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SIMPLIFYING IAS EXAM PREPARATION

INSTA SECURE SYNOPSIS

MAINS MISSION 2023

GS- II

AUGUST 2023

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

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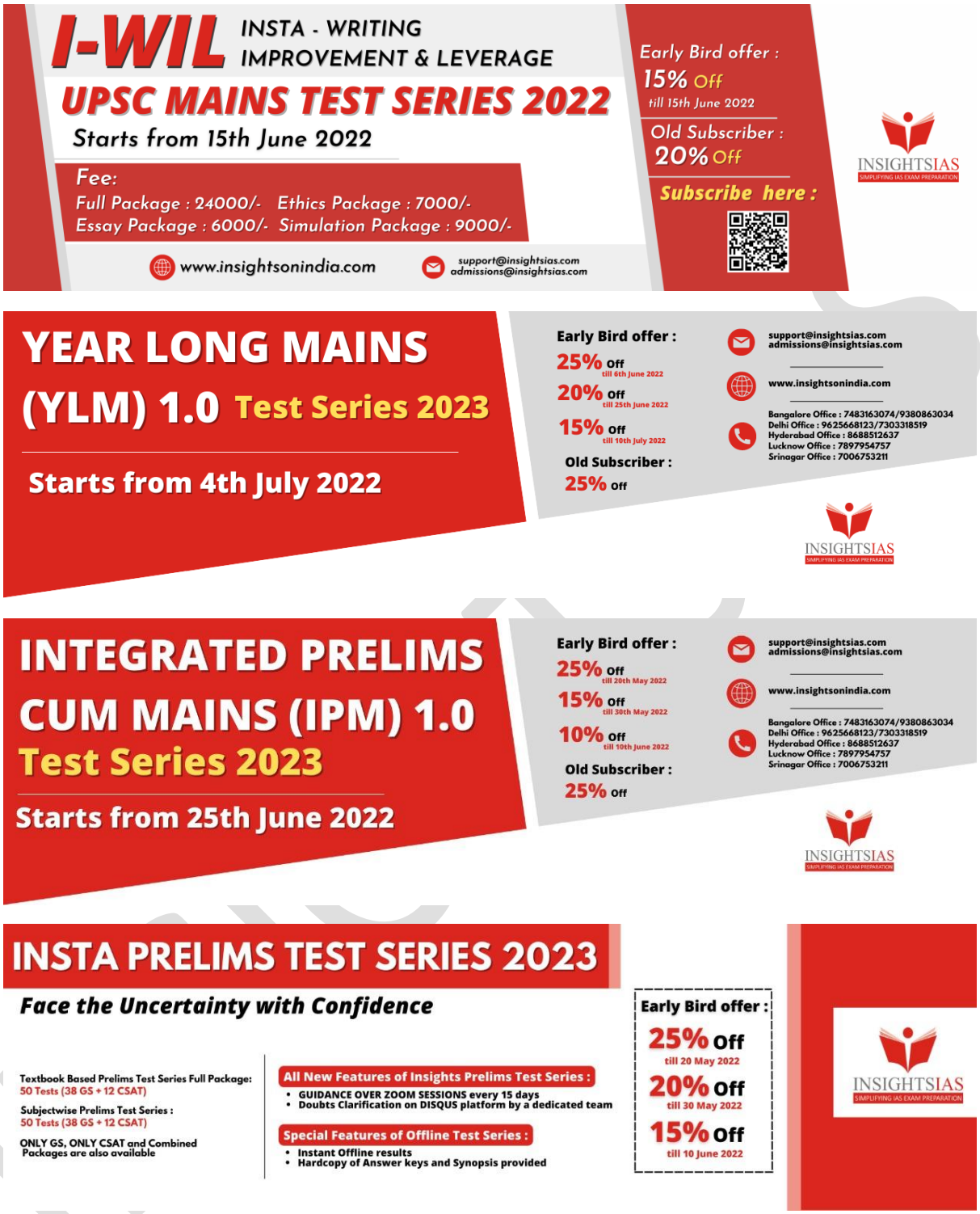
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Indian Constitution- historical underpinnings, evolution, features, amendments, significant provisions and basic structure.

The proclamation of a national emergency can lead to the temporary suspension or restriction of fundamental rights. The judiciary plays a critical role in ensuring that such suspensions are reasonable, proportionate, and subject to oversight. Examine. (250 words)

Difficulty level: Moderate

Why the question:

The question is part of the static syllabus of General studies paper – 2 and mentioned as part of Mission-2024 Secure timetable.

Key Demand of the question:

To write about impact of national emergency on fundamental rights and the judicial interpretations of it.

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 writing about the objective behind article of national emergency.

Body:

In the first part, bring out the effect of national emergency on fundamental rights – the nature of the modification, extent of modification, ability to enforce fundamental rights etc.

In the next part, mention the various judicial interpretations regarding the suspension of the fundamental rights – mention various cases such as Makhan Singh Vs. State of Punjab, A.D.M. Jabalpur Vs. shivkant Shukla etc.

Conclusion:

Conclude with stressing that suspension is a temporary measure.

Introduction

The President, under **article 352 of Indian constitution**, can declare a national emergency when the security of India or a part of it is threatened by war or external aggression or armed rebellion. When a national emergency is declared on the grounds of **'war' or 'external aggression',** it is known

as **'External Emergency'.** On the other hand, when it is declared on the grounds of **'armed rebellion',** it is known as **'Internal Emergency'.**

Body

Effects of the proclamation of national emergency on the fundamental rights

- According to Article 358, when a proclamation of national emergency is made, the six fundamental rights under Article 19 are automatically suspended. No separate order for their suspension is required
- When the proclamation of National Emergency is imposed under this, legislative and executive committed even if they are in violation of article 19 cannot be questioned by the courts
- However, the 44th amendment act, put two conditions to this- rights under article 19 can be suspended only when the National emergency is declared on the grounds of war or external aggression and only those laws which are related with the emergency are protected from being challenged and no other laws
- Article 359 authorizes the president to suspend the right to move any court for the enforcement of FR during a national emergency. Here, the FR are not suspended but only their enforcement
- The suspension of FRs is restricted to those which are only mentioned in the order.
- The 44th amendment act imposed two conditions on the usage of this article- president cannot suspend the right to move the court for the enforcement of FR guaranteed under Article 20 and 21 and only those laws which are related to the emergency are protected and no other laws

Judicial interpretations of validity of suspension of fundamental rights during emergency

- In the case of **Minerva Mills ltd. vs Union of India, Supreme Court** held that there is no bar to judicial review of the validity of the proclamation of emergency issued by the president under 352(1). However, court's power is limited only to examining whether the limitations conferred by the constitution have been observed or not. It can check if the satisfaction of the president is valid or not. If the satisfaction is based on mala fide or absurd or irrelevant grounds, it is no satisfaction at all.
- **suspension of art. 19- Makhan Singh Vs. State of Punjab**
    - 358 makes it clear that things done or omitted to be done during emergency could not be challenged even after the emergency was over.in other words the suspension so art.19 was complete during the period in question and legislative and executive action which contravened art.19 could not be questioned even after the emergency was over.
- **suspension of art.20,21 – A.D.M. Jabalpur Vs. shivkant Shukla**
    - The President issued orders under the Constitution of India, art. 359(1) suspending the right of any person to move any court for enforcement of fundamental rights under arts. 14, 21 and 22 and 19 for the duration of the emergency. International

Covenant on Civil and Political Rights ,art. 4 recognises the right to life and personal liberty to be a non- derogable right even during times of emergency.

- **suspension of art.14 and 16 – Arjun Singh vs. State of Rajasthan**
    - The question arose whether art.16 is also suspended although it is not mentioned in order, the Rajasthan high court held that art.16 remained operative even though art.14 was suspended. The court emphasized that under art.359 the enforcement of only such fundamental rights was suspended as were specifically and expressly mentioned in the presidential order.

Conclusion

It is important to note that even when these provisions are provided for the nation's security and protection of the people, the provisions in themselves give drastic discretionary powers in the hands of the Executive. This affects the federal structure of the nation and essentially turns it into a unitary one. Therefore, the courts should be given the power to expand the powers of the Centre, as the same will act as a built-in mechanism to check if the discretionary powers are being used arbitrarily by the Parliament and the Executive.

While the Basic Structure Doctrine has played a significant role in safeguarding fundamental principles of the Indian Constitution, it is not without its criticisms. Examine the criticism of the basic structure doctrine. (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-2024 Secure timetable.
Key Demand of the question:
To write about the importance of doctrine of basic structure and its criticism.
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:
To write about the importance of doctrine of basic structure.
Body:
First, write about the various features of doctrine of basic structure – rule of law, parliamentary form of government, secularism etc.
Next, write about how the above is important in upholding the supremacy of the Constitution and preventing authoritarian rule by a single party.
Next, write a critique of the basic structure doctrine.
Conclusion:
Conclude by writing a balanced opinion.
Introduction

The Doctrine of Basic structure, one of the most important examples of judicial activism is the result of the creative interpretation of the constitution by the judiciary. It was given by the 13-judges bench of the Supreme Court in the **Keshavananda Bharti case (1973),** and was aimed at defining the

scope of the amending power of the Parliament. It is a doctrine to examine the constitutional validity of constitutional amendment.

Body

Interpretation and relevance of Basic Structure Doctrine

- The emergence of doctrine of 'Basic structure' marked a**significant shift in the role of judiciary** from practice of constitutional interpretation to a creative role where judiciary go beyond the written provisions of the constitution.
- **As per the Indian constitution, Parliament has been given the constituent power to amend the constitution according to the changing needs & aspirations.**
    - **Being a dynamic or organic constitution, aimed at achieving a certain goal of social revolution the Indian constitution mentions special procedure for its amendment.**
    - **It means that there is no explicit limitation on the amending power of the Parliament; expect procedural limitations as given in Art 360.**
- However, in **the Keshvananda Bharti Case (1973),** on the question whether the amending power of the Parliament is**unlimited and absolute,**the Supreme Court held that the amending power is **limited to the extent that it doesn't alter the 'Basic Structure' of the constitution.**
- The court held that the word 'amend' under Art 368 means only changes other than altering the basic features of the constitution,**which would amount to making or writing a new constitution.**
- In this way, the Supreme Court, while**giving primacy to the unwritten feature of the constitution** introduced a **'substantive limitation' on the amending power of the Parliament.**
- However, the judgment of the Supreme Court inventing a new doctrine of the 'basic structure' has been subjected to **intense academic debate.**
    - **The opponents of the judgement claims**that the judiciary has gone for the metaphysical approach rather than the legal approach of what is written**.**
    - They argue that if the government was destroying the constitution**, the judiciary has gone to the extent of creating the constitution.**
- On the other hand, the proponents of the decision argue that **judiciary has protected the sanctity of the constitution.**

Significance of Basic Structure Doctrine

- The basic structure doctrine is a **testimony to the theory of Constitutionalism**to prevent the damage to essence of COI by brute majority of the ruling majority.
- The **basic doctrine saved the Indian democracy**as it acts as a limitation of constituent power or else unlimited power of parliament might have turned India into a totalitarian
- It helps us to **retain the basic tenets of our constitution**so meticulously framed by the founding fathers of our Constitution.

- It **strengthens our democracy by delineating a true separation of power** where Judiciary is independent of other two organs. It has also given immense untold unbridled power to Supreme Court and made it the most powerful court in the world
- **By restraining the amending powers of legislative organ of State,**it provided basic Rights to Citizens which no organ of State can overrule.
- **Being dynamic in nature,**it is more progressive and open to changes in time unlike the rigid nature of earlier judgements.

Criticisms of Basic Structure doctrine

- Its critics believe that the doctrine gives the judiciary the power to impose itself over a democratically formed government. For instance, the NJAC judgment in 2015 has been termed as the "tyranny of the unelected".
- It is said to be inconsistent with the principle of separation of powers.
- Almost 50 years after it was propounded, the legitimacy of the term "basic structure" and the theory underpinning its doctrinal creation is still seen as an abstract idea in certain quarters, since it is missing from the text of the Constitution.
- Basic structure doctrine is criticized for its vagueness as it has been left open before the judiciary to decide the same on the case to case basis. In Kesavananda Bharti v. State of Kerala, each of the judges on the bench had their own conclusion.
- Its critics believe that the doctrine gives the judiciary the power to impose itself over a democratically formed government.
- Parliamentary sovereignty and autonomy cannot be permitted to be compromised by the executive or judiciary, he said.

