor people, people who are somehow lacking.
- **Rids away caste rigidities:**Counting of caste doesn't necessarily perpetuate caste or the caste system. Myths of caste elitisms can be debunked through a caste census.
- **To Burst the Myths:**There are a lot of myths which actually deprive a large number of people, particularly on the margins.
  - **g.:** In Karnataka, for a long time, there were claims that among the castes, the Lingayats are the most numerous.
  - But a lot of other studies have brought out that this may not be true, and these kinds of myths lead to the argument that given that this is a caste which is numerous, it has to be constantly placated. These myths can be debunked through a caste census.
- **Reduce Inclusion and Exclusion Errors:**With accurate data of castes, most backward castes can be identified.
  - Some have benefited so much across the years, while there are people in this country who have not benefited at all.
- **The Supreme Court has time and again asked governments**to provide the data related to castes; however, this has not been possible due to the non-availability of such data.
  - As a result, our national life suffers from mutual mistrust and misconceptions among different castes.
  - All such commissions have had to rely on data from the last caste census (1931).



- **Data for Policymaking:** This information is absolutely necessary for any democratic policymaking.
- **Judicial backing:** The courts in India have often emphatically said that it is important to have adequate data with regard to the reservation.

### Associated Challenges with Caste Census

- **Repercussions of a Caste Census:** Caste has an emotive element and thus there exist the political and social repercussions of a caste census.
  - There have been concerns that counting caste may help solidify or harden identities.
  - Due to these repercussions, nearly a decade after the SECC, a sizable amount of its data remains unreleased or released only in parts.
- **Caste Is Context-specific:** Caste has never been a proxy for class or deprivation in India; it constitutes a distinct kind of embedded discrimination that often transcends class. **For example:** People with Dalit last names are less likely to be called for job interviews even when their qualifications are better than that of an upper-caste candidate.
  - They are also less likely to be accepted as tenants by landlords. Thus, difficult to measure.
  - Marriage to a well- educated, well-off Dalit man still sparks violent reprisals among the families of upper-caste women every day across the country.
- **50% breach:** It is argued that a Socio-Economic Caste Census is the only way to make a case to breach the 50% cap on reservation and rationalize the reservation matrix in the country.
- **Rising assertiveness:** More the State ignores out caste, the more is the tendency to preserve caste, protect it. This has been observed in many states.
- **Chaos:** Data gathering itself is a big problem because it can become very, very invasive. But we need to actually balance it with enabling people and asserting citizen equality.
- **Social friction:** Caste identification can lead to friction amongst various classes.

### Way Forward

- India needs to **be bold and decisive** in tackling caste questions through data and statistics in the **way the United States (US) does to tackle race issues**, by collecting data around race, class, language, inter-race marriages, among other metrics.
  - This data provides a mirror to the State and society of the US in which they can see themselves and take decisions to do course corrections.
- **Creation of National Data Bank:** The **Sachar Committee Report** recommended setting up a national data bank.
  - The **Justice Rohini committee** was appointed in 2017 to look into the **sub-categorisation of the OBC communities**; however, in the absence of data, there can be no databank or any proper sub-categorisation.

### Conclusion



With every passing day and increasing social awareness, the urgency to do away with the caste system is being sharply felt. Dr. BR Ambedkar stated that if India had to attain a place of pride among the comity of nations, caste would have to be annihilated first.

The most important thing is improving existing databases is more crucial to this than getting into the debate of whether to do a caste count or not. Accurate and timely data is central to India's effort to tackle poverty. Poor data diminishes the efforts to design welfare programmes.

The 21<sup>st</sup> century is the right time to solve India's caste question, which would otherwise extract a heavy price, not just sociologically, but also politically and economically, and make us fall behind in the development index.

**Development processes and the development industry —the role of NGOs, SHGs, various groups and associations, donors, charities, institutional and other stakeholders. Pressure Groups and formal/informal associations and their role in the Polity.**

Pressure Groups play a pivotal role, in influencing policy making in India? Discuss (150 Words)

*Difficulty Level: Moderate*

*Reference: Polity by M. Laxmikanth*

**Why the question:**

*The question is part of the static syllabus of General studies paper – 2 and mentioned as part of Mission-2022 Secure timetable*

**Key Demand of the question:**

*The importance of Pressure groups in India*

**Directive word:**

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

**Structure of the answer:**

**Introduction:**

*Brief on Pressure groups in India*

**Body:**

*First, mention the techniques that pressure groups resort to in influencing policies*

*Then, mention how Pressure groups influence policy making in India*

**Conclusion:**

*A relevant closing statement*

**Introduction**

**Pressure groups** are forms of organizations, which exert pressure on the political or administrative system of a country to extract benefits out of it and to advance their own interests. The term 'pressure group' refers to any interest group whose members because of their shared common attributes make claims on the other groups and on the political process. Caste based pressure groups arise from a particular caste and influence government policies in favour of their social and political demands.

**Body**



**Pressure groups may use a variety of methods to pursue their requirements. These include:**

- lobbying state members and the Parliament via petitions, letters and deputations;
- consulting with ministers or senior public servants;
- hiring professional lobbyists;
- taking legal action through injunctions or appeals to higher courts;
- campaigning for, or opposing, certain candidates at elections;
- demonstrating outside Parliament and government offices or marching in the streets;
- using the industrial muscle of strikes for political purposes.

**Pressure Groups influence the political system:**

- Pressure groups vary in size and organizational structure, which may not necessarily represent the amount of influence exerted upon a government's policies. Pressure groups are primarily a consequence of inadequacies of the political parties.
- It is obvious that trade unions, business organizations and professional associations can exert considerable pressure upon governments
- Pressure groups shores up the accountability of the government and serve as a vital check on government actions and inaction. It helps in cultivating a responsive and pro-active government. For instance, in the State of Rajasthan, a people's organization known as **Mazdoor Kisan Shakti Sanghathan (MKSS)**, could succeed in making the people question and demand information on money spent on roads; loans to poor and so on. This made the basis for the right to information movement.
- Pressure groups are a vital link between the government and the governed. They keep governments more responsive to the wishes of the community, especially in between elections.
- Pressure groups are able to express the views of minority groups in the community who might not otherwise receive a hearing. For example, the Narmada Bachao Andolan (NBA) movement has generated consciousness amongst the people in questioning the actions of government regarding dam construction and its repercussions.
- Pressure groups are able to use their expertise to provide the government with important information. It is also applicable to issues such as Indigenous reconciliation.
- Pressure groups offer an alternative source of advice to the government, separate from that coming from the Public Service. E.g.: Bharatiya Muslim Mahila Andolan – Criminalization of Triple Talaq bill
- Pressure groups generally promote opportunities for political participation for citizens, without the need to join a political party. Moreover, they allow for the democratic rights of freedom of speech, assembly and association to be upheld.

**Pressure Groups distort the political system:**



- Pressure groups may represent a powerful minority force in society and exert political influence to the detriment of the majority of society. This is an argument often leveled at trade unions and business groups. E.g.: protest in Kudankulam nuclear power plant
- Some pressure groups exert influence because of their financial position, membership or organization. This influence may be out of proportion to their position in society. g.: Large scale businesses and entrepreneurs are likely to benefit better from the newly implemented goods and services tax system as compared to MSMEs. The greater influence of pressure groups such as FICCI and CII may have played a part in the same.
- The use of direct action by pressure groups (e.g. strikes by unions, demonstrations, blockades, pickets) can cause hardship to the community in general.
- Some pressure groups are not democratic in themselves. Some have powerful, but unrepresentative leaders who may not be representative of anyone but themselves. Some leaders do not reflect the opinions of their organization's members.
- Pressure groups promote interests of multiple sections which may be conflicting in nature. This has a tendency to lead to polarization which affects the unity of our country. E.g.: Ghar wapsi movement of Vishwa Hindu Parishad to facilitate re-conversion of non-Hindus to Hindus has soured relations between Hindu and Muslim communities

### Conclusion

In a democratic nation like India, Pressure groups provide an informal means to meet and serve needs of different classes and sections of society. However, pursuit of illogical and unnecessary demands should not override affirmative action to ensure a vibrant and inclusive polity.

### 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.

There is a growing belief that civil services in India, once known for their integrity and initiative, have lost their sheen. Do you agree? Comment. Also, Identify various related constraints and suggest measures for the better development of civil services in India. (250 Words)

### Introduction

Public Servants are the glue between the State and the people. They have a wide array of responsibilities from formulation, implementation of various rules, policies to service delivery to citizens. They are granted with sufficient powers to carry on their work in an unhindered manner.



When India attained independence, Sardar Vallabhai Patel was the first to envision civil services as the 'steel frame' of Independent India. Today, more than six decades later, the Indian bureaucracy is both celebrated and reviled. Far from what Patel had warranted, his vision of a "steel frame" is now derided as "babudom".

## Body

### Reasons why civil servants are losing their integrity

- There is no recognition of good work in civil services. When you work in civil services, there is nothing that you can achieve without the cooperation of your team and the goodwill of the people. Honest and brave officers are threatened with suspension and humiliation.
- Today, our bureaucracy is twenty times more bureaucratic, our deference to the chain of command more cringing and decorous, our worship of paper more entrenched. To quote Hyman Rickover, "If you are going to sin, sin against God, not the bureaucracy. God will forgive you but the bureaucracy won't."
- A bureaucracy that wastes its precious human potential is morally indefensible.
- This does not mean that there should be fewer oversight checks. An administration certainly needs guardrails in the form of non-negotiable rules.
- Without such rails, the system can stray badly. But necessitating a dozen signatures where a few can do, is a criminal surfeit of supervisory controls.
- Similarly, we have a colossal army of paper-pushing subordinates churning out work of frivolous value.

### Various constraints due to fading values of civil servants

- Inefficiency and misalignment with strategic national goals
  - For Example, IAS is hamstrung by political interference, outdated personnel procedures, and a mixed record on policy implementation
- Institutionalized corruption
  - For Example, A paper prepared in 2012 by the Ministry of Personnel, Public Grievances and Pensions states that corruption is prevalent at all levels in civil services and it is institutionalized.
- Misappropriation of funds
  - For Example, ₹1 lakh crore (US\$14 billion) losses through corruption, waste and fraud occurred from the government's National Rural Health Mission healthcare Programme, several of arrested high-level public servants died under mysterious circumstances including one in prison
- Criminalization
  - For Example, In 2011, over a period of preceding three years more than 450 charge sheets for criminal cases of corruption were filed and a total of 943 corruption cases were at different stages of investigation by CBI against civil servants

**Measures needed:**

- Personal self-interest should be secondary to the common good in all situations, especially when such circumstances give rise to conflict of interest.
- A dilemma should be dealt appropriately by considering and reformulating all the options in a systematic and coherent manner.
- To resolve such ethical dilemmas, an order or a sequence of logical reasoning is must to integrate and rearrange the process of dealing with ethical dilemmas.
- The decisions should be guided by following principles:
  - The provisions of Indian Constitution.
  - Democratic accountability of administration.
  - The rule of law and the principle of legality.
  - Professional integrity.
  - Impartiality and neutrality.
  - Larger public good.
  - Responsiveness to civil society.
- The bureaucracy should be loyal to the country and its people while decision making considering consequences of such decisions.
- It is fundamental ethical duty of civil servants to show a spirit of neutrality and discretion and keep their own personal preferences out in the performance of their duties and responsibilities.