Conclusion

Zia Modi, in her book 'The Ten Judgments that changed India', has given following arguments- Although the judiciary was wrong from the academic point of view, but from the practical point of view, it was the need of the time in the Indian context. (ii) It has proved to be a blessing in disguise as it has checked authoritarianism of the government. This has stopped India from going on the path of the other Third World countries.

Value addition

Evolution

- ***Origin of debate:*** *The question whether****Fundamental Rights can be amended*** *by the Parliament under* ***Article 368*** *came for consideration of the Supreme Court within a year of the Constitution coming into force.*
- ***Shankari Prasad case (1951):*** *The constitutional validity of the****First Amendment Act (1951),*** *which* ***curtailed the right to property,*** *was challenged. The Supreme Court ruled that the power of the Parliament to amend the Constitution under Article 368 also* ***includes the***

power to amend Fundamental Rights. *The word* ***'law' in Article 13*** *includes only ordinary laws and not the* ***constitutional amendment acts (constituent laws).***

- *Therefore, the Parliament can abridge or take away any of the Fundamental Rights by enacting a constitutional amendment act and such a law will not be void under Article 13.*

- ***Golak Nath case (1967):*** *The Supreme Court reversed its earlier stand. In that case, the constitutional validity of the* ***Seventeenth Amendment Act (1964),*** *which inserted certain state acts in the* ***Ninth Schedule, was challenged.***
  - *The Supreme Court ruled that the Fundamental Rights are given a 'transcendental and immutable' position and hence, the Parliament cannot abridge or take away any of these rights.*
  - *A constitutional amendment act is also a law within the meaning of Article 13 and hence, would be void for violating any of the Fundamental Rights.*
- ***24th Amendment Act 1971:*** *The Parliament reacted to the Supreme Court's judgement in the Golak Nath case (1967) by enacting the 24 th Amendment Act (1971). This Act* ***amended Articles 13 and 368.***
  - *It declared that the Parliament has the power to abridge or take away any of the* ***Fundamental Rights under Article 368 a****nd such an act will not be a law under the meaning of Article 13.*
- ***Kesavananda Bharati case:*** *However, in the Kesavananda Bharati case (1973), the Supreme* ***Court overruled its judgement in the Golak Nath case (1967).*** *It upheld the validity of the 24th Amendment Act (1971) and stated that Parliament is empowered to abridge or take away any of the Fundamental Rights.*
  - *At the same time, i****t laid down a new doctrine of the 'basic structure' (or 'basic features') of the Constitution.***
  - *It ruled that the constituent power of* ***Parliament under Article 368 does not enable it to alter the 'basic structure' of the Constitution.***
  - ***T****his means that the Parliament* ***cannot abridge or take away a Fundamental Right*** *that forms a part of the* ***'basic structure' of the Constitution.***

Unlike Fundamental Rights, which are justiciable and can be enforced by the courts, DPSPs are non-justiciable, meaning that citizens cannot directly approach the courts to enforce them. Discuss. (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-2024 Secure timetable.
Key Demand of the question:
To write about the concept of DPSP and their classification while commenting on their criticism and making it justiciable.
Directive:

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 explaining what DPSP's are.

Body:

First, in detail, Discuss the Directive Principles of State Policy, its importance in the Indian Constitution and the history of its conflict with Fundamental Rights.

Next, classify them in detail; Socialistic Principles, Gandhian Principles and Liberal-Intellectual Principles.

Next, write in detail about the criticisms against it. Comment on making certain DPSPs as justiciable and scope for it.

Conclusion:

Conclude by summarising and giving a balanced view on DPSPs.

Introduction

Directive Principles of State Policy (DPSP) are the form of instructions/guidelines to the governments at the centre as well as states. Though these principles are non-justiciable, they are fundamental in the governance of the country. The Constitution of India aims to establish not only political democracy but also socio-economic justice to the people to establish a welfare state. With this purpose in mind, our Constitution lays down desirable principle and guidelines in Part IV known as the Directive Principle of State Policy.

Body:

The Constitution does not contain any classification of the Directive Principles. However, on the basis of their content and direction, they can be classified broadly into **socialist, Gandhian and liberal-intellectual.**

Socialistic:

- to promote the welfare of the people by securing a social order permeated by social, economic and political justice and to minimise inequalities in income, status, facilities and opportunities. (Art 38)
- to secure (a) the right to adequate means of livelihood for all citizens; (b) the equitable distribution of material resources of the community for common good; (c) prevention of concentration of wealth and means of production; (d) equal pay for equal work for men and women; (e) preservation of the health and strength of workers and children against forcible abuse; and (f) opportunities for healthy development of children. (Art 39)
- to promote equal justice and to provide free legal aid to the poor. (Art 39A)
- to secure the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement. (Art 41)
- to make provision for just and humane conditions for work and maternity relief. (Art 42)
- to secure a living wage, a decent standard of life and social and cultural opportunities for all workers (Art 43)

- to take steps to secure the participation of workers in the management of industries (Art 43A)
- to raise the level of nutrition and the standard of living of people and to improve public health. (Art 47)

Gandhian Principles:

- to organize village Panchayats and endow them with necessary powers and authority to enable them to function as units of self-government. (Art 40)
- to promote cottage industries on an individual or co-operation basis in rural areas. (Art 43)
- to promote voluntary formation, autonomous functioning, democratic control, and professional management of co-operative societies. (Art 43B)
- to promote the educational and economic interests of SCs, STs and other weaker sections of the society and to protect them from social injustice and exploitation. (Art 46)
- to prohibit the consumption of intoxicating drinks and drugs which are injurious to health. (Art 47)
- to prohibit slaughter of cows, calves and other milch and drought cattle and to improve their breeds. (Art 48)

Liberal-Intellectual Principles:

These principles represent the ideology of liberalism and direct the state to

- to secure for all citizens a uniform civil code. (Art 44)
- to provide early childhood care and education for all children until they complete the age of 6 years. (Art 45)
- to organise agricultural and animal husbandry on modern and scientific lines. (Art 48)
- to protect and improve the environment and to safeguard forests and wildlife. (Art 48A)
- to protect monuments, places and objects of artistic or historic interest which are declared to be of national importance. (Art 49)
- to separate the judiciary from the executive in the public services of the state. (Art 50)
- to promote international peace and security and maintain just and honourable relations between nations; to foster respect for international law and treaty obligations, and to encourage settlement of international disputes by arbitration. (Art 51)

Additions by 42nd Amendment Act, 1976:

- to secure opportunities for healthy development of children. (Art 39)
- to promote equal justice and to provide free legal aid to the poor. (Art 39A)
- to take steps to secure the participation of workers in the management of industries (Art 43A)
- to protect and improve the environment and to safeguard forests and wildlife. (Art 48A)

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Additions by 44th Amendment Act, 1978:

- to minimise inequalities in income, status, facilities and opportunities. (Art 38)

Amendments in 86th Amendment Act, 2002:

- It changed the subject matter of Art 45 and made elementary education a fundamental right under Art 21A. The amended directive requires the state to provide early childhood care and education for all children until they complete the age of 6 years.

Additions by 97th Amendment Act, 2011:

- to promote voluntary formation, autonomous functioning, democratic control, and professional management of co-operative societies. (Art 43B)

Yes, the DPSPs should be made enforceable

- A foremost argument in favour of making the Directives enforceable is that their justifiability will keep the autocratic tendencies of the ruling governments in check.
- Also, most of the provisions contained in the DPSPs are promises made by the contesting parties during the time of elections.
- These promises, as is common knowledge, are seldom kept.
- But if these DPSPs are justiciable in a court of law, the government becomes answerable to the people.
- Their actions will also be controlled by through these Directives. An example would be the provision contained in Article 44, relating to the implementation of a Uniform Civil Code.
- This provision aims for a uniform civil law (much like the criminal law in force) for all citizens regardless of their religion, and other beliefs.
- If implemented, it could play a critical role in uniting India, and making divisive policies a thing of the past.

No, DPSPs need not be made enforceable

- But it is also argued that making the Directives enforceable is futile, since a large number of laws and policies are already in place for the implementation of these DPSPs. For example, the provision of Panchayati Raj (Article 40) was introduced through an Amendment to the Constitution in 1992. Today, there are 2,27,698 Gram Panchayats, 5906 Intermediate Tiers, and 474 Zila Panchayats in the country.
- Another argument against enforcing the DPSPs is that their provisions are not very secular. Though it calls for the implementation of a Uniform Civil Code, it also directs the state to ban the slaughter of cows, a cause that is primarily Hindu.
- The Directive Principles also try to impose morals on the citizens, something that is inarguably outside the scope of law. The Directives contain a provision that calls for the ban on alcohol. Though it has never been enforced on a national level, this provision certainly tries to impose certain morals on the people.

Conclusion:

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The directive principles play an ideal before the legislator of India which shows that light while they frame the policies & laws. They are basically a code of conduct for the legislature and administrators of the country. They show the path to the leaders of the country which takes the country to achieve the ideal of the constitution embodied in the Preamble "Justice, Social, Economic, Political; liberty, equality and fraternity".

The Fundamental Duties serve as a reminder of the responsibilities citizens have towards the nation and society, balancing the rights provided by the Constitution. Whether these duties should be enforced is a subject of debate. State your opinion on the debate. (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-2024 Secure timetable.
Key Demand of the question:
To write about whether or not fundamental duties should be enforced.
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, wite about drawbacks of enforcing fundamental duties – lack of enforcing mechanism, additional burden on governance etc.
Conclusion:
Conclude by writing a balanced opinion on the issue.

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.
    - I**n 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 lyching by cow vigilantes.**

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- **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.**

For the protection of fundamental rights, a remedy is given under Article 32 of the Indian Constitution, which empowers the Supreme Court to issue writs when the fundamental rights of any citizen are violated. Discuss. (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-2024 Secure timetable.
Key Demand of the question:
To write about the role of SC in safeguarding fundamental rights under article 32.
Directive:
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 a brief about article 32.
Body:
First, in detail, about the role of the SC as the "guarantor" and "defender" of the fundamental rights. Next, write in detail about the various types of writs and the purposes behind it. Substantiate using examples and SC case to show how writs are used to protect fundamental rights.
Conclusion:
Conclude by summarising and giving views of various scholars regarding it.
Introduction

Article 32 falls under Part III of the Constitution that includes the fundamental rights of individuals. It allows an individual to approach the Supreme Court if she or he believes that her or his fundamental rights have been violated or they need to be enforced.

Dr B.R. Ambedkar had once said, "If I was asked to name any particular article in this Constitution as the most important — an article without which this Constitution would be a nullity — I could not refer to any other article except this one (Article 32). It is the very soul of the Constitution and the very heart of it."

Body

Rationale behind Article 32 called the heart and soul of the constitution:

- Right to constitutional remedies works on the **Doctrine "Ubi Jus Ibi Remedium"** which means when there is a right there is a remedy.
- It gives the power to the citizens of India to go directly to the Supreme Court of India, rather than by way of appeal, if they feel that any of their Fundamental Rights have been violated. **Article 32 makes the Supreme Court the defender and guarantor of the fundamental rights**.
- Article 32 came out to be the greatest safeguard that could be provided to protect the fundamental rights of the citizens and "It is a right fundamental to all the other Fundamental Rights".
- Courts, as the judicial sentinel of the fundamental rights, are equipped with constitutional weapons i.e., **WRITS**.
- Writs which are being performed both by The Supreme Court and The High Court under **Article 32 and 226** are for the violation and enactment of the Fundamental Rights.
- Both the courts have the power to issue directions, orders, and writs, including writs of **Habeas corpus, Mandamus, Prohibition, Quo warranto, and Certiorari**, for the enforcement of any of the rights.
- On the other hand, Parliament has the right to empower any other court with such authority so that it can act as "Protector and guarantor" of such rights.
- Supreme Court **in basic structure doctrine** made clear that right to move to Supreme Court cannot be suspended except otherwise provided by the Constitution. **This implies that this right suspended during a national emergency under article 359**

Conclusion

The constitutional remedies provided to the citizens are the most powerful orders with immediate effects and results and that is why it has always been considered as the most important fundamental right engrafted in the Constitution of India. The Constitution of our country isn't rigid and the various cases and court proceedings keep on challenging the basic structure of the Constitution. **Article 32** still ensures that the fundamental rights of the citizens will always be protected and enforced by the Judiciary of India. And no citizen will be left unheard and deprived of his/her rights being the citizens of an independent country.

Value addition

Landmark cases of Article 32:

- *In a judgment in **the L. Chandra Kumar vs. Union of India** and Others case and **P. Sampath Kumar vs. Union of India case**, it was declared that Article 32 was an integral and essential feature of the Constitution and constituted its basic structure.*
- *During the 1975 Emergency, in the **ADM Jabalpur vs. Shivakant Shukla case**, SC had ruled that the right to constitutional remedies under Article 32 would remain suspended during a national emergency. People were unable to seek redressal when their fundamental rights were being hampered.*

- *The most recent incidents where Article 32 was discussed, was when **Kerala-based journalist Siddique Kappan** languished in jail, and debate around the relevance of Article 32 continued inside and outside the Indian courts, the reason being that the Supreme Court may no longer entertain bail petitions under Article 32 of the Constitution.*
- *The court had then said that "The right to approach the Supreme Court under Article 32 is itself a fundamental right and that there is no doubt that if a citizen of India is deterred in any case from approaching this Court in exercise of his right".*
- *In the **recent case of Arnab Goswami**, where PIL's were filed against him under Article 32 of the Constitution, Hon'ble Chief Justice had said that Supreme Court wouldn't exercise its powers for matters under Article 32 and also contended that it should be solely done by the High Court with appropriate jurisdiction so as to protect the interest and rights of individuals.*
- *The impact of article 32 has been huge with landmark cases like **Shreya Singhal v Union of India** where supreme court struck down Section 66A of the Information Technology Act, 2000, **Meera Santosh Pal and Others v Union of India and Others** where Supreme Court gave judgment on medical termination of pregnancy of a 24-week foetus etc.*

The Indian Constitution already includes several fundamental rights that are relevant to aspects of health, such as the right to life under Article 21. However, specifically enshrining health as a separate fundamental right would likely have significant implications for the government's obligations and resources in providing healthcare services to all citizens. Critically examine. (250 words)

Difficulty level: Tough
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-2024 Secure timetable.
Key Demand of the question:
To write about the feasibility of health as a fundamental right in the country.
Directive word:
***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 a brief about health care in India.
Body:
First, mention the need for Right to Health that would promote the health of various weaker sections of the society and also boost economic development. Further link the benefits of better healthcare systems to that of various existing schemes like Ayushman Bharath.
Next, bring out the impediments to declare health care a Fundamental Right.
Conclusion:
Conclude by giving a balanced opinion regarding health as fundamental right.
Introduction

The right to health, as with other rights, includes both freedoms and entitlements and would be a part of Article 21. Freedoms include the right to control one's health and body (for example, sexual and reproductive rights) and to be free from interference (for example, free from torture and non-consensual medical treatment and experimentation). Entitlements include the **right to a system of health protection that gives everyone an equal opportunity to enjoy the highest attainable level of health.**

Body

Background

It is confounding how something that is stridently 'good' in ethical and legal terms can run into a wall of opposition built on narrow professional and commercial interests. As in the case of the Right to Health Act that was passed in Rajasthan last week, and the unprecedented kerfuffle that followed, with doctors in the State vehemently protesting what they called a 'draconian law'.

Need for making healthcare a fundamental right

- The **right to equality** guaranteed under **Article 15**upholds **non-discrimination on the basis religion, race, caste, gender, place of birth, etc.**
- However, the **dismal investment in public health** for decades has made **healthcare a privilege available to a few.**
- The constitutional right to health is critical to **breaking discriminatory structures** that will otherwise continue to perpetuate inequality in all spheres of life, including education, opportunity, wealth, and social mobility.
- The **judicial interpretation of the right to life and liberty under Article 21**in several judgments as **inclusive of health was crucial**, but has its limitations.
- The universal access to healthcare is now as achievable as it is indispensable. The **rights of people are not stagnant, and must evolve as the country evolves**.
- **Ayushman Bharat**is an ambitious scheme with great potential, but there is a **difference between a rights and a service-delivery model of development.**
- India has **never spent more than 2% of its GDP on healthcare**. And healthcare facilities across the country straddle different levels of efficiency and sufficiency.
- The impact of COVID-19 has shaken even States like Kerala and Tamil Nadu that traditionally did well in the area of healthcare.
- There are other dimensions to making health a fundamental right. For example, Delhi is the world's most polluted city. In winter especially, you can barely venture out in the morning smog without catching an infection.

Making Health as fundamental right will be of immense help

- If health is a fundamental right, it will give a **spine to the entire health ecosystem, empower doctors and healthcare workers, and ensure transparency, inclusivity, and accountability**.
- Moreover, it will **pave the way for special legislation, capable institutions, increased budgets, medical training and research, wellness and prevention, and outreach of services**.

- It instils **immense confidence and positivity amongst the citizens**.
- In a country where **63 million people slip back into poverty**due to catastrophic healthcare costs, it is hard not to see the logic of legally mandating health as a right, and thereby **empowering the citizen to hold the state accountable for it.**
- By declaring health as a fundamental right, the **government would be compelled to think seriously about the pollution aspect or the environmental impact**when, say, granting permissions for new industries or framing development policies.

Challenges in making health a fundamental right

- India has never spent more than 2% of its GDP on healthcare.
- And healthcare facilities across the country straddle different levels of efficiency and sufficiency.
- The impact of COVID-19 has shaken even States like Kerala and Tamil Nadu that traditionally did well in the area of healthcare.
- A 2019 NITI Aayog report highlighted that states in India had unequal public health systems.
- This imbalance was primarily due to restricted technical expertise and fiscal constraints.
- While fiscal dependence of states on the centre continues to be a major challenge, if the subject of health was moved to the Concurrent List, it would lead to excessive bureaucracy, red tape and institutional constraints.

Measures needed

- The implication of and central to the success of such a reset**lies in creating appropriate cadres.**
- More immediately,**there must be a public health cadre** manning the posts at the **PHC and CHCs consisting of sub-specialists in family medicine**, **public health** and public health management.
- Likewise, **among nurses**, the cadre should comprise**two distinct sets of personnel** — public health nurses (not ANMs promoted based on seniority) and nurse midwives capable of independently doing all clinical functions for handling pregnancies and women's health issues except surgical interventions.
- Primary care in India can get traction only if new skills, drastically upgraded competencies and a new mindset are embedded within the vision of a patient, family and community-centred health system.
- There is also a need to declutter policy dialogue and provide clarity to the nomenclatures. Currently, public health, family medicine and public health management are used interchangeably.
- It is time our political systems listen to**peoples' voices for a family doctor to ensure their everyday needs** — and not easy options like privatisation, commodification and medicalisation of the system.

- Resetting the system to current day realities requires strong political leadership to go beyond the inertia of the techno-administrative status quoist structures.

Conclusion

It is time India declared the right to health a fundamental right. Strong health laws will help build societal resilience to future pandemics and public health emergencies. Emergency responses can't come at the cost of neglect of human rights obligations. It is critical then that the right to health be implemented, using the principles of transparency, proportionality and solidarity. The COVID19 experience has also demonstrated the importance of a decentralized/polycentric response – India's co-operative federalism, therefore, must be strengthened.

The Indian Constitution establishes a delicate balance between federal and unitary features, acknowledging the country's diversity while also ensuring its unity and integrity. Elucidate. (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-2024 Secure timetable.
Key Demand of the question:
To write about the quasi-federal features of Indian polity.
Directive word:
***Elucidate** – Give a detailed account as to how and why it occurred, or what is the context. You must be defining key terms wherever appropriate and substantiate with relevant associated facts.*
Structure of the answer:
Introduction:
Begin by defining Quasi-Federal nature of Indian polity as mentioned by K.C Wheare.
Body:
First, write about the federal features of Indian polity – dual polity, division of powers, written constitution etc.
Next, write about the unitary features of Indian polity – States Not Indestructible, No Equality of State Representation, emergency provisions etc.
Conclusion:
Conclude by summarising.

Introduction

Federalism is a system of government in which power is divided between a central authority and constituent political units. The Constitution of India establishes a federal structure to the Indian government, declaring it to be a "Union of States".

The Indian Constitution is not truly federal but rather **quasi-federal**, according to **K C Wheare**. **A state that stands between a unitary state and a federation is said to practice quasi-federalism**. It incorporates the positive aspects of both a federal and a unitary government.

Body

Uniqueness of principle of federalism in India:

Federal Features of the India Union:

- Two governments i.e. Union Government and State governments
- Division of powers between the union and its constituents (Seventh Schedule of the Constitution contains three lists such as the Union List, State List, and Concurrent List)
- Supremacy of the Constitution (Basic structure of the Constitution is made indestructible by the Judiciary)
- Partial rigidity of the Constitution
- Independent Judiciary
- Bicameralism

Unitary Features of the Constitution:

- A strong centre – The Union Government becomes all powerful in certain times like emergencies. Article 200 of the Constitution of India demands that the States must comply with the central laws.
- Single Constitution
- Single citizenship
- Flexibility of Constitution
- Integrated judiciary
- Appointment of the Centre. E.g.: Governor
- All India Services
- Emergency provisions

The following four characteristics highlighting the fact that the **Indian Constitution is not a "traditional federal Constitution"**:

- Firstly, being that there is **no provision of separate Constitutions for each State** as required in a federal state. The Constitution of India is the supreme document, which governs all the states.
- Secondly, the **Constitution can be altered only by the Union Parliament**; whereas the States have no power to alter it.
- Thirdly, in contradiction to a federal Constitution, the **Indian Constitution renders supreme power upon the Courts to invalidate any action which violates the Constitution**.
- Fourthly, the **distribution of powers facilitates local governance by the states and national policies by the Centre**.

Challenges to Federalism in India:

- For a country like India which is divided on the linguistic and communal basis, a pure federal structure could lead to disruption and division of states.
- India's federal character has undergone, over the past sixty years, many trials and tribulations.

- **Formation of Telangana under Article 3** of the constitution raised a lot of questions against the federal nature of the polity.
- **100th amendment of the constitution** where land was transferred to Bangladesh posed as a threat to federalism in India.
- On the introduction of **GST**, critics argue on the autonomy of states.
- With too much power given to a state, it may want to shift away from the union. Jammu & Kashmir's special powers are in question in the public time and again.
- The continued existence of provisions such as Article 356 (President's rule) goes against the grain of federalism.
- States such as Karnataka, Tamil Nadu have asserted their linguistic and cultural rights in the wake of the Centre's interventions such as a promotion of Hindi.
- States perceive that their progress is being penalised: While the southern States contribute to the nation economically, they don't occupy a central space politically and are further marginalised culturally.
- Disputes between states over sharing of river water, for example between Karnataka and Tamil Nadu over Cauvery water.

Conclusion:

The Indian Constitution is a **constitution sui generis**. On one hand, the constitution contains features which are of high importance for a federal arrangement, at the same time it contains provisions which fight for a strong Centre, thus making it quasi-federal in nature. The fact to be appreciated here is that these dual federalism provisions were deliberately incorporated to best fit a polyglot country like India.

The parliamentary form of government adopted by the Indian polity has both strengths and weaknesses. 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-2024 Secure timetable.
Key Demand of the question:
To write about features of parliamentary form of government, its pros and cons.
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 describing parliamentary form of government adopted by India.
Body:
In the first part, write about the major features of Parliamentary forms of government in India. Nominal and Real Head, Executive is a Part of Legislature, Majority Party Rule, Collective Responsibility etc.

Next, write about its advantages – Represents Diverse Group, Better Co-Ordination Between Legislature and Executive etc.
Next, write about its limitations of the parliamentary form of government.
Conclusion:
Conclude by writing a balanced opinion on parliamentary form of government.
Introduction

India is a **Sovereign, Socialist, Secular, Democratic and Republic country** which follows the **Parliamentary form of government** which is also known as **Westminster model of government or Cabinet government or Responsible government**. This form of government is prevalent in Britain, Japan, Canada and India among others. Parliamentary system has been taken from the United Kingdom because U.K. constitution is the **mother constitution of parliamentarianism**.