**Conclusion**

**A bureaucracy must be an enabler and not a hinderer that clogs the decision-making pipeline.**

Honest and competent civil servants—and there are many—need to initiate human capital reform to create high-performing machinery that does fewer things but does them better.

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

The pandemic has upended schooling. Hence, a well-planned and a holistic effort is required on the part of the government in order to negate long term negative impact on education. Discuss. (250 words)

*Difficulty level: Moderate*

*Reference: The Hindu*

**Why the question:**

*In the last two years, India has achieved the dubious distinction of becoming the country with the second longest COVID-19 pandemic-linked school closure in the world — next only to Uganda.*

**Key Demand of the question:**

---

Telegram: <https://t.me/insightsIAStips>

Youtube: <https://www.youtube.com/channel/UCpoccbCX9GEIwaile4HLjwA>

Facebook: <https://www.facebook.com/insightsonindia>



To bring out the impact of Covid-19 on school education in India and to find a way forward to prevent long term adverse impact.

**Directive word:**

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

**Structure of the answer:**

**Introduction:**

Start by giving the context regarding the impact of covid-19 on education sector.

**Body:**

First, elaborate on the disruptions caused and present some statistics and figures that captures the gravity of the situation. Write about the potential negative consequences of the above.

Next, In detail, explain the steps that are needed to prevent it. Relaxing the detention policy is a welcome step but much more is needed. Prioritizing students who are unable to return, negating the negative economic consequences on the families, achieving convergence in various government schemes and special emphasis on the girl child education etc.

**Conclusion:**

Conclude by writing a way forward.

**Introduction**

The coronavirus pandemic has shuttered educational institutions across the globe. Closure of schools, colleges and universities, shutdown of routine life of students and teachers, disruptions in education and the education ministry remaining incommunicado, have created an unprecedented situation and thrown many unexpected challenges to administrators, educators, teachers, parents and students. According to a **United Nations report**, India has become the country with the second longest COVID-19 pandemic-linked school closure in the world.

**Body**

**Factors that have led to prolonged closure of schools in India**

- Widespread misinformation such as ‘the third wave would affect children’ made by influential individuals have scared parents.
- Occasional incidents of children being hospitalised are shown repeatedly on television channels to sensationalize the matter and gain target rating point (TRP).
- A small section of privileged parents is being treated as representatives of all parents.
- Various surveys had indicated that poor and middle-class parents from all parts of the country want schools to be open. But they are not involved in decision-making, and hence it deprives children from marginalized backgrounds of their right to education.
- The Government has not responded to misinformation timely and the matter of reopening schools has been politicized.
- An essential inference has been highlighted that reveals the considerable preference given to the parents of privileged sections neglecting the holistic opinion of every section of the society. This has furthered the widening of educational inequities.
- The experience of the second wave has shaken the trust of the average citizen in the Government.



- The indifference of the government on the entire issue along with the silence of the stakeholders of education has assisted misinformation to grow further bringing huge losses in terms of learning and receiving quality education.
- There has been a consistent lack of planning and discussion on the need to reopen the schools.

### Impacts of school closure

- School closure has had the worst impact on children who were already at a disadvantage.
- The learning during the pandemic have been wrongly equated with completion of the syllabus.
- The School Children's Online and Offline Learning (SCHOOL) survey in India has shown that TV-based education programs are completely ineffective.

### Holistic approach needed

- To ensure that schools start functioning at full capacity, **a structured approach of P-E-R-I: Prepare; Engage; Reimagine and Innovate** needs to be adopted. Also, the necessary planning and perspective on the risk of COVID-19 are essential.
- Engaging with key stakeholders including parents, and raising awareness about the importance of in-person education and the concept of holistic child development is required. It will help in countering any misinformation and bring learning on track.
- Anganwadi, Pre-nursery, and nursery schools should be opened urgently and immediately to recover from learning and nutrition loss.
- Special initiatives and socio-political engagement need to be started so that every single child who is in need of education or who has dropped out or has been pushed into child labour can return to in-person learning.
- There is a need to revive school health services and institutionalize regular counselling and mental health services for school-age children.
- There is a need to prepare a medium to long-term plan to compensate for the learning loss, with a focus on overall child development through strategic and innovative thinking.
- Hesitation in reopening institutions is the symptom of a flawed education system and shows the value that is attached to school education. Hence, it is a socio-political responsibility to ensure the safe return of every child in the country.

### Conclusion

Education is the key to upliftment of people from poverty, inequality and oppression. India's demographic dividend is dependent on quality education at primary, secondary and high school levels. Focus must be on pedagogy and a safe and stimulating environment where wide range of learning experiences is offered to the children. Only when we align incentives of all stakeholders, and enable them while holding them accountable, can we shorten the distance between the nation's current state of education and its aspirations.



## Salient features of the Representation of People's Act.

What is meant by the model code of conduct (MCC) during elections? Do you think that MCC needs to be included under the statute for its uniform and effective implementation? Critically analyse. (250 words)

*Difficulty level: Moderate*

*Reference: Insights on India*

### **Why the question:**

*The question is part of the static syllabus of General studies paper – 2 and mentioned as part of Mission-2022 Secure timetable.*

### **Key Demand of the question:**

*To write about the need to frame a law of model code of conduct.*

### **Directive word:**

**Critically analyze** – When asked to analyse, you must examine methodically the structure or nature of the topic by separating it into component parts and present them in a summary. When 'critically' is suffixed or prefixed to a directive, one needs to look at the good and bad of the topic and give a balanced judgment on the topic.

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

#### **Introduction:**

*Begin by defining model code of conduct.*

#### **Body:**

*First, mention the various features of MCC and its evolution since 1960 – enumerate the 7 Parts of the Code, Public meetings by political parties, Processions by political parties, Poll day conduct etc. Next, write about the need to bring the MCC under the statute by enacting a law – does not specify the type of punishment, EC's arbitrariness and individual bias, failure to provide for decisions to be made within a certain time frame etc.*

*Next, write the reasons for not including MCC in the statute – Election Commission has opposed this, interpretation of laws by the courts will take a lot of time, keeping MCC open ended and organic etc.*

#### **Conclusion:**

*Conclude by writing a way forward to make MCC more robust and effective.*

#### **Introduction**

**Model code of conduct** is the guidelines issued by the Election Commission of India for conduct of political parties and candidates during elections mainly with respect to speeches, polling day, polling booths, election manifestos, processions and general conduct. It aims to ensure free and fair elections.

#### **Body**

#### **Authority of ECI vis-à-vis MCC:**

- **Article 324** says the superintendence, direction and control of all elections to Parliament, the State legislatures, and the offices of the President and Vice-President shall be vested in the EC.
- The Article has been interpreted by courts and by orders of the EC from time to time to mean that the power vested in it is plenary in nature.
- In other words, the EC can take any action it deems fit to ensure that elections and the election process are free and fair.



- The EC monitors the adherence of political parties and candidates to the 'Model Code of Conduct'.
- If the **violations are also offences under election law and the criminal law of the land, the EC has the power to recommend registration of cases against the offenders.**
- However, for some violations — such as canvassing for votes during a period when **electioneering is barred, making official announcements while the MCC is in force, and making appeal to voters on sectarian grounds** — the EC has the **power to advise or censure candidates, in addition to directing registration of cases.**
- In some cases, as recent incidents would show, the **EC may bar candidates or leaders from campaigning for specified periods.**
- **Asking individuals to leave a constituency or barring entry into certain areas are other powers that the EC may exercise.**
- **These powers are not necessarily traceable to any provision in law**, but are generally considered inherent because of the sweeping and plenary nature of the EC's responsibility under the Constitution to ensure free and fair elections.
- **Its powers extend to postponing elections to any constituency, cancelling an election already notified, and even to abrogate or annul an election already held.**

#### Why MCC needs to be under statute:

- The **EC does not have the power to disqualify candidates who commit electoral malpractices.** At best, it may direct the registration of a case.
- The EC also does not have the power to deregister any political party. However, the Constitution empowers the EC to decide whether a candidate has incurred disqualification by holding an office of profit under the appropriate government, or has been declared an insolvent, or acquired the citizenship of a foreign state.
- When a question arises whether a candidate has incurred any of these disqualifications, the President of India or Governor has to refer it to the EC. The poll panel's decision on this is binding.

#### Way Forward:

- Under **Chief Election Commissioners like T.N. Seshan and J.M. Lyngdoh**, the commission has in the past shown the capacity **to come up with creative solutions that adhere to both the spirit and the letter of the law.**
- MCC should be provided with **statutory backing.** It should be made a part of the **Representation of the People Act, 1951** to make the MCC more powerful.
- Establishment of **special fast track courts** to solve the MCC violation cases at a faster rate.
- The **law commission recommendations** should be implemented to save the unnecessary spending of public money during elections.
- **Public awareness** about MCC needs to be developed. The use of app like **cVIGIL** should be encouraged to reduce violations during polls.



- Stakeholders including Internet companies should come up with a **code for Social Media and Internet**.

### Conclusion

MCC has an **indisputable legitimacy** and parties across the political spectrum have generally adhered to its letter and spirit. The **immaculate independence of the EC and its uncompromising attitude towards enforcing the code**, combined with the **perception among parties** that following the code far outweighs the costs accrued if violated by other parties, especially the ruling one, have led to the success of the MCC since its inception.

### Value addition

#### Instances of violation of MCC by candidates:

- *The recent incident where the Prime Minister made a public announcement on 27 March 2019 about the successful launch of India's first anti-satellite weapon (ASAT), which made India the fourth nation in the world with anti-satellite missile capabilities, was against the MCC guidelines.*
- *Former Chief Election Commissioner Dr SY Quraishi also criticised Prime Minister's speech on India's Anti Satellite Test capability (ASAT), saying it **was not in conformity with ethics and spirit of the model code of conduct for the upcoming Lok Sabha elections**.*
- *The NaMo TV channel launched on 31 March 2019, which, without any formal approval of the Ministry of Information and Broadcasting, is propagating the image and views of Shri Narendra Modi.*
- *The incumbent Governor of Rajasthan has made certain statements that virtually amount to canvassing for a specific political party.*
- *The present Chief Minister of Uttar Pradesh had, at a recent public election meeting, referred to the armed forces as the army of incumbent PM.*
- *Previously, A law minister was censured by the president after EC filed a complaint against him for violating MCC by announcing a scheme when MCC was in force.*
- *Election Commission served a show cause notice to Bengal chief minister for announcing a new district during 2016.*

Examine the feasibility of conducting simultaneous elections to both parliament and legislatures in India. (250 words)

Difficulty level: Easy

Reference: Insights on India

#### Why the question:

The question is part of the static syllabus of General studies paper – 2 and mentioned as part of Mission-2022 Secure timetable.

#### Key Demand of the question:

To write about salient features of Indian constitution and the nature of federalism in India.

#### Directive word:



**Examine** – When asked to ‘Examine’, we must investigate the topic (content words) in detail, inspect it, investigate it and establish the key facts and issues related to the topic in question. While doing so we should explain why these facts and issues are important and their implications.

**Structure of the answer:**

**Introduction:**

Begin by giving context of ‘One Nation, One election’.

**Body:**

In the first part, write about advantages of simultaneous elections.