Body

Major features of parliamentary form of government

- **Bicameral legislature:** System may be either **bicameral** (two houses of the parliament) or **unicameral**(single house of the parliament). India follows a bicameral legislature in which the members of the **Lower House** (Lok sabha) are elected by the people and members of **Upper house** (Rajya sabha) by elected representatives.
- The President can dissolve the Lok Sabha on recommendation of the Prime Minister while Rajya Sabha is a permanent house and cannot be dissolved.
- **Nominal and Real Executives:**There are two parts of the executive in India, **nominal executive, and real executive**. The **President**, the Head of the State is the **nominal executive.**
- Theoretically, the Constitution of India vested all the executive powers in the President of India. But, in practice, are actually used by the Prime Minister and the Council of Ministers. The **Prime Minister is the real executive**.
- **Majority Party Rule:**The party which wins majority seats in the elections of the Lower House forms the government. The President appoints the leader as the Prime Minister and the other ministers on the recommendation of the Prime Minister.
- The President may invite a coalition of parties to form the government, in case no party got a clear majority.
- **Collective Responsibility:**The council of ministers is collectively responsible to the parliament. The lower house of parliament can dissolve the government by exercising the no confidence motion.
- **Opposition:**Party who gets the second highest vote counts in elections forms an opposition party. The opposition plays a crucial role in keeping a check on the ruling government.
- **Secrecy:**The members of the executive follow the principle of secrecy in official legal matters of the country. Ministers take oaths of secrecy before entering their office.

Advantages of parliamentary form of government

- **Better coordination between the administration and the legislation:** Since the administration is part of the legislation, and most legislatures generally support the government, it is easier to pass laws and implement them.
- **Prevent authoritarianism:**since the executive branch is accountable to the legislature and can vote against it with motions of no confidence, there is no authoritarianism. Also, unlike a presidential system, power will not be concentrated in one hand.
- Participatory and inclusive decision-making.
- **Responsible government ministers are accountable to Parliament for their actions. Tools:** time for questions, debates, motions for adjournment, motions of no confidence.
- **Be prepared to replace the government if you lose majority support**. "The leader of the opposition party is the deputy prime minister" Jennings.
- **Representation of different groups:**In this system, the parliament provides representation for different groups in the country. This is especially important for countries like India.
- **Flexibility:** The system is flexible because the PM can be easily changed as needed. During World War II, British Prime Minister Neville Chamberlain was replaced by Winston Churchill. This is different from the presidential system, which can only be replaced after the entire term or in the event of impeachment.

Demerits of Parliamentary form of Government

- **Unstable Government**: The parliamentary system does not provide a stable government. The government depends on the mercy of the majority legislators for their continuity and survival in office. Political defection or evils of the multiparty coalition can make the government unstable.
- **No Continuity of Policies:**The parliamentary system is not conducive for the formulation and implementation of long-term policies. A change in the ruling party is usually followed by changes in the policies of the government.
- **Dictatorship of the Cabinet:**Whenever the ruling party enjoys an absolute majority in the Parliament, the cabinet becomes autocratic and exercises nearly unlimited powers.
- **Against Separation of Powers:**In the parliamentary system, the legislature and the executive are together and inseparable. The cabinet acts as the leader of the legislature as well as the executive. Hence, the whole system of government goes against the letter and spirit of the theory of separation of powers.
- **Government by Amateurs:**The parliamentary system is not conducive to administrative efficiency as the ministers are not experts in their fields. The Prime Minister has a limited choice in the selection of ministers; his choice is restricted to the members of Parliament alone and does not extend to external talent.

Conclusion

As the representative body that checks the government's activities, Parliament plays a crucial role in our democracy. It is critical for Parliament to function properly in order to fulfil its constitutional purpose.

Value addition

Reasons for India to adopt parliamentary system of Government:

- *By the time of constitution framing, India already had some experience of the parliamentary system under the **Government of India Act 1919 and 1935**. So Indian people were familiar with it.*
- *This experience also showed that the **executives can be effectively controlled by the representatives of the people**.*
- *The makers of the constitution wanted to make the government responsible to people's demands and should be accountable to them.*
- *The makers were reluctant to go for the presidential system as it gives excessive powers to the president who works independently with the legislature.*
- *The **presidential system is also prone to the personality cult of the president**.*
- *The makers of the constitution wanted to have a strong executive branch but with strong safeguards to avert the risk of a personality cult.*
- *In the parliamentary system, there are several mechanisms to make the executive more answerable to and controlled by the people's representatives.*
- *So, the constitution adopted a parliamentary system for India.*

The conventional form of democracy might be inadequate to address the complex issues of our time and there is a need for reimagining of democracy to ensure it remains meaningful and effective. Critically analyse. (250 words)

Difficulty level: Tough
Reference: Indian Express , Insights on India
Why the question:
The article discusses the evolving nature of democracy and its challenges in the contemporary world.
Key Demand of the question:
To write about various issues in Indian democracy, need to safeguarding its crucial aspects and ways to do so.
Directive:
***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:
Start by defining democratic form of government and its features in brief.
Body:
First, write about the current state of Indian democracy and various issues in it – erosion of democratic values, the concentration of power, and the diminishing space for dissent. Write about its impact by citing examples and statistics.
Next, write about the measures that are needed to counter the above.
Conclusion:
Conclude by writing a way forward.
Introduction

The current state of Indian democracy presents both strengths and challenges that warrant a critical assessment. While India is the world's largest democracy and has a history of holding regular elections, there are several areas where democratic values need safeguarding and institutional protection.

Body

Various issues plaguing Indian democracy and inclusive measures needed to safeguard democracy

- **Erosion of democratic values:** India has witnessed instances of **rising intolerance, religious polarization, and social divisions** that threaten the democratic fabric of the country. There have been concerns a**bout curbs on freedom of expression, attacks on dissent, and attempts to suppress voices critical of the government.**
    - **Eg: Delhi Riots, treatment of women Olympic wrestling champion during protest against sexual harassment.**
    - Safeguarding democratic values requires a commitment to inclusivity, pluralism, and respect for the rights and dignity of all individuals.
- **Weakening of institutions:** The independence and effectiveness of democratic institutions, **such as the judiciary, media, and election commission, have been subject to scrutiny.**
    - There have been instances where the impartiality and autonomy of these institutions have been questioned, undermining their ability to act as checks and balances on executive power.
    - Strengthening and protecting these institutions is vital to ensure the proper functioning of democracy.
    - **Eg: Use of CBI/ED against political opponents of the ruling governmen Raid on BBC channel after running a program that criticised the government.**
- **Political polarization:** India has experienced growing political polarization along various lines, including ideology, religion, and regionalism. This polarization often hampers constructive dialogue, compromises decision-making, and undermines the spirit of consensus-building, leading to a fragmented political landscape.
    - **Eg: Caste based polarisation for vote bank politics.**
- **Communal and religious tensions:** India is a diverse country with multiple religions and ethnicities. However, incidents of religious tensions, communal violence, and discrimination continue to challenge the social fabric of the nation. Ensuring harmony, promoting interfaith dialogue, and addressing the root causes of such tensions are vital for the strength of Indian democracy.
- **Dynastic politics and concentration of power:** Dynastic politics, where political power is concentrated within a few families, is a persistent issue in Indian democracy. This phenomenon can lead to a lack of internal party democracy, limited opportunities for new leaders to emerge, and reduced accountability.

INSIGHTSIAS

- **Corruption and ethical challenges:** Corruption remains a significant concern in Indian democracy, affecting various sectors and levels of governance. High-profile corruption scandals, lack of transparency in political funding, and ethical challenges among public officials undermine the credibility of institutions and erode public trust.
- **Inequality and social exclusion:** India faces persistent challenges related to economic inequality, social exclusion, and caste-based discrimination. The unequal distribution of resources, limited access to education and healthcare, and marginalization of disadvantaged communities hinder the principles of equal opportunity and social justice in a democratic society. **Eg: Migrant crisis during Covid-19 lockdown showed the exclusionary policies affecting millions in India.**
- **Weak implementation of policies and governance issues:** Although India has implemented several progressive policies, the challenge lies in effective implementation and last-mile delivery. Bureaucratic inefficiencies, corruption, and a lack of accountability often hamper the execution of well-intended initiatives, resulting in a gap between policy intent and outcomes.
- **Gender inequality and women's representation:** Despite constitutional guarantees of gender equality, women in India continue to face significant challenges, including gender-based violence, unequal representation in politics, and limited access to resources and opportunities. Enhancing women's empowerment and addressing gender disparities are essential for a truly inclusive democracy.
    - **Eg: Women's Labour force participation is 32.8% which is very low for world's most populous nation.**

Measures needed

- **Electoral reforms:** While India conducts regular elections, there is a need for comprehensive electoral reforms. **Issues such as the influence of money and muscle power, lack of transparency in campaign financing, and the role of criminal element**s in politics need to be addressed. Enhancing transparency, accountability, and fairness in the electoral process will promote a more inclusive and representative democracy.
- **Inclusive participation and representation:** Despite India's diversity, there are ongoing challenges in ensuring adequate representation and participation of marginalized communities, including women, religious minorities, and disadvantaged groups. Efforts should be made to address these gaps by promoting equal opportunities, encouraging political participation, and empowering marginalized sections of society.
- **Strengthening local governance:** While India has a decentralized system of governance, there is a need to strengthen local institutions and empower local governments. Strengthening grassroots democracy can enhance citizen participation, ensure better delivery of public services, and foster a sense of ownership and accountability.
- **Social and economic inequalities:** Addressing social and economic inequalities is crucial for a truly inclusive democracy. India continues to grapple with issues such as poverty, unequal access to education and healthcare, and the digital divide. Bridging these gaps and ensuring a more equitable distribution of resources will help create a conducive environment for democratic participation and social cohesion.

Conclusion

In summary, while India's democracy has made significant strides, it faces challenges that require attention and action. Safeguarding democratic values, protecting institutions, and fostering an inclusive and participatory political system are essential for India's continued democratic progress. It demands a collective effort from all stakeholders to uphold the principles of democracy, promote inclusivity, and address the existing gaps and inequalities within the Indian democratic framework.

Throw light on the various features of doctrine of basic structure. The basic structure doctrine acts a safeguard against potential threats to constitutional democracy by maintaining the balance between flexibility and the preservation of core constitutional principles. Discuss. (250 words)

Difficulty level: Moderate
Reference: The Hindu , Insights on India
Why the question:
The article discusses a query raised before the Supreme Court of India regarding the equating of Article 370 with the Basic Structure Doctrine of the Constitution.
Key Demand of the question:
To write about the features and importance of doctrine of basic structure and its criticism.
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:
To write about the importance of doctrine of basic structure.
Body:
First, write about the various features of doctrine of basic structure – rule of law, parliamentary form of government, secularism etc.
Next, write about how the above is important in upholding the supremacy of the Constitution and preventing authoritarian rule by a single party.
Next, write a critique of the basic structure doctrine.
Conclusion:
Conclude by writing a balanced opinion.
Introduction

The Doctrine of Basic structure, one of the most important examples of judicial activism is the result of the creative interpretation of the constitution by the judiciary. It was given by the 13-judges bench of the Supreme Court in the **Keshavananda Bharti case (1973),** and was aimed at defining the scope of the amending power of the Parliament. It is a doctrine to examine the constitutional validity of constitutional amendment.