Next, write about the feasibility and India’s preparedness to conduct simultaneous election in India – 5 elections to legislatures per year, capability of election commission, growing political will etc.

Next, write about the limitations that hinder conduct of simultaneous elections in India.

**Conclusion:**

Conclude by writing a balanced opinion regard the conduct of simultaneous elections.

**Introduction**

**Simultaneous elections** refer to holding elections to Lok Sabha, State Legislative Assemblies, Panchayats and Urban local bodies simultaneously, once in five years. The idea of holding elections simultaneously is in news after it got a push from Prime Minister and ex-President of India. However, political parties are divided on the issue of holding simultaneous elections

The recent elections in four states and one Union territory in March-April are suspected to have contributed to the second wave of Covid infections, a well-reasoned debate on a concept as important as “one nation, one election” is called for

**Body**

The Law Commission of India has also proposed holding simultaneous state and general elections and has sought public opinion on its recommendations regarding the same. Simultaneous elections were held in India during the first two decades of independence.

**Merits of Simultaneous elections:**

- **Governance and consistency:**
  - The ruling parties will be able to focus on legislation and governance rather than having to be in campaign mode forever.
  - Parties and workers spending too much time and money in electioneering, can make use of the time for social work and to take people-oriented programmes to the grassroots.
  - To overcome the “**policy paralysis and governance deficit**” associated with imposition of the Model Code of Conduct at election time which leads to putting on hold all developmental activities on that area and also affects the bureaucracy’s functioning.
- **Reduced Expenditure of Money and Administration:**
  - The entire State and District level administrative and security machinery will be busy with the conduct of elections twice in a period of five years as per the current practice.
  - Expenditure can be reduced by conducting simultaneous elections.



- It is felt that crucial manpower is often deployed on election duties for a prolonged period of time. If simultaneous elections are held, then this manpower would be made available for other important tasks.
- For instance, for the 2014 Lok Sabha polls, which was held along with 4 state assemblies saw the deployment of 1077 in situ companies and 1349 mobile companies of Central Armed Police Force (CAPF).
- Continuity in policies and programmes:
  - Will limit the disruption to normal public life associated with elections, such as increased traffic and noise pollution.
  - Large numbers of teachers are involved in the electoral process which causes maximum harm to the education sector.
- Efficiency of Governance:
  - Simultaneous elections can bring the much-needed operational efficiency in this exercise.
  - Populist measures by governments will reduce.
- Curbs Vices:
  - During frequent elections there is increase in “vices” such as communalism, casteism, corruption and crony capitalism.
  - Simultaneous elections can also be a means to curb corruption and build a more conducive socio-economic ecosystem.
  - The impact of black money on the voters will be reduced as all elections are held at a time.

### Challenges to simultaneous elections

- Illiteracy:
  - Not all voters are highly educated to know who to vote for. They may get confused and may not know whether they are voting for candidates contesting assembly or parliament elections.
  - IDFC study says that there is 77% chance that the Indian voter will vote for the same party for both the state and centre, when elections are held simultaneously.
  - Evidence from Brazil, Argentina, Canada, Germany, the US and Europe supports the idea that elections that are held simultaneously produce greater alignment between national and regional election outcomes.
- Functional issues:
  - Frequent elections bring the politicians back to the voters, create jobs and prevent the mixing of local and national issues in the minds of the voters.
  - There is a dearth of enough security and administrative officials to conduct simultaneous free and fair elections throughout the country in one go.



- Changes in Constitution and Legislations:
  - The following constitutional changes need to be made: –
  - Amendments needed in the following articles: –
    - Article 83 which deals with the duration of Houses of Parliament need an amendment
    - Article 85 (on dissolution of Lok Sabha by the president)
    - Article 172 (relating to the duration of state legislatures)
    - Article 174 (relating to dissolution of state assemblies)
    - Article 356 (on President's Rule).
  - The Representation of People Act, 1951 Act would have to be amended to build in provisions for stability of tenure for both parliament and assemblies. This should include the following crucial elements:
  - Restructuring the powers and functions of the ECI to facilitate procedures required for simultaneous elections
  - A definition of simultaneous election can be added to section 2 of the 1951 act
  - Articles 83 and 172 along with articles with articles 14 and 15 of the 1951 act be appropriately amended to incorporate the provision regarding remainder of the term i.e., post mid elections, the new loksabha/assembly so constituted shall be only for the remainder of the term of the previous loksabha or assembly and not for a fresh term of five years.
- Constructive vote of no confidence:
  - The 170th law commission report suggested a new rule i.e., rule 198-A has to be added to rules of procedure and conduct of business in Lok Sabha and similar amendment to such rules in the state legislatures.
  - The report suggested introduction of motion of no confidence in the incumbent government along with a motion of confidence in the alternative government.
  - To avoid premature dissolution of the house/state assemble in case of Hung parliament /assembly and to advance simultaneous elections the rigour of anti-defection law laid under in tenth schedule be removed as an exception.
- Local and national issues will get mixed up distorting priorities.
- The terms of different state governments are ending on separate dates and years.
- Spirit of Constitution:
  - One nation, one election” would make sense if India were a unitary state. So “one nation, one election” is anti-democratic.
  - Simultaneous elections threaten the federal character of our democracy.



- Frequent elections act as checks and balances on the functioning of elected representatives.

### Way forward

- Any changes must require both a constitutional amendment and judicial approval that they do not violate the “basic structure” of the Constitution.
- A focused group of constitutional experts, think tanks, government officials and representatives of political parties should be formed to work out appropriate implementation related details.
- Other alternatives should be explored to reduce election related expenses like
  - State funding of elections
  - Decriminalisation of politics
  - Bringing in transparency in political funding
  - Setting up National Electoral Fund to which all donors can contribute.
- One year one election as suggested by Election Commission can be executed by amending Section 15 of the RP Act 1951. If the six-month stipulation is extended to nine or 10 months, elections to all states, whose term is expiring in one year, can be held together.
- The Law Commission of India in its report of 1999 has dealt with the problem of premature and frequent elections. It had recommended an amendment of this rule on the lines of the German Constitution, which provides that the leader of the party who wants to replace the chancellor has to move the no-confidence motion along with the confidence motion. If the motions succeed, the president appoints him as the chancellor.
  - If such an amendment to Rule 198 is made, the Lok Sabha would avoid premature dissolution without diluting the cardinal principle of democracy that is a government with the consent of the peoples’ representatives with periodical elections.
  - It will also be consistent with the notion of collective responsibility of the government to the House as mentioned in Article 75 (3) of the Constitution.

### Conclusion

**Election Commission’s idea of “one year one election”** will better suited as it will require fewer amendments to the constitution, it will respect the essence of the exercise of popular will, unlike one nation one election which prioritizes economic costs of elections over the exercise itself, it will avoid clubbing of national and state issues, it will not disturb federalism much, not much issues generated by emergencies like need to hold by-election etc will be addressed by this option.



Important aspects of governance, transparency and accountability, e-governance- applications, models, successes, limitations, and potential; citizens charters, transparency & accountability and institutional and other measures.

Citizens' Charters initiative is a response to the quest for solving the problems which a citizen encounters. In light of the statement, evaluate the problems faced in Implementing Citizen Charters in India (250 Words)

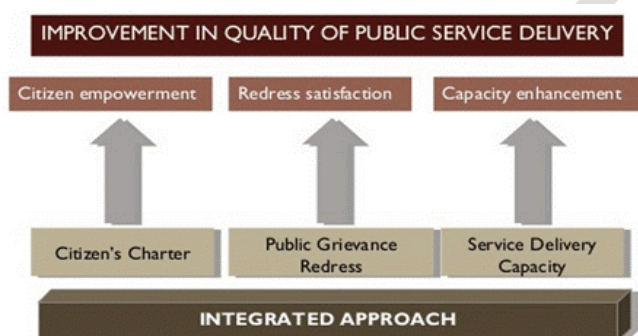
### Introduction

A **Citizens' Charter** represents the commitment of the Organisation towards standard, quality and time frame of service delivery, grievance redress mechanism, transparency and accountability. The concept of Citizens Charter enshrines the trust between the service provider and its users.

**Department of Administrative Reforms and Public Grievances** in Government of India (DARPG) initiated the task of coordinating, formulating and operationalising Citizen's Charters.

### Body

The **basic objective** of the Citizens Charter is to **empower the citizen in relation to public service delivery**.



### Importance of Citizen's charter in the Governance of developing nation like India:

- To make administration accountable and citizen friendly.
- To ensure transparency.
- To take measures to improve customer service.
- To adopt a stakeholder approach.
- To save time of both Administration and the citizen

### Problems faced in implementation of Citizen's charter:

- **One size fits all:** Tendency to have a uniform CC for all offices under the parent organization. CC have still not been adopted by all Ministries/Departments. This overlooks local issues.
- **Silo operations:** Devoid of participative mechanisms in a majority of cases, not formulated through a consultative process with cutting edge staff who will finally implement it.
- **Non-Dynamic:** Charters are rarely updated making it a one-time exercise, frozen in time.



- **Poor design and content:** lack of meaningful and succinct CC, absence of critical information that end-users need to hold agencies accountable.
- **Lack of public awareness:** only a small percentage of end-users are aware of the commitments made in the CC since effective efforts of communicating and educating the public about the standards of delivery promise have not been undertaken.
- **Stakeholders not consulted:** End-users, Civil society organizations and NGOs are not consulted when CCs are drafted. Since a CC's primary purpose is to make public service delivery more citizen-centric, consultation with stakeholders is a must.
- **Measurable standards of delivery are rarely defined:** making it difficult to assess whether the desired level of service has been achieved or not.
- **Poor adherence:** Little interest shown by the organizations in adhering to their CC. since there is no citizen friendly mechanism to compensate the citizen if the organization defaults.

#### Way forward:

- **Wide consultation process:** CC be formulated after extensive consultations within the organization followed by a meaningful dialogue with civil society.
- **Participatory process:** Include Civil Society in the process: to assist in improvement in the contents of the Charter, its adherence as well as educating the citizens about the importance of this vital mechanism.
- **Firm commitments to be made:** CC must be precise and make firm commitments of service delivery standards to the citizens/consumers in quantifiable terms wherever possible.
- **Redressal mechanism** in case of default: clearly lay down the relief which the organization is bound to provide if it has defaulted on the promised standards of delivery.
- **One size does not fit all:** formulation of CC should be a decentralized activity with the head office providing only broad guidelines.
- **Periodic updation of CC:** preferably through an external agency.
- **Fix responsibility:** Hold officers accountable for results: fix specific responsibility in cases where there is a default in adhering to the CC.

#### Conclusion

Citizen's Charter is playing a prominent part in ensuring "**minimum government & maximum governance**", changing the nature of charters from non-justiciable to justiciable & adopting penalty measures that will make it more efficient & citizen friendly. The **Sevottam model** proposed by 2nd Administrative Reforms Commission for public Service Delivery can be regarded as a standard model for providing services in citizen centric governance.