Body

various features of doctrine of basic structure

The judgement listed some basic structures of the constitution as:

1. Supremacy of the Constitution
2. Unity and sovereignty of India

3. Democratic and republican form of government
4. Federal character of the Constitution
5. Secular character of the Constitution
6. Separation of power
7. Individual freedom

Over time, many other features have also been added to this list of basic structural features. Some of them are:

- Rule of law
- Judicial review
- Parliamentary system
- Rule of equality
- Harmony and balance between the Fundamental Rights and DPSP
- Free and fair elections
- Limited power of the parliament to amend the Constitution
- Power of the Supreme Court of India under Articles 32, 136, 142 and 147
- Power of the High Court under Articles 226 and 227

Interpretation and relevance of Basic Structure Doctrine

- The emergence of doctrine of 'Basic structure' marked a**significant shift in the role of judiciary** from practice of constitutional interpretation to a creative role where judiciary go beyond the written provisions of the constitution.
- **As per the Indian constitution, Parliament has been given the constituent power to amend the constitution according to the changing needs & aspirations.**
    - **Being a dynamic or organic constitution, aimed at achieving a certain goal of social revolution the Indian constitution mentions special procedure for its amendment.**
    - **It means that there is no explicit limitation on the amending power of the Parliament; expect procedural limitations as given in Art 360.**
- However, in **the Keshvananda Bharti Case (1973),** on the question whether the amending power of the Parliament is**unlimited and absolute,**the Supreme Court held that the amending power is **limited to the extent that it doesn't alter the 'Basic Structure' of the constitution.**
- The court held that the word 'amend' under Art 368 means only changes other than altering the basic features of the constitution,**which would amount to making or writing a new constitution.**

- In this way, the Supreme Court, while**giving primacy to the unwritten feature of the constitution** introduced a **'substantive limitation' on the amending power of the Parliament.**
- However, the judgment of the Supreme Court inventing a new doctrine of the 'basic structure' has been subjected to **intense academic debate.**
    - **The opponents of the judgement claims**that the judiciary has gone for the metaphysical approach rather than the legal approach of what is written**.**
    - They argue that if the government was destroying the constitution**, the judiciary has gone to the extent of creating the constitution.**
- On the other hand, the proponents of the decision argue that **judiciary has protected the sanctity of the constitution.**

Significance of Basic Structure Doctrine

- The basic structure doctrine is a **testimony to the theory of Constitutionalism**to prevent the damage to essence of COI by brute majority of the ruling majority.
- The **basic doctrine saved the Indian democracy**as it acts as a limitation of constituent power or else unlimited power of parliament might have turned India into a totalitarian
- It helps us to **retain the basic tenets of our constitution**so meticulously framed by the founding fathers of our Constitution.
- It **strengthens our democracy by delineating a true separation of power** where Judiciary is independent of other two organs. It has also given immense untold unbridled power to Supreme Court and made it the most powerful court in the world
- **By restraining the amending powers of legislative organ of State,**it provided basic Rights to Citizens which no organ of State can overrule.
- **Being dynamic in nature,**it is more progressive and open to changes in time unlike the rigid nature of earlier judgements.

Conclusion

Zia Modi, in her book 'The Ten Judgments that changed India', has given following arguments- Although the judiciary was wrong from the academic point of view, but from the practical point of view, it was the need of the time in the Indian context. (ii) It has proved to be a blessing in disguise as it has checked authoritarianism of the government. This has stopped India from going on the path of the other Third World countries.

Value addition

Evolution

- ***Origin of debate:*** *The question whether**Fundamental Rights can be amended** by the Parliament under**Article 368** came for consideration of the Supreme Court within a year of the Constitution coming into force.*
- ***Shankari Prasad case (1951):*** *The constitutional validity of the**First Amendment Act (1951),** which**curtailed the right to property,** was challenged. The Supreme Court ruled that*

the power of the Parliament to amend the Constitution under Article 368 also ***includes the power to amend Fundamental Rights.*** *The word* ***'law' in Article 13*** *includes only ordinary laws and not the* ***constitutional amendment acts (constituent laws).***

- *Therefore, the Parliament can abridge or take away any of the Fundamental Rights by enacting a constitutional amendment act and such a law will not be void under Article 13.*

- ***Golak Nath case (1967):*** *The Supreme Court reversed its earlier stand. In that case, the constitutional validity of the* ***Seventeenth Amendment Act (1964),*** *which inserted certain state acts in the* ***Ninth Schedule, was challenged.***
  - *The Supreme Court ruled that the Fundamental Rights are given a 'transcendental and immutable' position and hence, the Parliament cannot abridge or take away any of these rights.*
  - *A constitutional amendment act is also a law within the meaning of Article 13 and hence, would be void for violating any of the Fundamental Rights.*
- ***24th Amendment Act 1971:*** *The Parliament reacted to the Supreme Court's judgement in the Golak Nath case (1967) by enacting the 24 th Amendment Act (1971). This Act* ***amended Articles 13 and 368.***
  - *It declared that the Parliament has the power to abridge or take away any of the* ***Fundamental Rights under Article 368 a****nd such an act will not be a law under the meaning of Article 13.*
- ***Kesavananda Bharati case:*** *However, in the Kesavananda Bharati case (1973), the Supreme* ***Court overruled its judgement in the Golak Nath case (1967).*** *It upheld the validity of the 24th Amendment Act (1971) and stated that Parliament is empowered to abridge or take away any of the Fundamental Rights.*
  - *At the same time, i* ***t laid down a new doctrine of the 'basic structure' (or 'basic features') of the Constitution.***
  - *It ruled that the constituent power of* ***Parliament under Article 368 does not enable it to alter the 'basic structure' of the Constitution.***
  - ***T****his means that the Parliament* ***cannot abridge or take away a Fundamental Right*** *that forms a part of the* ***'basic structure' of the Constitution.***

In India, the Constitution makes a clear distinction between a money bill and a financial bill. Compare and Contrast. (250 words)

Difficulty level: Moderate
Reference: Indian Express
Why the question:
The article discusses the differences between money bills and financial bills in the context of Indian parliamentary procedures
Key Demand of the question:
To differentiate between a money bill and a financial Bill along with relevant constitutional provisions.

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:
Given context of Articles 110 and 117 of the Indian Constitution.
Body:
Compare and contrast the money bills and financial bills on the following – while both money bills and financial bills deal with financial matters, lies in their origination, the requirement of the President's recommendation, the process of passage, the role of the Rajya Sabha, and the Speaker's certification etc. Give examples to substantiate.
Conclusion:
Conclude by summarising.
Introduction

A Finance Bill is a bill that deals with the country's finances, as the name implies – it could be about taxes, government spending, government borrowings, revenues, and so on. **Any bill related to revenue or expenditure** is a **Financial Bill**. **A Money Bill** is a specific **type of Finance Bil**l that deals only with matters specified under **Article 110(1)** and deals with **taxes, borrowing, expenditure, etc**. It can only be introduced in the Lok Sabha and must be certified by the Speaker.

Recently, Minister for Parliamentary Affairs clarified that **The Digital Personal Data Protection (DPDP) Bill** is a **normal Bill and not a Money Bill**.

Body

Comparison of Money Bills and Financial Bills:

Aspect	**Money Bills**	**Financial Bills**
Introduction	Can only be introduced in the Lok Sabha	Can be introduced in **either the Lok Sabha or the Rajya Sabha.**
President's Recommendation	Must be introduced on the **President's recommendation**.	President's recommendation is necessary for **Category I** at the introduction stage and for **Category II** at the consideration stage.
Originating House	**Must originate only** in the Lok Sabha.	Category II can originate in **either the Lok Sabha or the Rajya Sabha.**
Rajya Sabha Involvement	Rajya Sabha's involvement is **limited**; it can only provide recommendations. (Article 117)	Rajya Sabha can **fully participate**, including amendments and discussions.

Inclusion of RS Recommendations	Not mandatory for Money Bills to include Rajya Sabha's recommendations.	Provision for Rajya Sabha's recommendations to be included in Financial Bills.
Subjects Covered	Deals exclusively with matters listed in **Article 110(1) of the Constitution.**	Deals with matters beyond those listed in **Article 110(1)** and can include other financial provisions.
Certification	Certified **by the Speaker as a Money Bill** if it falls under Article 110(1).	
Overriding Authority	**Lok Sabha's decision prevails** in case of disagreements with the Rajya Sabha.	Requires **agreement of both Houses** for passage.
President's Role	President's recommendation is **essential** for the introduction	President's recommendation is required if the Bill involves expenditure from the **Consolidated Fund of India.**

Conclusion

The primary distinction between a money bill and a finance bill is that a money bill may only be introduced in the lower house of parliament, namely the Lok Sabha, but a finance bill can be introduced in either of the two chambers. Although a money bill is a form of finance bill, most people use the phrases interchangeably; yet, they differ in terms of content.

Salient features of the Representation of People's Act.

What are the various issues pertaining to Section 8(3) of the Representation of People Act? Do you think that the restoration of Section 8(4) of the Representation of People Act 1951 can serve as a sort of fix for the aforementioned issues? Examine. (250 words)

Difficulty level: Tough
Reference: The Hindu , Insights on India
Why the question:
The article argues restoring the original intent of the Section 8(4) of the Representation of People Act 1951, could prevent unnecessary disqualifications and provide clarity to both lawmakers and the public
Key Demand of the question:
To write about the importance of section 8(3) of RP act and issues in it and restoration of Section 8(4)
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 the objective behind Section 8(3) of the Representation of the People (RP) Act.

Body:

First, write about the various features of Section 8(3) of the Representation of the People (RP) Act and its impact.

Next, write about the major issues surrounding Section 8(3) of the Representation of the People (RP) Act – ambiguity in language, discretionary power of the Election Commission, lack of clarity on exceptions and conditions, timing of disqualification, and concerns about the criminalization of politics etc.

Next, write about the steps that are needed to overcome the above and role of Section 8(4) of the Representation of People Act 1951 in doing so.

Conclusion:

Conclude by writing a way forward.

Introduction

The **Representation of People Act**, **1951** lays down certain rules for disqualification of MPs and MLAs. **Section 8 (3)** of the Act states that if an MP or MLA is convicted for any other crime and is sent to **jail** for **2 years or more,** he/ she will be disqualified for **6 years** from the time of release. Even if a person is on **bail** after the conviction and his appeal is pending for disposal, he is disqualified from contesting an election.

Section 8(4) allowed convicted MPs, MLAs and MLCs to continue in their posts, provided they appealed against their conviction/sentence in higher courts within **3 months** of the date of judgment by the trial court. The **Supreme Court** in July 2013 **struck down** section 8(4) of the RPA, 1951 and declared it **ultra vires** and held that the **disqualification takes place from the date of conviction.**

Body

Background

Rahul Gandhi of the Congress party was disqualified on being convicted and sentenced to two years imprisonment in a 2019 defamation case. The disqualification was instant because of the Supreme Court of India's judgment in Lily Thomas vs Union of India (2013). Through this judgment, the Court invalidated Section 8(4) of the Representation of People Act 1951, which had allowed a three-month period within which to appeal. Disqualification was not to take effect during this period; when the appeal is admitted, disqualification would depend on the final outcome of the appeal.

Body

Various issues pertaining to Section 8(3) of the Representation of People Act

- This section simply says that a person who is convicted of an offence and sentenced to imprisonment for not less than two years shall be disqualified from the date of conviction.
- It does not say that such a person stands disqualified from the date of conviction.
- So, there is no ground indeed to conclude that the disqualification takes place the moment the court pronounces a person guilty.

- The only condition is that such a person shall be disqualified from the date of conviction.
- So, it appears that the act of the instant disqualification of Mr. Gandhi did not have a sound legal basis; particularly so when we consider the words "He shall be disqualified", which could only mean that some authority has to officially declare him disqualified.
- The scheme of Section 8(3) seems to be that when a sitting member is convicted and sentenced to imprisonment for two years or more, he shall be disqualified with effect from the date of conviction.
- Further, it is the President who shall disqualify him under Article 103.
- The Secretariat of the House to which the member belongs has no recognisable authority to declare that a member stands disqualified as soon as he is convicted by a court of law.

Will restoration of Section 8(4) of the Representation of People Act 1951 can serve as a sort of fix for the aforementioned issues?

- The Supreme Court struck down Section 8(4) on the ground that Parliament has no power to provide for a special dispensation for convicted legislators because Article 102(1) does not permit such differentiation between them and the candidates.
- But so far as differentiation goes, the Constitution in fact permits it under Article 103 which provides that in the case of sitting legislators, the question of disqualification under Article 102(1) will be decided by the President.
- Perhaps a suitable amendment can be made in Article 102 to enable Parliament to restore the invalidated Section 8(4).
- In fact, the judgment in Lily Thomas has not resulted in any perceptible qualitative change in the criminal proclivity of politicians.
- Politicians belonging to the powerful ruling dispensation at a particular time may be able to get a conviction stayed within a few hours, thus saving themselves from instant disqualification.

Conclusion

This and other cases show that Section 8(4) needs to be restored and protected constitutionally in order to protect the careers of India's legislators from abrupt convulsions caused by court orders which are given, in the words of the Supreme Court, "without any application of mind".