Discuss the potential of e-Governance, to improve public service delivery in India. (150 Words)

*Difficulty Level: Moderate*

*Reference: Insights on India*

**Why the question:**



The question is part of the static syllabus of General studies paper – 2 and mentioned as part of Mission-2022 Secure timetable

**Key Demand of the question:**

The importance of e-Governance in India

**Directive word:**

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

**Structure of the answer:**

**Introduction:**

Brief on e-Governance and its related aspects

**Body:**

First, define what is meant by Public services

Then, highlight the Status of Public service delivery in India

Then, mention the Role of E-governance in reforming Public service delivery

Finally, challenges and way forward associated could be mentioned as well

**Conclusion:**

A relevant closing statement

**Introduction**

**E-Governance** is basically associated with carrying out the functions and achieving the results of governance through the utilization of what has today come to be known as Information and Communications Technology. It is basically the application of ICT to the processes of Government functioning in order to bring about 'Simple, Moral, Accountable, Responsive and Transparent' (SMART) governance.

**Body:**

**Potential of e-governance in India**

- **Increased effectiveness and efficiency:** Improved government services in terms of accomplishing the government purpose and functioning
- **Better services:** E-government can provide quick and timely services to stakeholders
- **Transparency by dissemination and publication of information on the web:** This provides easy access to information and subsequently makes the system publicly accountable. Also as the web enables the free flow of information, it can be easily accessed by all without any discrimination.
- **Accessible anytime and anywhere:** As e-government services are provided through web-enabled technology they can be accessed anytime and anywhere
- **User-centred ICT enabled services:** The services are primarily intended for the use of citizens, businesses, and the government itself
- **Reduced cost and time:** As the services are provided through internet they are effective in terms of time and cost
- **Economic Development:** The deployment of ICTs reduces the transaction costs, which makes services cheaper. For example, rural areas suffer on account of lack of information regarding markets, products, agriculture, health, education, weather, etc. and if all this could



be accessed online would lead to better and more opportunities and thereby prosperity in these areas.

- **Social Development:** The access to information empowers the citizens. The informed citizenry can participate and voice their concerns, which can be accommodated in the programme/ project formulation, implementation, monitoring and service delivery. Web-enabled participation will counter the discriminatory factors affecting our societal behaviour.
- **Reduced bureaucracy:** E-government minimizes hierarchy of authority for availing any government services
- **Automation of Administrative Processes:** A truly e-governed system would require minimal human intervention and would rather be system driven.
- **Enhanced communication and coordination between government organizations:** An automated service can be accessed by different organizations coordination and further communication became relative
- **Paper Work Reduction:** An immediate impact of automation would be on the paperwork. Paperwork is reduced to a greater extent with communication being enabled via electronic route and storage and retrieval of information in the electronic form. All this has led to the emergence of less paper office’.
- **Quality of Services:** ICT helps governments to deliver services to citizens with greater accountability responsiveness and sensitivity. Quality of services improves, as now the people are able to, get services efficiently and instantaneously.
- **Elimination of Hierarchy:** ICT has reduced procedural delays caused by hierarchical processes in the organisation. Through Intranet and LAN, it has become possible to send information and data across various levels in the organisation at the same time.
- **Change in Administrative Culture:** Bureaucratic structures have been plagued by characteristics aptly described by Victor Thompson as ‘bureau-pathology’. From the days of New Public Administration, efforts have been made to find ways to deal with the pathological or dysfunctional aspects of art.
- **Strategic Information System:** Changing organisational environment and increasing competitiveness have put pressures on the performance of the functionaries. Information regarding all aspects needs to be made available to the management at every point to make routine as well as strategic decisions.

Some of the **e-Governance models implemented in India: Customs and Excise (Government of India); Indian Railways; Postal Department; Passport/Visa; Bhoomi – Automation of Land Records (State Government of Karnataka); Gyandoot: Intranet in Tribal District of Dhar (State Government of Madhya Pradesh); e-Mitra – Integrated Citizen Services Centre/ e-Kiosks (State Government of Rajasthan) etc.**

#### **Conclusion:**

Dr. APJ Abdul Kalam, former President of India, has visualized e-Governance in the Indian context to mean: “A transparent, smart e-Governance with seamless access, secure and authentic flow of



information crossing the interdepartmental barrier and providing a fair and unbiased service to the citizen.”

Thus, e-Governance has led to better access to information and quality services for citizens; Simplicity, efficiency and accountability in the government and expanded reach of governance. In the light of wide range of e-Governance initiatives that have been carried out in India with varying degrees of success as well as the diversity of conditions in the country, the report recognizes that e-Governance projects have to be designed for specific contexts and environments

Corporate governance in India is in need of structural reforms which will promote transparency, fix accountability and reward efficiency. Analyse. (250 words)

*Difficulty level: Moderate*

*Reference: The Hindu*

**Why the question:**

*Over the past 10 days, the revelations about the functioning of the National Stock Exchange (NSE) during the tenure of Chitra Ramkrishna as Managing Director and Chief Executive Officer (CEO) have had people shaking their heads in disbelief.*

**Key Demand of the question:**

*To write about the reforms that are needed in corporate governance in India.*

**Directive word:**

**Analyse** – When asked to analyse, you must examine methodically the structure or nature of the topic by separating it into component parts and present them in a summary.

**Structure of the answer:**

**Introduction:**

*Begin by defining corporate governance.*

**Body:**

*First, write about the various issues plaguing the corporate governance in India and substantiate with examples.*

*Next, write about various reforms that are needed to make corporate governance more effective in India – choosing independent directors, diversity in the selection of board members, penalties and effective regulation etc.*

**Conclusion:**

*Conclude by writing a way forward.*

## Introduction

**Corporate governance is the system of rules, practices, and processes by which a firm is directed and controlled.** Corporate governance essentially involves **balancing the interests of a company’s many stakeholders, such as shareholders, senior management executives, customers, suppliers, financiers, the government, and the community.** Ethics is at the **core of corporate governance**, and management must reflect accountability for their actions on the global community scale.

## Body

### Background



- The **Securities and Exchange Board of India (SEBI)** passed its final order in a sordid saga, involving the country's largest stock exchange.
- The order, strongly censuring senior officials of the NSE, including its former MD and CEO Chitra Ramkrishna, throws light on a series of governance lapses at the stock exchange.
- The stock exchange regulator has levied fines on the parties involved in acts of impropriety, and also barred NSE from introducing any new products for a six-month period.
- The order highlights the scale of misgovernance, including the violation of several rules and regulations.
- More worryingly, the episode has exposed the absence of checks and balances at the stock exchange.

### Corporate Governance Defined

FIGURE 1: The Principal Actors: Shareowners, Directors, Managers



### Need for structural changes in Corporate Governance in India

- It is common for friends and family of promoters and management to be appointed as board members.
- In India, founders' ability to control the affairs of the company has the potential of derailing the entire corporate governance system. Unlike developed economies, in India, identity of the founder and the company is often merged.
- Women director appointed are primarily from family in most of the companies which negates the whole reform.
- Appointed independent directors are questionable as it is unlikely that Independent Directors will stand-up for minority interests against the promoter. In the Tata case, these directors normally toe the promoter's line.
- An independent director can be easily removed by promoters or majority shareholders. This inherent conflict has a direct impact on independence.



- Data protection is an important governance issue. In this era of digitalisation, a sound understanding of the fundamentals of cyber security must be expected from every director.
- Board's Approach to Corporate Social Responsibility (CSR) is often found unsupportive.
- Conflict of Interest – The ICICI Bank Ltd fiasco demonstrates the challenge of managers potentially enriching themselves at the cost of shareholders in the absence of a promoter.
- In the corporate world, much is forgiven on grounds of performance.
- When a performing CEO chooses to unduly favour a particular individual or individuals, boards see that as a forgivable infirmity.
- As for dysfunctional or ineffective boards, these remain the norm despite numerous regulations, seminars and papers over the past four decades.

#### Measures to improve Corporate Governance:

- **Ensure a balanced, competent and diverse Board:** Business should strive for directors who are qualified, understand the business and can offer a fresh perspective. Studies show Boards with greater gender diversity result in improved financial performance.
- The top management must be allowed to choose not more than 50% of the independent directors.
- The rest must be chosen by various other stakeholders — financial institutions, banks, small shareholders, employees, etc.
- **Review your Board composition on a regular basis** to identify any shortcomings and make timely improvements.
- **Build solid foundations for oversight:** Establish, monitor and evaluate the roles and responsibilities of the Board and management. The Board needs to have visibility of management actions and key decision making.
- **Gear key performance indicators towards long term value creation** not just in the short term.
- **Prioritize risk management:** Establish an effective risk management and internal control framework and periodically review its effectiveness. Developing a disaster recovery plan is essential.
- **Ensure integrity in corporate reporting** including safeguards such as conducting external audits of the business.
- **Provide timely and balanced information:** Providing transparency to key stakeholders both in the good and bad times promotes stakeholders' confidence in the business.
- **Emphasise integrity, promote ethical behaviours** and consult different categories of stakeholders on their interests.
- **Treat shareholders equitably and respect their rights.**



- **Ensure adequate disclosures** around related parties' transactions and director's other interests. This is especially important where a director may have external financial interests that could influence his decision.
- Regulators must penalise errant directors through a whole range of instruments — strictures, financial penalties, removal from boards and a permanent ban from board membership.

#### Conclusion:

The effectiveness of the Corporate Governance has become a global concern. Mainly after many corporate collapse (e.g. Enron, Boeing etc.), fraud cases (e.g. Lehman Brothers), shareholder suits or questionable strategic decisions are drawing attention to the top level decision-making body of the corporation and the board of directors, necessitating the need for ethical considerations where in Indian context, **Uday Kotak committee** recommendations can form guidelines for better ethical corporate governance.

#### Value addition

##### Importance of Corporate Governance:

- *Ensures that the management of a company considers the **best interests of all stakeholders involved**;*
- *Helps companies **deliver long-term corporate success and economic growth**;*
- ***Maintains the confidence of investors** and as consequence companies raise capital efficiently and effectively;*
- *Has a **positive impact on the price of shares** as it improves the trust in the market;*
- *Improves control over management and information systems (such as security or risk management)*
- *Good corporate governance also aims at a **faster decision-making process** by establishing a clear delineation of roles between owners and management.*
- *Gives guidance to the owners and managers about what are the goals strategy of the company;*
- *Minimizes wastages, corruption, risks, and mismanagement;*
- *Helps to create a **strong brand reputation**;*
- *Most importantly, it makes **companies more resilient**.*
- *An **increase in staff retention and motivation** can be expected, especially from senior staff, when the company has a well-defined and communicated vision and direction.*
- *A focus on the company's core business will also make it **easier to penetrate the market and attract the interest of shareholders**.*
- *Improved reporting on performance in turn leads managers and owners to make more informed and fact-based decisions, leading ultimately to improving sales margins and reducing costs.*



It is said that Good Governance is the Technology whereas Citizen's Charter is the Tool for citizen centricity. Highlighting the statement, discuss how Citizen Charter could be a game-changer in governance in India. (250 Words)

*Difficulty Level: Moderate*

*Reference: Insights on India*

**Why the question:**

*The question is part of the static syllabus of General studies paper – 2 and mentioned as part of Mission-2022 Secure timetable*

**Key Demand of the question:**

*The importance of Citizen charters in Governance in India*

**Directive word:**

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

**Structure of the answer:**

**Introduction:**

*Define Citizen Charters, and mention the basic aspects related to it*

**Body:**

*First, elaborate on the statement in question*

*Then, mention How Governance can be made Citizen Centric?*

*Further, mention How Citizen Charter could be a game-changer to bring about citizen-centric governance in India?*

*Lastly, mention why the Charters have not been successful in bringing about Good Governance in India.*

**Conclusion:**

*A relevant closing statement*

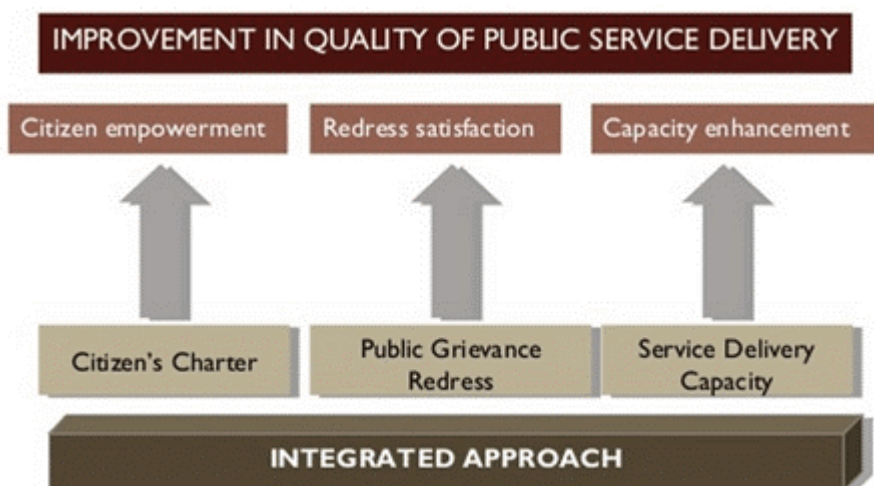
**Introduction**

A **Citizens' Charter** represents the commitment of the Organisation towards standard, quality and time frame of service delivery, grievance redress mechanism, transparency and accountability. The concept of Citizens Charter enshrines the trust between the service provider and its users.

**Department of Administrative Reforms and Public Grievances** in Government of India (DARPG) initiated the task of coordinating, formulating and operationalising Citizen's Charters.

**Body**

The **basic objective** of the Citizens Charter is to **empower the citizen in relation to public service delivery**.



### Importance of Citizen's charter in the Governance of developing nation like India

- To make administration accountable and citizen friendly.
- To ensure transparency.
- To take measures to improve customer service.
- To adopt a stakeholder approach.
- To save time of both Administration and the citizen

### Problems faced in implementation of Citizen's charter

- **One size fits all:** Tendency to have a uniform CC for all offices under the parent organization. CC have still not been adopted by all Ministries/Departments. This overlooks local issues.
- **Silo operations:** Devoid of participative mechanisms in a majority of cases, not formulated through a consultative process with cutting edge staff who will finally implement it.
- **Non-Dynamic:** Charters are rarely updated making it a one-time exercise, frozen in time.
- **Poor design and content:** lack of meaningful and succinct CC, absence of critical information that end-users need to hold agencies accountable.
- **Lack of public awareness:** only a small percentage of end-users are aware of the commitments made in the CC since effective efforts of communicating and educating the public about the standards of delivery promise have not been undertaken.
- **Stakeholders not consulted:** End-users, Civil society organizations and NGOs are not consulted when CCs are drafted. Since a CC's primary purpose is to make public service delivery more citizen-centric, consultation with stakeholders is a must.
- **Measurable standards of delivery are rarely defined:** making it difficult to assess whether the desired level of service has been achieved or not.



- **Poor adherence:** Little interest shown by the organizations in adhering to their CC. since there is no citizen friendly mechanism to compensate the citizen if the organization defaults.

#### Way forward

- **Wide consultation process:** CC be formulated after extensive consultations within the organization followed by a meaningful dialogue with civil society.
- **Participatory process:** Include Civil Society in the process: to assist in improvement in the contents of the Charter, its adherence as well as educating the citizens about the importance of this vital mechanism.
- **Firm commitments to be made:** CC must be precise and make firm commitments of service delivery standards to the citizens/consumers in quantifiable terms wherever possible.
- **Redressal mechanism** in case of default: clearly lay down the relief which the organization is bound to provide if it has defaulted on the promised standards of delivery.
- **One size does not fit all:** formulation of CC should be a decentralized activity with the head office providing only broad guidelines.
- **Periodic updation of CC:** preferably through an external agency.
- **Fix responsibility:** Hold officers accountable for results: fix specific responsibility in cases where there is a default in adhering to the CC.

#### Conclusion

Citizen's Charter is playing a prominent part in ensuring "**minimum government & maximum governance**", changing the nature of charters from non-justiciable to justiciable & adopting penalty measures that will make it more efficient & citizen friendly. The **Sevottam model** proposed by 2nd Administrative Reforms Commission for public Service Delivery can be regarded as a standard model for providing services in citizen centric governance.

#### India and its neighborhood- relations.

Given the present situation for India, even though the gains from engaging Central Asia may be minimal, non-engagement could be costly. Do you agree? Comment (250 Words)

As India deals with the post-pandemic world, a challenge is the loss of a friendly government in Afghanistan. This has increased the **strategic value of India's relations with the Central Asian (CA) republics**. Three of them — Turkmenistan, Uzbekistan to the north, and Tajikistan in the northeast — border Afghanistan.

Regional cooperation to **enhance the commonality of views with Central Asia**, and **counter the assertive Sino-Pakistani axis in Afghanistan** is India's major motive.

#### Body



### Perils of not engaging with Central Asia

- India's economic activities in Central Asia have been **hampered** by the **absence of land-access**, resource constraints, great-power politics and slow implementation of the projects.
- **Growing influence of China in Central Asia**, China's One Belt and Road Initiative (BRI) seems to be a **credible threat to India's objective on overcoming connectivity issues** with Central Asia to ensure strengthened economic-political relations.
- **Lack of accessibility**: India does not share physical borders with any of the Central Asian states and the **unstable situation in Afghanistan, impact of US-Iran tensions on regional connectivity projects** and India's antagonistic relations with Pakistan has further **complicated connectivity and trade prospects** for India.
- **Domestic challenges faced by the region**, emerging from **religious extremism, authoritarian regimes, terrorism, ongoing conflicts** etc is in itself a challenge in furthering India's economic interests.
- India visualised the **Turkmenistan-Afghanistan-Pakistan-India (TAPI)**, and the **North South Transport Corridor projects long before China's BRI**, but our progress has been disappointing.
- Pakistan will never allow India the land-route access to Central Asia and our route through **Chabahar and Bandar Abbas (Iran)** has also been impacted due to the **American sanctions**.
- With the increasing influence of China on Iran, India will find it harder to develop its projects there

### Engaging with Central Asia

- **Trade**: Recognising the accentuated strategic importance of Central Asia, India should ideally take an **aggressive approach towards trade** with the region by not only trying to **ensure the execution of pending connectivity projects**, but also identifying other areas such as **digital infrastructure and education** that provide scope to **improve regional presence**.
- **Defence cooperation**: Since security is a common concern for both India and the CARs, defence cooperation should be another domain to explore beyond what exists currently, much like the **currently ongoing joint-military exercise "KAZIND" between India and Kazakhstan**.
- **Roping in Russia**: India could also look to utilise its **longstanding friendship with Russia**, one of the most **influential players in Central Asia**, to make more headway in the region.
  - A positive step to this end has been the recent conversation between Indian Prime Minister Narendra Modi and Russian President Vladimir Putin, where the two leaders extensively spoke about expanding cooperation in Central Asia, amongst other issues.
- **Connectivity**: New Delhi, which invested \$3 billion in Afghanistan, has been expanding its ties with energy-rich Central Asian nations.



- New Delhi has also backed regional infrastructure projects **including the North-South corridor that includes highways and railways connecting Chabahar port in Iran** with Russia to reduce the time of shipments between Europe and central Asian markets.

#### Way forward

- India should leverage the **historical, cultural and civilizational bonds** as well as traditionally close people-to-people contacts to build its Central Asia partnership.
- **ICABC can help promote business linkages**, facilitate greater understanding of taxation, business regulations in India and the Central Asian countries and incentivize trade, business and investment, especially in the area of Small and Medium Enterprises.
- Through **Central Asia Dialogue**, India has the opportunity of actively engaging in the economic reconstruction of Afghanistan, including through the implementation of infrastructure, energy, transit and transport projects.
- India should **effectively use Chabahar port in Iran to establish trade and transport communications with Central Asian markets.**

#### Conclusion

India and Central Asia face a myriad of common challenges like terrorism, extremism, drug trafficking and such other issues. All these commonalities make them natural partner in their developmental journey and calls for greater cooperation in regional and global arena.

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

India's carefully calibrated policy towards Indo-pacific is centred on two pillars of strengthening engagement and stronger partnerships with likeminded countries.

Elaborate. (250 words, 15 marks)

#### Introduction

Tide of international politics has shifted to Asia in general, and the Indo-Pacific in particular, with the economic rise of countries like India, China, Singapore, Vietnam, and Indonesia among others.

The **Indo-Pacific is a geopolitical construct** which represents an integrated theatre that combines the **Indian Ocean and the Pacific Ocean**, and the land masses that surround them.

#### Body

##### About Indo- Pacific

- It has gained relevance in the recent times due reasons such as presence of **important sea lines of communication, maritime security concerns, rise of Asian Economy and China's aggressive military and foreign policy.**



- Several regional and extra regional countries like **India, Japan, USA, Australia, France** etc have released policies focused on the Indo-Pacific acknowledging the strategic shift towards the region and to strengthen relations and to expand cooperation with Indo-Pacific countries

#### India's calibrated policy towards Indo-Pacific

- **Peace and security in the Indian Ocean:** Nearly 50% of India's trade is centred in the Indo-Pacific Region and the Indian Ocean carries 90% of India's trade and its energy sources.
  - India wants to assure freedom of navigation, secure choke points, resolve conflicts peacefully and address non-traditional security threats in the Indian Ocean Region (IOR).
- **SAGAR (Security and Growth for All in the Region):** A holistic policy that aims to pursue and promote India's geo-political, strategic and economic interests on the seas, particularly in the Indian Ocean.
- **Geo-political aspirations:** To expand its own presence in the region, especially in Africa, the Middle East and Southeast Asia and maintain its role as a net security provider.
  - It is also teaming up with like-minded nations to contain China's domination.
  - QUAD was formed with USA, Japan, Australia to ensure that China's
- **Countering China:** Ensuring that China does not gain a significant strategic foothold in the region.
- **Enhancing Trade and Investment Cooperation:** by encouraging greater flow of goods, services, investment and technology between India and other countries in the region.
- **Promoting sustainable development:** In the coming times, climate change is set to adversely affect India. Thus, India favours sustainable development of the region through **development of blue economy.**

#### Steps taken by India towards Indo-Pacific

- Strengthening and preserving traditional roles in IOR o Security Provider: India has been the primary security provider for and strategic partner to most of its smaller neighbours like Maldives, Mauritius, Seychelles, and Sri Lanka.
- **First Responder:** India's navy is among the first to reach nations requiring humanitarian assistance or medical aid in times of crisis and disasters. E.g., Operation Vanilla at Madagascar.
- **Foreign Policy and Initiatives:** Establishment of **Indo-Pacific Division in 2019**, involving in regional groupings like BIMSTEC, **Indian Ocean Rim Association (IORA)**, **Mekong Ganga Cooperation** and **Forum for India-Pacific Islands cooperation for collaboration** on multitude of subjects, and partnerships with countries through platforms like **QUAD**, ASEAN etc.
  - **Initiatives like Indo Pacific Oceans' Initiative**, Indian Ocean Naval Symposium (increase maritime cooperation), **Asia Africa Growth Corridor** (for development and cooperation projects; quality infrastructure and institutional capacity) were taken up.