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

The relationship between laws for criminal contempt of the court and the freedom of speech guaranteed under the Indian Constitution is a complex and debated issue. Comment your opinion on the issue. (250 words)

Difficulty level: Tough
Reference: Indian Express

Why the question:
The article emphasizes the need for a more careful and nuanced approach when dealing with cases involving freedom of speech.
Key Demand of the question:
To write about the need for Court's power of contempt to punish people who scandalise it and need to balance it with freedom of speech.
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 defining the Court's power of contempt and types of contempt.
Body:
First, Discuss the origin of the concept, its constitutionality/ statutory basis, its different kinds.
Next, Explain the concept- Contempt of court, is the offence of being disobedient to or disrespectful towards a court of law and its officers in the form of behaviour that opposes or defies the authority, justice and dignity of the court. Contempt of court, as a concept, seeks to protect judicial institutions from motivated attacks and unwarranted criticism, and as a legal mechanism to punish those who lower its authority. Cite recent famous examples.
Next, write about its impact on freedom of speech and fair criticism of the court.
Conclusion:
Conclude by giving a balanced opinion on the issue.
Introduction

Last week, political commentator and publisher Badri Seshadri was arrested from his home in Chennai in the early hours of Saturday. The reason for the police from Perambalur district to travel nearly 300 km to make this speedy arrest was comments made by Seshadri during an interview on a YouTube channel criticising the Supreme Court and the Chief Justice of India on the Manipur issue.

He was booked for promoting enmity, wanton provocation with intent to cause a riot, etc., based on the complaint of a local lawyer. Needless to say, the state's action came in for criticism from a wide section of society, especially from writers and journalists of all political leanings.

In this background, it is necessary to revisit criminal contempt, and role of judiciary and executive that implement the law.

Body

Criminal contempt: A special law is asynchronous with freedom of speech

- The objective for contempt is stated to be to safeguard the interests of the public, if the authority of the Court is denigrated and public confidence in the administration of justice is weakened or eroded.
- But the definition of criminal contempt in India is extremely wide, and can be easily invoked.
- Suo motu powers of the Court to initiate such proceedings only serve to complicate matters. And truth and good faith were not recognised as valid defences until 2006, when the Contempt of Courts Act was amended.
- Justice V.R. Krishna Iyer famously termed the law of contempt as having a vague and wandering jurisdiction, with uncertain boundaries; contempt law, regardless of public good,

may unwittingly trample upon civil liberties. It is for us to determine what is the extent of such trampling we are willing to bear.

- On the face of it, a law for criminal contempt is completely asynchronous with our democratic system which recognises freedom of speech and expression as a fundamental right.
- This holds true even for the executive to use laws such as UAPA and the NSA to clamp down on dissent.
- Recently in Uttar Pradesh, government publicly announced that those creating fear or spoiling the atmosphere by posting false grievances will be punished under National Security Act goes against the ethos of the Constitution.
- Given the propensity of such leaders to treat the voicing of grievances by citizens as a personal affront to their administrative capabilities, the Court's warning that any attempt to stifle the people's voices would attract action for contempt of court is quite timely and necessary.

Way forward

- As Justice D.Y. Chandrachud, remarked, any clampdown on information is contrary to basic precepts.
- He underscored the significance and necessity for the free flow of information during a grave crisis by recalling the role it played in containing a famine in 1970.
- The Court was apparently drawing inspiration from the theory, articulated by economist Amartya Sen, that the fundamental attributes of democracy — such as a free press and the need to face the people at elections and respond to political criticism — help prevent famines.

Conclusion

Besides needing to revisit the need for a law on criminal contempt, even the test for contempt needs to be evaluated. If such a test ought to exist at all, it should be whether the contemptuous remarks in question actually obstruct the Court from functioning. It should not be allowed to be used as a means to prevent any and all criticism of an institution.

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

Interference in the functioning of Election Commission of India (ECI) or even the perception of bias on its behalf can erode its credibility and weaken democratic institutions. Hence, ECI's independence is vital to ensuring the integrity of India's democratic processes. Comment. (250 words)

Difficulty level: Moderate
Reference: The Hindu , Insights on India
Why the question:

The article discusses the issue of autonomy of the Election Commission of India (ECI). It highlights recent events that have raised concerns about the commission's independence and decision-making process.

Directive:

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

Key Demand of the question: *To write about the issues in the functioning of ECI and suggest measures to overcome the same.*

Structure of the answer:

Introduction:

Begin by writing about the aims and objectives of ECI.

Body:

First, write about the challenges and issues in the functioning of the ECI – Appointment issues, security of tenure, post-retirement appointment, financial autonomy, conflict between constitutional and legal powers and upholding its credibility etc.

Next, write about the reforms that are needed in order to resolve the above-mentioned issues and challenges.

Conclusion:

Conclude with a way forward.

Introduction

The Election Commission of India is an autonomous constitutional authority responsible for administering Union and State election processes in India. **Article 324** of the Constitution provides that the power of superintendence, direction and control of elections to parliament, state legislatures, the office of president of India and the office of vice-president of India shall be vested in the election commission. However, many criticisms have been levelled against the EC alleging partisan behaviour.

Body

Background

Recently, the government introduced a Bill that seeks **to replace the Chief Justice of India with a cabinet minister nominated by the Prime Minister in the committee of selection** for the appointment of the Chief Election Commissioner and other Election Commissioners in India.

Previously, The Supreme Court gave a unanimous judgment on March 2 and directed that the **Chief Election Commissioner (CEC) and Election Commissioners (ECs)** should be appointed by the President based on a committee's advice. This committee would include the Prime Minister, the Leader of the Opposition in the Lok Sabha or the largest Opposition party leader, and the Chief Justice of India (CJI).

Criticisms against Election commission

- The Election Commission is not only responsible for conducting free and fair elections, but it also renders a quasi-judicial function between the various political parties including the ruling government and other parties.
- In such circumstances, the Executive cannot be the sole participant in the appointment of members of the Election Commission as it gives unfettered discretion to the ruling party to choose someone whose loyalty to it is ensured and thereby renders the selection process vulnerable to manipulation.

- Article 324(2) as stated above states that the President shall, with aid and advice of Council of Ministers, appoint CEC and ECs, till Parliament enacts a law fixing the criteria for selection, conditions of service and tenure. But a law has not been enacted for the purpose so far.
- The appointment of members of the Election Commission on the whims and fancies of the Executive violates the very foundation on which it was created, thus, making the Commission a branch of the Executive.
- The recommendation to have a neutral collegium to fill up vacancies in the Election Commission have been given by several expert committees, commissions from 1975.
- The Election Commissioners don't have the same constitutional protection (of removal by impeachment) as is accorded to the Chief Election Commissioner.
- ECI came under heavy criticism in 2019 Loksabha elections, for its delayed action against the ruling party candidates on account of violation of MCC such as use of Indian Army in political rallies**.**
- In the West Bengal elections, EC came under fire for 8 phase elections that also contributed to blow out of the pandemic.
- The Election Commission is vested with absolute powers under Article 324, but still has to act according to laws made by Parliament and it cannot transgress the same.
- g. Despite being the registering authority for political parties under Section 29A of the Representation of the People Act, 1951, it has no power to de-register them even for the gravest of violations. Money power needs to be curbed.
- Opposition leaders also accused EC of being a caged parrot due to its meek response to violations in recent state elections.

Way forward

- In 1990, the Dinesh Goswami Committee recommended effective consultation with neutral authorities like the Chief Justice of India and the Leader of the Opposition for the appointment in the Election Commission.
- In 1975, the **Justice Tarkunde Committee** recommended that the members of the Election Commission should be appointed by the President on the advice of a committee consisting of the Prime Minister, the Leader of the Opposition in the Lok Sabha and the Chief Justice of India.
- 2nd ARC report recommended that collegium headed by the Prime Minister with the Speaker of the Lok Sabha, the Leader of Opposition in the Lok Sabha, the Law Minister and the Deputy Chairman of the Rajya Sabha as members should make recommendations for the consideration of the President for appointment of the Chief Election Commissioner and the Election Commissioners
- Law Commission 255thReport on Electoral Reforms: Strengthening the office of the Election Commission of India recommended Making the appointment process of the Election Commissioners and the CEC consultative
- Similar election and removal procedure for CEC and Ecs.

- Expenses of ECI must be charged expenditure on Consolidated Fund of India.
- While the Chief Election Commissioner should be appointed by a collegium, this must apply equally to the Election Commissioners. The collegium should be wide based.
- Strengthened now by a broad-based selection by the top constitutional luminaries of the country, the Election Commission must now equally be protected from arbitrary removal by a constitutional amendment that would ensure a removal process that currently applies only to the Chief Election Commissioner.

Conclusion

Deficiencies in the present system of appointment process needs to be removed. And adequate safeguards must be put into place to ensure that ethical and capable people head the concerned positions. There is a need for debate and discussions in the Parliament on the issue of independence of ECI and consequently passing of required legislation.

Striking a balance between government involvement and safeguarding the impartiality of the Election Commission is crucial for maintaining the integrity of the electoral process and upholding democratic values. Comment in the light of introduction of The Chief Election Commissioner and other Election Commissioners (Appointment, Conditions of Service and Term of Office) Bill, 2023. (250 words)

Difficulty level: Moderate
Reference: The Hindu , Insights on India
Why the question:
In a controversial move, the Union government on Thursday introduced a Bill removing the Chief Justice of India (CJI) from a panel to select the Chief Election Commissioner and Election Commissioners.
Key Demand of the question:
To write about the process of appointment of Election commissioners and need for an independent body to appoint them.
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 Article 324 to 329.
Body:
First, write about the mechanism of appointment of election commissioners in India.
Next, write about the various issues in the appointment of election commissioners in India – fast pace, opaque, no proper criteria, no discussions etc.
Next, write about the need for an independent mechanism for appointment of Election Commissioners. Write about its pros and cons.
Conclusion:
Conclude with a balanced opinion.
Introduction

A Bill (Chief Election Commissioner and other Election Commissioners (Appointments, Conditions of Service, Term of Office) Bill) has been proposed by the Centre in the Rajya Sabha to amend the

process of **appointing Chief Election Commissioners (CEC) and Election Commissioners (ECs)** in order to address the impact of a Supreme Court verdict.

Body

Background

In March this year, the Supreme Court ruled that a **committee comprising the Prime Minister, Leader of Opposition in Lok Sabha, and Chief Justice of India** must appoint CEC and ECs until a relevant law is enacted by Parliament. The court noted that the **Constitution lacked provisions for the appointments**. The judgment brought the appointment process **on par with that of the CBI Director.**

However, the proposed Bill seeks to **replace the Chief Justice of India** with a nominated Cabinet Minister in the committee for appointments. The Bill's composition has raised concerns about independence, as the Prime Minister and a nominated Cabinet Minister could potentially outvote the Leader of the Opposition, raising questions about impartiality in the selection process.

Major features of the new bill:

Feature	Description
Committee Composition:	The bill proposes a committee for **selecting members of the Election Commission of India (ECI)**. The committee comprises the **Prime Minister, the Leader of the Opposition in the Lok Sabha, and a Cabinet Minister** nominated by the Prime Minister.
Search Committee:	A Search Committee will be established, led by the **Cabinet Secretary**. The Search Committee will consist of **two other members not below the rank of Secretary to the government,** knowledgeable in matters related to elections. This committee will prepare a panel of **five individuals eligible for appointment.**
Qualifications for Appointment:	The Chief Election Commissioner (CEC) and other Election Commissioners (ECs) must be individuals of **integrity**. They should have held or currently hold a **post equivalent to the rank of secretary**. Candidates should possess **knowledge and experience in the management and conduct of elections.** Earlier, there **was no rule prescribing the qualifications** for appointment to the posts
Appointments Process:	The Selection Committee, consisting of the **Prime Minister, the Leader of the Opposition in the Lok Sabha, and the nominated Cabinet Minister**, will appoint the CEC and ECs from the prepared panel.

Impeachment Process:	The bill introduces a provision for the **removal of Election Commissioners through an impeachment-like process,** similar to the removal process for Supreme Court judges.
Protection of Election Commissioners:	The bill aims to protect Election Commissioners from arbitrary removal by aligning their removal process with that of Supreme Court judges.
Addressing Constitutional Validity:	The bill aims to address the concerns raised in the **2015 public interest litigation challenging the constitutional validity** of Centre-appointed members of the Election Commission.
Enhancing Transparency:	The introduction of a Search Committee and a panel of eligible candidates aims to enhance transparency and accountability in the selection process.