### Challenges India face in the region

- **Limited Naval Capacity and Lack of military bases:** With a meagre allocation of 15 percent of India's military budget.
- **Slow pace of developments:**g. since the release of the AAGC, there has been very little movement on this initiative. Challenges to trade due to tariff and non-tariff measures, poor infrastructure etc.
- **Balancing Continental and Maritime Strategies:** Overemphasizing the Indo-Pacific runs the risk of antagonizing China. While the US and Australia are physically distant from China; India has to secure its continental margins with China and suitably allocate resources for the same.
- **Barriers to fruitful partnerships in the region:** This includes lack of definitional consensus and differences in priorities with each nation having different political appetite and available resources for the Indian and Pacific Oceans.

### Way forward

- **Enhancing engagements with non-traditional players:** India should now look to other non-traditional players with great potential such as **Micronesia** to address shared interests in the region. **E.g. Pacific island nations.**
- **Strategic use of Island Territories:** India in collaboration with its Indo-Pacific partners, must utilize the potential of island territories to extend its reach etc.
- **Innovative mechanisms such as QUAD+:** g. **Recent Quad Plus talks with South Korea, Vietnam and New Zealand,** convened to address challenges brought about by the COVID-19 crisis in the Indo-Pacific region, are a step in the right direction

WHO has been found lacking in its response to COVID19 Pandemic. In this context, critically examine and suggest measures to democratise global health governance. (150 words)

### Introduction

The **World Health Organization (WHO)** is a specialized agency of the United Nations that is concerned with international public health. It was established on 7 April 1948, and is headquartered in Geneva, Switzerland. The WHO is a member of the United Nations Development Group.

It has been at the forefront of coordinating global response against the COVID-19 pandemic. Yet the role and its response were criticized for being inadequate.

### Body

#### Criticism against WHO in handling Pandemic

- **Lack of preparedness:** The WHO already had access to data and years of subsequent research about the SARS outbreak.
  - A research paper in 2007 had already warned against the mutable nature of the virus coupled with China's rapid urbanisation, proximity to exotic animals and refusal to tackle illegal wildlife trade.



- In 2015, the coronavirus family of diseases was selected to be included in a list of priorities requiring urgent research and development.
- It was earmarked as a primary contender for emerging diseases likely to cause a major epidemic. This assessment was reiterated in WHO's 2018 annual review of prioritised diseases.
- **Delay in declaration:** WHO has been criticised for its unexplained delay in declaring COVID 19 as a 'public health emergency of international concern' (PHEIC).
  - Various governments across the world reached out to the WHO for an advisory, but the WHO emergency committee was split on whether to declare a PHEIC.
  - WHO did not take any decision and stated that "the focus is not so much on the numbers". It finally had to declare once the confirmed cases **had increased tenfold across 18 countries**.
  - Subsequently, WHO also delayed its declaration as a 'pandemic, especially when the COVID 19 was exhibiting the characteristics of a pandemic, i.e. spreading rapidly around the world.
- **Indecision in visiting China:** The WHO did show any urgency in sending an investigation team to China. A joint WHO-Chinese team went to Wuhan only in mid-February.
- **Exclusion of Taiwan:** Since China acceded to the UN in 1971, it has periodically blocked Taiwan's WHO membership on the grounds that the democratically governed island is part of China.
  - The WHO's continued support to the "One China" principle, which recognizes the government in Beijing as the legitimate Chinese government, became a crucial hurdle in dealing with the pandemic.
- **Delay in acknowledging human-to-human transmission of the virus** especially, after the first case was announced outside China.
  - This is despite the fact that Taiwan had warned the WHO of this as early as end of December, 2019.
  - The recent reports clearly highlight that China stayed silent on its knowledge of human-to-human transmission.
- **Not endorsing the use of trade and travel restrictions:** The explosion of travel restrictions that countries implemented to counter COVID-19 prompted arguments that these restrictions violated the IHR, violations that the WHO did not probe despite having authority to do so.
  - Rather, the WHO urged the international community to not spread fear and stigma by imposing travel restrictions.
  - It even criticised early travel restrictions by the US as being excessive and unnecessary.

At the same time,



- WHO's efforts to advance development of coronavirus vaccines and therapeutics have been appreciated.
- The WHO's efforts in sharing of information and its attempts to counter online misinformation and disinformation have earned widespread praise

### Measures to democratise global health governance

- **Increase the WHO's technical capacities and capabilities**– Creating new departments focused on science, antimicrobial resistance and digital health will also broaden the WHO's range of expertise and keep up with the latest public health challenges and opportunities.
- **Help focus on the mission of WHO**-which does not have the capacity to do everything and has frequently found itself responding to situations rather than setting its own agenda. It may also encourage member states to provide additional resources if they have a better idea of where that money is going.
- **Coordinate with other global players**– as these reforms do not address how the organization should interact with major global health players **like the Bill and Melinda Gates Foundation and Doctors Without Borders.**
- **Mobilize more resources**– WHO's current biennial budget is 4.42 billion, with overwhelming majority dictated by donors and their priorities, which leaves the organization limited control over the funding.
- There are plenty of funds flowing into the health sector but the same is imbalanced in allocation to “big” diseases (vertical) but not to the health system for strengthening (horizontal).
- There is also lack of evaluation, accountability and sustainability, which necessitates the need for major overhaul and shifts with regard to traditional donors and models of funding for optimisation of the existing health resources.

### Conclusion

The criticism being faced by the WHO has done great damage to its global reputation and standing. While the politicisation of the WHO remains a serious concern, it also presents an opportunity to rethink the underpinnings of the broader global governance architecture. The WHO reforms announced few months back should be implemented on a war footing. Its donor dependency and weakened capacity should be addressed effectively, to meet its triple billion targets in future.



## Bilateral, regional and global groupings and agreements involving India and/or affecting India's interests.

India needs an integrated foreign policy that can respond to the imperatives of building domestic capabilities, developing geo-economic partnerships, and constructing geopolitical coalitions with like-minded countries. Examine. (250 words)

*Difficulty level: Tough*

*Reference: Indian Express*

### **Why the question:**

*As India returns to a high growth path after a slowdown in the last decade, its geopolitical salience in the world will continue to rise. India's GDP has grown manifold since 1991-92 when it stood at \$270 billion. Today, India's GDP is \$3.1 trillion and could cross, according to some estimates, \$8 trillion by the end of this decade.*

### **Key Demand of the question:**

*To write about the need for an integrated foreign policy for India.*

### **Directive word:**

*Examine – When asked to 'Examine', we must investigate the topic (content words) in detail, inspect it, investigate it and establish the key facts and issues related to the topic in question. While doing so we should explain why these facts and issues are important and their implications.*

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

#### **Introduction:**

*Begin the giving a brief overview of major tenets of India's current foreign policy.*

#### **Body:**

*First, explain the challenges pertaining to existing foreign policy of India – selective trade arrangements, economic protectionism and deglobalisation*

*Next, write about an integrated foreign policy can help India in – domestic capabilities, developing geo-economic partnerships, and constructing geopolitical coalitions. Substantiate with examples.*

*Next, mention the challenges of having an integrated foreign policy.*

#### **Conclusion:**

*Conclude by writing a way forward to address and overcome those challenges.*

#### **Introduction**

India's foreign policy is shaped by several factors including its history, culture, geography and economy. Our first Prime Minister, Jawaharlal Nehru, gave a definite shape to the country's foreign policy. The thrust of foreign policy keeps on changing according to changing international conditions. **Article 51 of the Indian Constitution** also lays down some Directive Principles of State Policy on Promotion of International Peace and Security.

#### **Body**

The principles have stood the test of time and are ingrained in international law and India's foreign policy practice. The **principles of Indian foreign policy** are as follows

- **Panchsheel**
- **The policy of Non-Alignment**
- **Policy of Resisting Colonialism, Imperialism, Racism**
- **Peaceful settlement of International Disputes**
- **Support to UN, International Law and a Just and Equal World Order**



### How India's New Foreign Policy is impacting New World Order:

- India's total trade, which was about \$38 billion in 1991-92, is expected to touch \$1.3 trillion this year.
- This is about 40 per cent of India's GDP and underlines the fact that India is more deeply tied to the world than ever before.
- After abandoning RCEP, Delhi has turned towards free trade agreements with countries like **Australia, Britain, UAE, and Israel.**
- **Deepening engagement with complementary economies:** This must be seen as the beginning of a process of deepening India's engagement with countries **whose economies are complementary.**
- India is also arguing, much like the US and China, that no large country can simply abandon domestic manufacturing to other countries in the name of **economic efficiency and globalisation.**
- India is now taking a number of initiatives to promote domestic manufacturing in a range of sectors under the banner of "Aatmanirbhar Bharat".

### Challenges for an integrated foreign policy

- At the end of 2019, India has walked out from the **Regional Comprehensive Economic Partnership (RCEP)** suggesting that the costs of joining a China-centred regional economic order are unacceptable.
- Pakistan being one of the important countries in China's BRI project is a steep strategic challenge for India.
- India's troubled relations with Pakistan have meant that the Neighbourhood First policy has yielded few results.
- China's strategic and economic presence in South Asia has enabled it to exercise political pressure on its allies. For E.g.: Disputes in South China Sea.
- Relevance and effectiveness of organizations such as the Commonwealth and the Non-Aligned Movement.
- **SAARC** has also been hampered by poor India-Pakistan relations thereby not being able to function effectively.
- Growing protectionism in goods and services.
- Concern over terrorism and radicalisation.
- India's selective trade arrangements and the policies to promote domestic manufacturing have drawn much criticism.

### Measures needed for an integrated foreign policy

- Three principles the new system should be based on-
- **Peaceful coexistence**



- First, the Asian Century should be defined in terms of **peaceful co-existence**, freezing post-colonial sovereignty.
- **Non-interference in the internal affairs** of other nations.
- Development of technological **superiority** in artificial intelligence (AI), cyber and space, and agriculture and knowledge based economy for sustainable development.
- **New principles of trade**
- Development of new principles of Trade focussed on Equitable Sustainable Inclusive development.
- **Global public goods** should include public health, crop research, renewable energy and batteries, even AI as its value comes from shared data.

#### Civilisational values

- Ancient civilisational values provide the **conceptual underpinning**, restructuring both the economic order and societal behaviour for equitable sustainable development. For E.g.: The concept of **Vasudhaiva Kutumbakam**.

#### Way forward

- Until now, India had the luxury of treating its **foreign, economic and strategic policies as separate domains**.
- **Integrated approach to policies:** Adapting to the current global geo-economic churn demands that Delhi find better ways to **integrate its financial, trade, technological, security and foreign policies**.
- Above all India needs a strategy that can respond to the imperatives of building **domestic capabilities, developing geo-economic partnerships, and constructing geopolitical coalitions** with like-minded countries.
- India's foreign policy must serve twin goals of pursuing economic development at home and ensuring peace and stability in its neighbourhood.

“If the construction of the Sino-Russian united front has been dazzling, equally impressive has been the rebuilding and expansion of US alliances. Analyze the threats and opportunities that the current geopolitics and a ‘new cold war’ present for India. (15M)

Reference: Indian Express

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

The article discusses the great power rivalry between the US and China-Russia nexus, and its implications for India.

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

Discuss in detail the present scenario; explain in detail the rising tensions between US and China. Highlight the possible challenges and opportunities that the context throws at India.

#### **Directive:**

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

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

**Introduction:**

Introduce by explaining the reason behind great power rivalry e.g. Trade War, Arms race. Why it has been called 'new cold war'.

**Body:**

Substantiate with examples various dimensions of this rivalry and players involved e.g. current Ukraine issue and the tussle between China-Russia and US and its EU allies.

List the opportunity that this tussle creates for India and well as challenges that India needs to overcome to secure its interest in present geo-politics. Give examples for each.

**Conclusion:**

Conclude that US-China rising tensions could help India achieve its economic and strategic interests that are crucial to the growth of the country.

**Introduction**

If the progress of the Sino-Russian united front has been spectacular, it has been as the rebuilding and expansion of US alliances have been particularly exciting. It will get harder to stand in the middle as both sides strengthen their global alliances. India's abstention from the United Nations Security Council last week on the issue of debating Ukraine is an indicator that its standing in the resurgent bloc politics is shrinking.

**Body****Great power politics and rivalry**

- Both Russia and China want to leverage the united front to secure better terms from America.
  - Washington, on the other hand, wants to probe the boundaries between Moscow and Beijing.
- Last year, Biden's contact with Putin was on the ground that if there was a mutually beneficial relationship with Russia in Europe, the US could better focus on the challenges faced by China in the Indo-Pacific region.
  - Putin is profiting from that idea by raising the stakes in Europe.
- If Putin is focusing on military solutions to rewrite the European security agreement with the United States, Xi is focusing on economic measures to restructure US ties.
  - **Washington is cautioning that if Beijing backs Moscow in the Ukraine crisis, Chinese companies could face significant financial losses.**
- The argument that the US's withdrawal from Afghanistan reflects Washington's deficient political will is also misleading.
  - Biden's withdrawal from Afghanistan was borne out of the recognition that it was time to move away from the anti-insurgency movement in the Greater Middle East to the war with other major powers.
- Despite China's dramatic rise and its latest cooperation with Russia, **the united front can't quite match the United States' and its allies' total national power.**
- **Russia isn't in the top ten economies today;** seven of the ten countries in the **top ten are allies of the United States**, which has been at the top for a century and more.



- China also cannot forget that it is still a no match for USA in terms of defence capabilities.

#### Challenges India faces amidst West vs Sino-Russia axis

- **India's abstention in UNSC on Ukraine issue** shows the precarious situation that India finds itself right now. It is walking a tight rope between the West and Russia.
- **Delhi now stands closer than ever to the West** thanks to the resurgent power rivalry that coincided with Indias **weakening links with China**.
- The meeting of the Quad foreign ministers in Australia this week and the proposed summit of their leaders in Japan in May will give some clues to Indias future relationship between the two nations; **but Delhi is unlikely to let Moscow undermine** its enthralling relationship with the West in Europe **if it comes to blows with the West**.
- Delhi has **no way to push Moscow toward Washington**, nor does it have a veto over Russia's strategic alliance with China.

#### Opportunities for India in this matter

- **France** has been **mediating** between Russia and Ukraine amidst the crisis. **This role can also be taken up by India**, by ensuring that USA and Russia come on the **negotiating table**.
- India is one country that has strong relations with Moscow and Washington at the same time.
- India's **strategic autonomy** especially in defence purchases shows that **both nations trust India's stature on the global arena**. This relation can be **leveraged** to bring a **political solution using the UNSC platform**, where India is currently a member.
- India's **membership to Quad and SCO** can be the **conduit** through which a political solution can be formulated and ensured that the relevant stakeholders listen to the same.

#### Conclusion

There has been a revival of alliances by USA that was thwarted by Trump regime. This is another opportunity for India to build stronger relations and ensure that its voice is heard in international platform. While India grows closer to the West, it must not forget the strategic autonomy and its ties to Russia.

In the ongoing Sino-U.S feud, Australia and India need to convert their intent into action and capitalise on the innumerable opportunities available in different sectors.

Examine. (250 words)

Difficulty level: Moderate

Reference: Indian Express

#### Why the question:

External Affairs Minister S Jaishankar will begin a six-day visit to Australia and the Philippines Thursday. His visit to the two countries till February 15 will be his first as the External Affairs Minister.

#### Key Demand of the question:

To write about the potential opportunities for India and Australia to cooperate on and benefit from.

#### Directive word:



**Examine** – When asked to ‘Examine’, we must investigate the topic (content words) in detail, inspect it, investigate it and establish the key facts and issues related to the topic in question. While doing so we should explain why these facts and issues are important and their implications.

**Structure of the answer:**

**Introduction:**

Begin by giving context about ongoing friction between U.S and China and its impact on global geopolitics especially India and Australia.

**Body:**

First, mention the key opportunities for India and Australia – India is currently Australia’s fifth largest export partner and presents a lucrative option for Australian exporters to diversify, strategic political benefits, both countries are federal democracies, former British colonies, India’s and Australia strong relationship with the US and new economic policies under taken by India etc.

Next, mention the limitations of the above – lack of significant action on the above, India’s withdrawal from RCEP, formation of AUKUS etc.

Next, mention ways in which the countries can realise the potential in bilateral relations.

**Conclusion:**

Conclude with a way forward.

**Introduction**

With India’s clash in Galwan valley with China and Australia-China fallout due to covid, south China sea issues, there is an opportunity for India to work closely with Australia to reign the power politics played by China. Moreover, with US-China trade war, India and Australia can diversify trade and reduce dependence on China.

**Body**

**India-Australia relations: Opportunities amid ongoing US-Sino feud**

- **Convergence: Chinese aggression and assertive foreign policy** are common concerns and has brought both the democracies closer. Both have shared interests in vision of a free, open, inclusive and rules-based Indo-Pacific region.
  - Both are part of **QUAD**, and also proposed **Supply Chain Resilience Initiative**.
  - Australia’s **Pacific Step Up** and India’s **Forum for India-Pacific Islands Cooperation (FIPIC)** reaffirm their cooperation in the South Pacific region.
- **Economic relations:** Bilateral goods and services trade between two was **\$30.3 billion in 2018-19**, and the level of two-way investment was \$30.7 billion in 2018.
  - In 2018, Australia announced implementation of “**An India Economic Strategy to 2035**”, a vision document to shape India- Australia bilateral ties.
  - India is also preparing an **Australia Economic Strategy Paper (AES)** on similar lines.
  - This was after fallout of Australia and China.
- **Progress after fallout with China:** Elevated the “2+2” engagement to the level of Foreign and Defence Ministers (from secretary level), where strategic discussions will be taking place every two years. India already has such mechanism with USA and Japan.
  - **MOU on cooperation** in the field of **mining** and processing of Critical and Strategic minerals.



- Mutual **Logistics Support Agreement** was signed.
- Joint declaration on shared vision for **Maritime Cooperation in the Indo- Pacific region**.
- These **developments must continue on faster pace**.

#### Limitations of India-Australia ties

- **Comprehensive Economic Cooperation Agreement (CECA)** still remains inconclusive after **9 rounds** of negotiations.
- India opted out from **Regional Comprehensive Economic Partnership (RCEP)**. Among other things, India and Australia **could not agree regarding market access over agriculture and dairy products**.
- Australia's economy is **heavily dependent on China**, with China being Australia's largest trading partner, **accounting for 26 % of its trade with the world**.
- The prospects for bilateral relationship are recognized in both countries as strategically useful, economically productive and aligned with each other's new agenda.
  - However, it is recognized that the **natural synergy has so far not been exploited fully**.
  - Countries should conclude CECA at the earliest, to realize the economic opportunities.

#### Conclusion

Based on several commonalities and closely aligned values in principles of democracy, liberty, the rule of law, human rights, freedom of speech, free press and multiculturalism both must enhance the bilateral relationship by expanding engagement in various sectors like defence industry and commercial cyber activity etc.

Ties between India and Germany have been strengthening over the years but there is still vast potential that remains untapped which can be mutually beneficial for both the countries. Comment. (250 words)

*Difficulty level: Moderate*

*Reference: Live Mint*

#### **Why the question:**

*There's a lot that unites India and Germany. Both are leading democracies and share a passion for liberal thought, ingenuity and social inclusivity.*

#### **Key Demand of the question:**

*To write about key aspects of Indo-German cooperation and mutual interest and how the two nations are natural partners making joint efforts for prosperity.*

#### **Directive word:**

**Comment**– here we must express our knowledge and understanding of the issue and form an overall opinion thereupon.

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

##### **Introduction:**

*Begin by writing about evolution of Indo-German relationship especially in the post-Merkel era.*

##### **Body:**



*First, 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.*

*Next, suggest areas where countries can further cooperate for mutual benefits – clean energy, trade, climate change etc.*

### **Conclusion:**

*Conclude by writing about taking forward Indo-German relations forward in post Merkel era.*

### **Introduction**

India was one of the **first countries to grant diplomatic recognition to the Federal Republic of Germany**; this March, the two countries celebrated **70 years of diplomatic relations**.

For the first time in 16 years, Germany has a government without the Christian Democratic Union. India must seek continuity and expansion of ties from the new government.

### **Body**

#### **Indo-German relations**

- **Bilateral Trade:** Despite the pandemic, Indo-German trade increased by 19% in the first 11 months of 2021 over 2020. Germany is India's 6th largest trade partner.
  - Among the significant Indian exports to Germany are chemicals, textiles, apparel and machinery.
  - Important German imports to India include machinery, vehicles and chemicals. Bilateral ties are on the upswing in almost every area.
  - Germany's role in reviving the India-EU free trade talks i.e. Bilateral Trade and Investment Agreement (BTIA) will be very crucial.
- **Terrorism:** India and Germany have shown their firm commitment to fight against the terrorism.
  - Germany **supports India** led movement for the adoption of **Comprehensive Convention on International Terrorism**.
- **Connectivity projects:** Germany is keen to implement connectivity projects, through the European Union, **to counter China**.
  - In this, the **EU-India connectivity partnership** announced at the EU-India leaders meeting in May 2021 is acknowledged.
- **Green Tech partnership:** There is much green content in the Indo-German engagement at present, including in the fields of **solar power, transportation, smart cities, metros and the Namami Gange**.

#### **Untapped potential in Indo-German ties**

- **Trade relations**
- IGCC believes that Germany will soon emerge among India's top three trade partners.