Issues with the proposed bill:

Issue	Explanation
Composition of Selection Committee	The committee consists of the Prime Minister, the nominated Cabinet Minister, and the Leader of the Opposition. This potentially gives the Executive dominance in appointments, undermining the independence of the Election Commission.
Lack of Chief Justice's Involvement	The Bill replaces the Chief Justice of India with a nominated Cabinet Minister in the appointment process. This reduces judicial representation in the committee and might affect impartiality.
Search Committee	While the inclusion of a Search Committee is positive, its effectiveness in selecting suitable candidates and avoiding bias needs to be evaluated.
Decision Beyond Shortlist	The Bill allows the Selection Committee to choose anyone from outside the shortlisted candidates, **undermining the purpose of the shortlisting process.**
Downgrading of Election Commissioners' Rank	The rank of Election Commissioner is being reduced in the warrant of precedence. This could impact their stature

Conclusion:

To ensure the utmost transparency, credibility, and impartiality of the Election Commission, it's advisable for the government to consider broader consultations and maintain a balance between various stakeholders, thereby reinforcing the institution's role as a bastion of democratic integrity. One important suggestion by **former Chief Election Commissioner of India S Y Quraishi** to improve the bill is to have **a unanimous verdict** as a precondition to the appointment process.

Parliament and State legislatures—structure, functioning, conduct of business, powers & privileges and issues arising out of these

Analyse the significance of a no-confidence motion in parliamentary systems as a means to uphold democracy and ensure political stability. (150 words).

Difficulty level: Moderate
Reference: Live Mint , Indian Express
Why the question:
The article highlights the importance of a floor test in parliamentary democracy, particularly in situations where the majority support of a government is being questioned.
Key Demand of the question:
To write about the significance of conducting a floor test in the context of parliamentary democracy, elucidating the advantages it offers in terms of upholding democratic principles, ensuring political stability, and determining the legitimacy of a government.
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:
Mention about the concept of a floor test in parliamentary democracy.
Body:
First, Discuss the purpose of a confidence/ non-confidence motion. Discuss the procedure and requirements for passing a non-confidence motion. Discuss the implications of a successful no-confidence motion.
Next, write about the role of above in – Upholding Democratic Principles, Ensuring Political Stability, Implications for Democratic Governance etc.
Conclusion:
Conclude by summarising.

Introduction

A No Confidence Motion is a **parliamentary procedure used to test the government's support a**nd majority in the legislature. In India, it is introduced in the Lok Sabha, and if accepted, it leads to a **discussion on the government's performance**. If the motion is passed, the **government must resign from office.**

Body

Background

- The current No-Confidence Motion (NCM) against the Indian government was brought by the opposition to demand a statement from Prime Minister Narendra Modi on the situation in Manipur.

- Lok Sabha Speaker Om Birla on Wednesday admitted a motion of no-confidence against the government moved by Congress Deputy Leader in Lok Sabha Gaurav Gogoi after a headcount of 50 MPs required under the rules.
- The motion has been supported by constituents of the opposition INDIA alliance and the Bharat Rashtra Samithi.
- However, given the government's significant majority in the Lok Sabha, the motion is unlikely to succeed.

27 No-Confidence Motions since 1963, None Passed

LS	Mover	PM	Discussion time*	Date of vote	Votes for	Votes against
3	J B Kripalani	Jawaharlal Nehru	21.55	22 Aug 1963	62	347
3	N C Chatterjee	Lal Bahadur Shastri	24.57	18 Sept 1964	50	307
3	S N Dwivedy	Lal Bahadur Shastri	10.83	16 Mar 1965	44	315
3	M R Masani	Lal Bahadur Shastri	15.80	26 Aug 1965	66	318
3	H N Mukherjee	Indira Gandhi	15.42	4 Aug 1966	61	270
3	U M Trivedi	Indira Gandhi	13.45	7 Nov 1966	36	235
4	A B Vajpayee	Indira Gandhi	8.22	20 Mar 1967	162	257
4	Madhu Limaye	Indira Gandhi	11.42	24 Nov 1967	88	215
4	Balraj Madhok	Indira Gandhi	6.45	28 Feb 1968	75	205
4	Kanwar Lal Gupta	Indira Gandhi	11.42	13 Nov 1968	90	222
4	P Ramamurthy	Indira Gandhi	10.10	20 Feb 1969	86	215
4	Madhu Limaye	Indira Gandhi	9.33	29 July 1970	137	243
5	Jyoti Basu	Indira Gandhi	11.35	22 Nov 1973	54	251
5	Jyoti Basu	Indira Gandhi	11.27	10 May 1974	Negatived by voice vote	
5	Jyoti Basu	Indira Gandhi	14.02	25 July 1974	63	297
5	Jyoti Basu	Indira Gandhi	6.10	9 May 1975	Negatived by voice vote	
6	C M Stephen	Morarji Desai	10.32	11 May 1978	Negatived by voice vote	
6	Y B Chavan	Morarji Desai	9.22	12 July 1979	Inconclusive; PM resigned	
7	George Fernandes	Indira Gandhi	10.67	9 May 1981	92	278
7	Samar Mukherjee	Indira Gandhi	9.78	17 Sept 1981	86	297
7	H N Bahuguna	Indira Gandhi	10.05	16 Aug 1982	112	333
8	C Madhav Reddy	Rajiv Gandhi	12.75	11 Dec 1987	Negatived by voice vote	
10	Jaswant Singh	P V Narasimha Rao	14.00	17 July 1992	225	271
10	A B Vajpayee	P V Narasimha Rao	21.73	21 Dec 1992	111	336
10	Ajoy Mukhopadhyay	P V Narasimha Rao	18.33	28 July 1993	251	265
13	Sonia Gandhi	A B Vajpayee	21.12	19 Aug 2003	189	314
16	Srinivas Kesineni	Narendra Modi	11.77	20 July 2018	135	330

*Discussion time in hours and minutes. Source: PRS Legislative Research

Purpose of a confidence/ non-confidence motion

- In India's cabinet form of government, **Article 75(3)** of our Constitution embodies this rule by specifying that the **Council of Ministers are collectively responsible to the Lok Sabha**.

- In a parliamentary democracy, a government can be in power only if it commands a majority in the directly elected House.

- The rules of Lok Sabha provide the mechanism of a no-confidence motion to test whether the Council of Ministers continues to enjoy the confidence of the House.

Mechanism of a confidence/ non-confidence motion

- A motion of "No Confidence Motion" against the Government **can be introduced only in the Lok Sabha under rule 198.**
- A motion of No Confidence **can be admitted when a minimum of 50 members, support the motion in the house.**
- The Speaker then, once satisfied that the motion is in order, will ask the House if the motion can be adopted.
- Thereafter, a discussion on the motion takes place.
- MPs who support the motion highlight the government's shortcomings, and the Treasury Benches respond to the issues they raise.
- Finally, a vote takes place – in case the motion carries, the government is bound to vacate the office.

Significance

- The "No Confidence Motion" is an important tool against the Council of Ministers (COM) in the Lok Sabha.
- The motion is approved if 51% of the house members vote in favor of it, at which point the government is judged to have lost the majority and is required to resign.
- The opposition may ask the government to demonstrate its majority after bringing a no-confidence motion or the government must introduce a vote of confidence to do so.
- The government can retain power by **demonstrating its strength**through a floor test.
- At times, the opposition also brings the "No Confidence Motion" to force the Government to discuss important issues.

Conclusion

Thus, the no-confidence motion is a crucial legislative tool used to hold the government accountable, although it is rare for the opposition to defeat the ruling party with greater numbers.

Examine the benefits of an open internet for global connectivity, information access, and the promotion of democratic values. State your opinion on net neutrality and its importance of maintaining an open and free internet as a fundamental aspect of modern society. (250 words)

Difficulty level: Tough
Reference: Indian Express
Why the question:
With fair share discussion gaining traction in the EU and Brazil, telcos in India have again started demanding a fee from OTTs.
Key Demand of the question:

To write about the importance of an open and free internet, elucidating its positive impact on global communication, access to information, and the advancement of democratic ideals.
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 defining net neutrality.
Body:
First, highlight the Advantages of an Open and Free Internet – free internet facilitates the free flow of information, knowledge, and cultural exchanges, contributing to global progress and understanding etc.
Next, write about the challenges and concerns related to an open and free internet, such as misinformation, cybersecurity threats, and data privacy.
Next, write about role of governments, international organizations, and tech companies in ensuring internet freedom etc.
Conclusion:
Conclude with a balanced opinion on net neutrality.
Introduction

Net neutrality means that governments and internet service providers **treat all data on the internet equally and not differentially charge consumers for higher-quality delivery or giving preferential treatment to certain websites.**

Network neutrality requires all Internet service providers (ISPs) to provide the same level of data access and speed to all traffic, and that traffic to one service or website cannot be blocked or degraded.

Body

Advantages of an Open and Free Internet

- With fair share discussion gaining traction in the EU and Brazil, telcos in India have again started **demanding a fee from OTTs.**
    - TRAI and policymakers in India, however, **would be well advised to shun this move to ensure that the internet remains free, fair,** and open for anyone to innovate and create.
    - It is an important principle that **helps to ensure a level playing field on the internet, and to protect the free flow of information and ideas.**
- **Equal access to information:** Net neutrality ensures that all internet users have equal access to information, knowledge, and ideas. It prevents ISPs from blocking or throttling access to specific websites or services, allowing individuals to explore a diverse range of content without discrimination.
- **Innovation and competition:** An open internet fosters innovation and competition. **Startups and small businesses can compete on a level playing field with larger companies because they can reach users without being slowed down or blocked by ISPs.** This environment

encourages the development of new services, applications, and technologies that benefit consumers and the economy.

- **Freedom of expression:** Net neutrality preserves **freedom of expression online. It ensures that individuals can voice their opinions, share ideas**, and participate in public discourse without fear of censorship or restriction by ISPs or internet gatekeepers.
- **Privacy protection:** A neutral internet helps protect user privacy**. ISPs are not allowed to discriminate based on the content or source of data, meaning they can't inspect or prioritize data packets based on their conten**t, thereby safeguarding user privacy to some extent.
- **Open platform for creativity:** Artists, content creators, and musicians can use the internet as an open platform to share their work and reach a global audience without facing discrimination or having to pay extra fees to ensure their content is delivered effectively.
- **Educational opportunities:** An open internet enhances educational opportunities by providing access to a vast array of educational resources and online courses. Net neutrality ensures that educational content is not blocked or hindered, enabling learners to acquire knowledge from various sources.
- **Social and political participation:** Net neutrality supports social and political participation by allowing individuals to engage with online platforms and express their opinions without interference from ISPs. This enables the free flow of information and facilitates democratic processes.
- **Consumer choice and control:** An open internet empowers users to make their own choices about the content they access and the services they use, without being limited by the preferences of ISPs or internet companies.
- **Global connectivity:** Net neutrality contributes to global connectivity by making the internet equally accessible to users across the world. **It helps bridge the digital divide and ensures that people in different regions can participate in the digital age** on an equitable basis.
- **Economic benefits:** A free and open internet can drive **economic growth and job creation. By fostering innovation and entrepreneurship,** net neutrality encourages the development of new technologies and services, which can lead to economic benefits at both local and global levels.

Challenges and concerns if net neutrality is removed

- **Monopolizing Internet:** Without net neutrality, ISPs would have the ability to **shape internet traffic** to derive extra benefits from it.
    - This would give them the power to **charge companies like YouTube and Netflix for services that consume more bandwidth** compared to a normal website.
- **Innovation:** Lack of net neutrality **could spell doom for innovation on the web. Startups would be at a disadvantage** compared to established players who have the resources to pay for faster access.
    - This could lead to a **web that is dominated by a few large players,** rather than an open and diverse ecosystem.

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- **Package Plans for Consumers:** The lack of net neutrality would also mean that instead of free access, there could be "package plans" for consumers.
    - For example, users may have to pay more to access international websites compared to websites based in their own country. This would create a tiered internet system where users who pay more get better access to content.