- The exchange of know-how and talent, especially, is expected to deliver transformational change, propelling greater growth.
- Various programmes have been set up to facilitate business opportunities in India, such as the Fast-Track-System for German companies or the Make-in-India Mittelstand programme.
- **Technology**
- Technology expertise has always been the hallmark of German companies, with top brands like Mercedes-Benz, Volkswagen, BMW, Bosch and Siemens and more.
- Both countries are poised to drive further cutting-edge innovation.
- The High Technology Partnership Group plays a major role in developing international supply chains and boosting cyber security, both vital to growth.
- **Cultural relations**
- Indians are wowed by the open-air concerts, exhibitions, architecture and heritage walks of Germany, Bollywood is among India's biggest cultural exports to the EU country.
- Traditional healing practices appeal to people in both countries. Germany and India have pacts to promote ayurveda, yoga and naturopathy, unani, siddha and homoeopathy (**Ayush**).
- According to a study by market research institute Gesellschaft für Konsumforschung, there are over 3 million yoga practitioners in Germany.
- **Education**
- German universities already attract the highest number of Indian students among European countries.
- Besides world-class education, Indian students have multiple work opportunities in an ecosystem that welcomes diversity and encourages critical thinking.
- **Tourism**
- Germany offers a host of activities for Indian travellers, more than 25,000 castles, assorted nature trails, harbour towns, and a wide range of culinary and hospitality experiences.
- Technology expertise has always been the hallmark of German companies, with top brands like Mercedes-Benz, Volkswagen, BMW, Bosch and Siemens and more. Both countries are poised to drive further cutting-edge innovation. The High Technology Partnership Group plays a major role in developing international supply chains and boosting cyber security, both vital to growth.

#### Measures to reinvigorate Indo-German ties

- India and Germany must realise the **cooperative goals of the IP guidelines**. These must involve businesses.
- German companies must be encouraged to use the **liberalised PLI scheme** to establish manufacturing hubs in India, which can export to ASEAN and Africa.
- The two nations may also **initiate an Africa vaccine production facility**. Germany has committed 250 million euro in loans to Africa for this.



- If implemented with India, as in the Quad initiative, such a facility can be established in the underserved East African region.
- India and Germany must think afresh to **engage more closely in areas of complementarity.**

### Conclusion

In multipolar world order, convergence of India and Germany will be a win-win situation for both the countries due to uncertainties created by US policies and increasing assertiveness of Sino-Russian political axis. Post Brexit, Germany will become a more important player in European Union. Therefore, engaging Germany is not just about India's bilateral relations with it. It is about collaborating with the Germany led EU as a whole.

### Effect of policies and politics of developed and developing countries on India's interests, Indian Diaspora.

A new free trade agreement (FTA) between India and the UAE can provide further fillip to the ever-growing relations in trade, diaspora and cultural contacts between the two countries. Analyse. (250 words)

*Difficulty level: Moderate*

*Reference: The Hindu*

#### **Why the question:**

*India has embarked on a new journey — a new free trade agreement (FTA) journey to be precise — with renewed zeal and vigour. India's approach towards FTAs is now focusing more on gaining meaningful market access and facilitating Indian industry's integration into global value chains.*

#### **Key Demand of the question:**

*To write about how FTA will benefit India and UAE while bring the countries strategically closer.*

#### **Directive word:**

**Analyse** – When asked to analyse, you must examine methodically the structure or nature of the topic by separating it into component parts and present them in a summary.

#### **Directive word:**

**Comment**– here we must express our knowledge and understanding of the issue and form an overall opinion thereupon.

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

##### **Introduction:**

*Begin by giving context launch of the negotiations for a mutually beneficial FTA between India and UAE.*

##### **Body:**

*In the first part, in brief, giving an account of tries between India-U.A.E till recent times. (You can make use of a flow chart for better presentation).*

*Next, describe the proposed FTA– how it will benefit both India and U.A.E in terms of trade, investments, technology, infrastructure, diaspora and cultural contacts etc.*

*Bring out the strategic implications of signing of FTA and any potential bottlenecks in signing it.*

##### **Conclusion:**

*Conclude with a way forward for realisation of a mutually beneficial FTA.*

##### **Introduction**

India has embarked on a new free trade agreement (FTA) journey with UAE with renewed zeal and vigour. **India and UAE signed an FTA** which is set to reduce tariffs for 80 per cent of goods and give zero duty access to 90 per cent of India's exports to the UAE.



The agreement, which is expected to come into effect in about 60 days, is expected to boost annual bilateral trade to \$100 billion within 5 years of its adoption, up from about \$60 billion currently.

## Body

### India-UAE trade relations

- The India-UAE total trade merchandise has been valued at **\$52.76 billion for the first nine months of the fiscal year 2021-22**, making the UAE India's third largest trading partner.
- The aim is to boost bilateral merchandise trade to above U.S.\$100 billion and services trade to U.S.\$15 billion in five years.
- With India's newfound strength in exports as the country is on the verge of creating history by **reaching the figure of U.S.\$400 billion of merchandise export**, a trade agreement with an important country such as the UAE would help sustain the growth momentum.
- As we are witnessing a big turnaround in manufacturing, the UAE would be an attractive export market for Indian electronics, automobiles, and other engineering products.

### India-UAE FTA: Benefits

- **Investment flow:** A trade agreement is also an enabler for **two-way investment flows**. The UAE's investment in India is estimated to be around **\$11.67 billion**, which makes it the **ninth biggest investor in India**.
  - On the other hand, many **Indian companies have set up manufacturing units** either as joint ventures or in Special Economic Zones for cement, building materials, textiles, engineering products, consumer electronics, etc.
- **Huge market:** Many Indian companies have also invested in the tourism, hospitality, catering, health, retail, and education sectors. As both the UAE and India are aggressively pursuing FTAs with several important countries, not only companies from these two countries but also **multinational companies from other geographies** too would find the UAE and India an **attractive market to invest**.
- **Strategic location and access:** As **part of the GCC, the UAE has strong economic ties** with Saudi Arabia, Kuwait, Bahrain, and Oman, meaning the **UAE shares a common market and a customs union with these nations**. Under the **Greater Arab Free Trade Area (GAFTA)** Agreement, the UAE has **free trade access to Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, Jordan, Egypt, Iraq, Lebanon, Morocco, Tunisia, Palestine, Syria, Libya, and Yemen**.
- **Diversifying the economy:** Although the UAE has diversified its economy, 'the hydrocarbon sector remains very important followed by services and manufacturing.

### Limitations

- The UAE tariff structure is bound with the GCC, and the applied average tariff rate is 5%. Therefore, the scope of addressing Non-Tariff Barriers (NTBs) becomes very important.
- The reflection of NTBs can be seen through **Non-Tariff Measures (NTMs)** which have mostly been covered by Sanitary and Phytosanitary (SPS) and Technical Barriers to Trade (TBT). The UAE has **451 SPS notifications**.



- Most of the notifications are related to consumer information, labelling, licensing or permit requirements and import monitoring and surveillance requirements.
- **These compliances** pose a challenge for Indian exporters.

### Conclusion

This FTA with the UAE will pave the way for India to enter the UAE's strategic location, and have relatively easy access to the Africa market and its various trade partners which can help India to become a part of that supply chain, especially in handlooms, handicrafts, textiles and pharma.

As war clouds gather over Ukraine, India faces a dilemma over its diplomatic balancing act, its unwillingness to publicly caution Russia against invading Ukraine, and above all its reluctance to defend Ukraine's sovereignty. Examine the impact this can have on India. (250 words)

*Difficulty level: Tough*

*Reference: New Indian Express, The Hindu*

#### **Why the question:**

*After weeks of ratcheting tensions, and frenetic diplomacy across Europe, Russian President Vladimir Putin has played a major move by announcing formal recognition for the Donbas region enclaves (Oblasts) of Donetsk and Luhansk in Eastern Ukraine.*

#### **Key Demand of the question:**

*To bring out the impact of India's balancing impact on the Ukraine issue can have.*

#### **Directive word:**

***Examine** – When asked to 'Examine', we must investigate the topic (content words) in detail, inspect it, investigate it and establish the key facts and issues related to the topic in question. While doing so we should explain why these facts and issues are important and their implications.*

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

##### **Introduction:**

*Start by giving the context regarding the Ukraine crisis.*

##### **Body:**

*First, elaborate on the dilemma over its diplomatic balancing act – the relations with Russia, U.S, the Chinese angle and most importantly regarding the sovereignty of Ukraine.*

*Next, In detail, mention the possible impact the above and Ukraine crisis can have on India – foreign policy, economically, strategically and its resonance on China's aggression in the neighbourhood.*

##### **Conclusion:**

*Conclude by writing a way forward that India must take in this regard.*

##### **Introduction**

As India abstained on a US-sponsored UN Security Council resolution that “**deplores in the strongest terms**” Russia’s “**aggression**” against Ukraine, one must look at the reasons behind India’s decision to be quiet on the international forum of security council.

India’s statement at the UNSC that **appealed for diplomacy and de-escalation**, while making **no critical comment about Mr. Putin’s announcement** is not just an **assertion of India’s traditional principled position**, or a study in pragmatism but also a reflection of the difficult position New Delhi finds itself in over the conflict, which appears to have now entered a new phase.

### Body

#### Background



- The increasing aggression on part of Russia started with **news of eastward expansion of NATO, especially Ukraine's membership to NATO**. This would mean **deployment of western missiles and weapons in Russia backyard** and its borders.
- Russian President Vladimir **Putin has played a major move by announcing formal recognition for the Donbas** region enclaves (Oblasts) of Donetsk and Luhansk in Eastern Ukraine, one which changes the course of the present diplomatic efforts.
- Post this, Russian troops have **started full scale invasion** and have reached the capital city Kyiv.
- The recognition of the two separatist groups that control parts of the Donbas region as governments signals that **Russia is no longer interested in talks on the basis** of the "**Minsk accords**". The agreements — negotiated in 2014 and 2015, but never fully implemented — had secured a "special status" for the Donbas enclaves.

### India's dilemma in strategic balancing

- India **did not endorse the harsh language used in the resolution** condemning Russia's actions. It wants to maintain a balance between the Western bloc led by the US, and Russia, since it has strategic partners on both sides.
- India's past record has been maintaining balance between the West and Russia. On January 31, India abstained on a procedural vote on whether to discuss the issue of Ukraine.
- New Delhi had then articulated its position on "legitimate security interests" that echoed with a nuanced tilt towards the Russian position, and had abstained along with Kenya and Gabon.
- Despite abstention, **India has reiterated and has called for cessation of violence** in no ambiguous terms.
- India has also quoted the **international charter on sovereignty**, highlighting that all nations must respect the same, intended towards Russia.
- For India, Russian ties are important. It must be recalled that **Ukraine was against India during 1998 nuclear tests** and had spoken against India with issue of Kashmir.

### Impact on India

- **Food and oil prices:** A war in Ukraine will bear down on two important areas—**higher food and energy prices**.
- **Impact on the poor:** On both these segments, it is the poor that spend a disproportionately high percentage of their income.
  - **Russia produces about 13% of the world's crude** and the prices have already reached **\$100 per barrel**.
- **Investment climate:** For investors, the world markets are already taking a knocking, and an all-out war will freeze investment and growth.
- **India's defence requirements:** Though India has cut back on Russian arms imports, **Moscow** is still at the top



### Conclusion

Dialogue is the only answer to settling differences and disputes, however daunting that may appear at this moment. India maintained its “consistent, steadfast and balanced position on the matter”. India has been in touch with all sides, urging the parties concerned to return to the negotiating table. By abstaining, **India retained the option of reaching out to relevant sides** in an effort to bridge the gap and find a middle ground with an aim to foster dialogue and diplomacy.