Role of government and related organization in ensuring internet freedom

- Until now, net neutrality has **not directly been regulated in India** by any law or policy framework.
- Over the last year, there have been some developments with respect to the formulation of a net neutrality policy.
- TRAI is working on **Differential Pricing for Data Services as well as Regulatory Framework for Over-The-Top Services (OTT).**
- A Committee set up by the **Department of Telecommunications (DoT)** has also examined the issue of net neutrality.
- Also, Internationally, countries like the **USA, Japan, Brazil, Chile, Norway,** have some form of law, order or regulatory framework in place that affects net neutrality.

Conclusion

Net neutrality and open internet empower individuals, fosters economic growth, and enhances social and educational opportunities. By upholding the principles of net neutrality, we can continue to enjoy the benefits of a free and open internet that enriches our lives and contributes to a more connected and democratic society.

Value addition

The stakeholders in the internet space

- ***The consumers*** *of any internet service*
- ***The Telecom Service Providers (TSPs) or Internet Service Providers (ISPs),***
- ***The Over-the-top (OTT) service providers*** *(those who provide internet access services such as websites and applications),*
- ***The government,*** *who may regulate and define relationships between these players.*
- ***Also, TRAI is an independent regulator in the telecom sector,*** *which mainly regulates TSPs and their licensing conditions, etc*

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Disruptions often lead to the adjournment of Parliament sessions, preventing the passage of important bills, laws, and policies. This hinders the legislative process and delays crucial decisions that affect the country's governance and development. Evaluate. (250 words)

Difficulty level: Easy

Reference: The Hindu , Insights on India

Why the question:

Parliament remained paralysed for the eighth consecutive sitting on July 31, with Rajya Sabha witnessing an aggressive push from the government to hold a short-duration discussion on Manipur, and the Opposition demanding a more expansive debate suspending all business. In Lok Sabha, where the Opposition is awaiting a debate on a no-confidence motion that has been admitted, disruptions continued as well.

Key Demand of the question:

To write about the impact of parliamentary disruptions and measures needed to overcome the same.

Directive word:

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

Structure of the answer:

Introduction:

Begin by giving context.

Body:

First, write about the importance of parliamentary debates and discussion to our democracy.
Next, write about the impact of disruptions – delays in legislative work, waste valuable time and resources, erode public trust, deepen political polarization, and decrease the quality of debates.
Next, write about the measures that are needed to remedy this situation.

Conclusion:

Conclude with a way forward.

Introduction

Supreme court made observations regarding disruptions in the Parliament. A nation aspiring to be a "world leader" should debate on the welfare of its citizens rather than make Parliament a stage to exchange jeers and launch personal attacks on one another.

With the completion of 75 years of Independence and ambitions of becoming a world leader, elected members should at least know that they are expected to **show statesmanship and not brinkmanship in the House.** Legislature is the first place where justice is dispensed to the common man through a democratic process.

Body

Background

- A PRS (PRS Legislative Research) report says during the 15th Lok Sabha (2009-14), frequent disruptions of Parliamentary proceedings have **resulted in the Lok Sabha working for 61% and Rajya Sabha for 66% of its scheduled time.**
- Another PRS report said, **the 16th Lok Sabha (2014-19) lost 16% of its scheduled time to disruptions, better than the 15th Lok Sabha (37%),** but worse than the 14th Lok Sabha (13%).

- The Rajya Sabha lost **36% of its scheduled time.** In the 15th and 14th Lok Sabhas, it had lost **32% and 14% of its scheduled time respectively.**

Reasons for frequent disruptions

- **Discussion on Matters of Controversy and Public Importance:** It appears that a number of disruptions in Parliament stem from discussions on either **listed topics that are controversial,** or **unlisted matters that are of public importance.**
    - The matters such as the **Manipur violence and riots**, **Pegasus Project**, **Citizenship Amendment Act, 2019** are such examples of causing disruptions.
- **Disruptions May Help Ruling Party Evade Responsibility:** The maximum number of disruptions have been found to take place in the **Question Hour** and the **Zero Hour.**
    - While these disruptions are largely attributable to the behaviour of members of the opposition, they may also be a consequence of executive action.
- **Lack of Dedicated Time for Unlisted Discussion:** Disruptions also get triggered due to lack of adequate time for raising questions and objections in respect of matters that are not listed for discussion in a particular, or during a particular session.
- **Scarce Resort to Disciplinary Powers:** Another systemic reason why disruptions are not effectively prevented relates to the scarce resort to disciplinary powers by the Speaker of the Lok Sabha and the Chairman of the Rajya Sabha.
    - As a result, most members engaging in disorderly conduct are neither deterred nor restrained from engaging in such conduct.
- **Other Reasons:** In 2001, a conference was held in the Central Hall of Parliament to discuss discipline and decorum in legislatures. It identified four reasons behind the disorderly conduct by MPs.
    - Dissatisfaction in MPs because of inadequate time for airing their grievances.
    - An unresponsive attitude of the government and the retaliatory posture of the treasury benches.
    - Political parties not adhering to parliamentary norms and disciplining their members.
    - The absence of prompt action against disrupting MPs under the legislature's rules.
- **Party Politics:** When a contentious issue crops up, the government dithers on debating it, leading to Opposition MPs violating the conduct rules and disrupting the proceedings of Parliament.
- Since they have the support of their parties in breaking the rules, the threat of suspension from the House does not deter them.

Impact of frequent disruptions

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- **Delay in Legislation:** The primary function of Parliament is to pass legislation, including important bills and laws. Disruptions prevent lawmakers from engaging in meaningful debates and discussions, leading to delays in passing crucial legislation. This delay can result in missed opportunities to address pressing issues and implement much-needed reforms.
- **Stalled Policy Implementation:** Disruptions can hinder the implementation of policies and initiatives that have been approved but require further action from the Parliament. As a consequence, the government may struggle to execute its plans effectively, leading to delayed benefits for the citizens and the economy.
- **Uncertain Policy Environment:** Frequent disruptions create uncertainty in the policy environment. Investors and businesses may become cautious about making long-term investments or decisions, as the uncertain legislative landscape makes it difficult for them to predict future regulations and incentives.
- **Impact on Economic Growth:** Delays in passing economic reform bills or budgets can have adverse effects on economic growth. A lack of clear policies and investments in critical sectors may slow down economic development, hinder job creation, and reduce overall productivity.
- **Missed Opportunities:** During disruptions, Parliament might miss the chance to address emerging issues promptly. Societal changes, technological advancements, and global developments require agile policymaking, which may be compromised due to parliamentary disruptions.
- **Loss of Public Confidence:** Frequent disruptions can erode public confidence in the efficacy and seriousness of parliamentary proceedings. The public may perceive lawmakers as prioritizing political grandstanding over their duties, leading to disillusionment with the democratic process.
- **Weakened Government-Opposition Relations:** Persistent disruptions can strain the relationship between the government and the opposition. This can lead to increased polarization and reduced cooperation between parties, further hindering the legislative process.
- **Impact on International Relations:** Delays in passing crucial bills and policies can affect a country's reputation and standing in the international community. Failure to implement reforms or fulfil commitments may lead to scepticism from foreign investors and partners.
- **National Security Concerns:** Certain bills related to national security and defence might require urgent attention and passage. Disruptions in these matters can potentially compromise the country's security and preparedness.
- **Legal and Constitutional Implications:** If Parliament sessions are regularly disrupted, it may raise questions about the functioning of democratic institutions and adherence to constitutional norms. It can also lead to legal challenges or debates about the powers and responsibilities of lawmakers during such disruptions

Measures needed

- **Code of Conduct:** To curb disorder in Parliament there is a need for strict enforcement of code of conduct for MPs and MLAs.
- These ideas are not new. For example, the Lok Sabha has had a simple code of conduct for its MPs since 1952. Newer forms of protest led to the updating of these rules in 1989.
- The Lok Sabha Speaker should suspend MPs not following such codes and obstructing the Houses' business.
- **Increasing Number of Working Days:** Recommended by the 2001 conference, there should be an increase in the working days of Parliament. It resolved that Parliament should meet for 110 days every year and state legislative assemblies for 90 days.
- In the United Kingdom, where Parliament meets over 100 days a year, opposition parties get 20 days on which they decide the agenda for discussion in Parliament. Canada also has a similar concept of opposition days.
- **Democratic Participation:** Not all disruptions in the Parliament are necessarily counter-productive. Thus, the government of the day needs to be more democratic and allow the opposition to put their ideas in free manner.
- **Proposals in Individual Capacity:**
- In 2019, Rajya Sabha Deputy Chairperson mooted an idea of evolving a **'Parliament Disruption Index'** to monitor disruptions in Parliament and state legislature.
- In the Lok Sabha, some members proposed **automatic suspension of members who cause disruption** and rush to the Well of the House.
- But the proposals are still in a nascent stage.
- **Productivity Meter:** The overall productivity of the session also can be studied and disseminated to the public on a weekly basis.
- For this, a "Productivity Meter" could be created which would take into consideration the number of hours that were wasted on disruptions and adjournments and monitor the productivity of the day-to-day working of both Houses of Parliament.

Conclusion

Democracy is judged by the debate it encourages and sustains. More strengthening of the Parliament is the solution to prevent disruption of its proceedings. There should be a deepening of its role as the forum for deliberation on critical national issues.

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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.

Both cooperative federalism and competitive federalism have their own merits and can be relevant in different contexts within a diverse country like India. The choice between the two depends on the specific challenges, goals, and dynamics of the country. Critically analyse. (250 words)

Difficulty level: Tough

Reference: The Hindu , Insights on India

Why the question:

Cooperative federalism emphasizes collaboration and coordination between the central government and state governments for policy formulation and implementation and the Ministry of Education to negotiate better terms must with the dissenting States, respecting the essence of cooperative federalism.

Key Demand of the question:

To write about which form of federalism – competitive or cooperative that suits India better.

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 cooperative federalism and competitive federalism.

Body:

First, explain the differences between both. Discuss how the spirit of competitive federalism is seen in the various inter-state ranking metric derived such as for ease of business, environmental pollution etc. Discuss how the spirit of cooperation is being enhanced by sharing experiential learnings etc Next, Discuss the pros and cons of one over the other – competitive federalism requires States to reform their programmes and provide goods and services that they can self-fund, disciplines the states, accelerates growth. Discuss the advantages that cooperative federalism offers.

Conclusion:

Conclude by giving a balanced opinion.

Introduction

Competitive federalism is a concept where **centre competes with states and vice-versa, and states compete with each other**. It refers to relations between regional governments (horizontal competition) and between central and regional governments (vertical competition).

Cooperative federalism is the concept which reflects the relationship between centre and state where they both **come together and resolve the common problems** with each other's' cooperation. With the collaborative efforts and cooperation, different level of governments in an amicable manner, contributes towards the growth of the country.

Body

Spirit of cooperative federalism in India

- **Separation of Power:** Schedule 7 of Constitution provides strict delineation of powers between center and state. (Except during emergencies which comes under judicial review)
- **Article 131 of the Constitution**, which gives the Supreme Court exclusive jurisdiction to hear cases between states and the Centre. **Ex**: Chhattisgarh moved SC against NIA Act in Jan 2020
- **Coalition governments:** It has increased states' bargaining power.
- **GST Council:** Majority decisions have been based on consensus till now, while states gave 2/3rd of votes.
- Since **10th FC**, state's share has been continuously increasing till **14th FC** by devolving **42%.**
- **NITI Aayog:** Replacing the erstwhile Planning Commission, the Aayog is promoting bottom-up approach to development planning.
- **Sabka Saath Sabka Vikas** involves State's as equal partners of development

Spirit of competitive federalism in India

- The concept of competitive federalism is driving the Indian states to rush in for reforms to make an **easy way for doing business** in their state and expediting the pending project clearances. **Ex**: Vibrant summits conducted by various states, easing of compliance related laws in states to attract FDI etc
- In this scenario, **Centre government is only responsible to frame rules in this kind of free market as generally states compete** with each other to attract funds
- Union government devolves funds to the states on the basis of usage of previously allocated funds. Thus, funds and investments flow in greater amount (both from central government and private investors) to those states which have shown optimum use of previously allocated funds.
- This system ensures **minimum wastage and maximum use of resources as it strives for Healthy competition to improve physical and social infrastructure within the state.**
- Competitive federalism is also welcomed by industry because **healthy competition among states will pave the way towards more investment destinations in future**. In turn it should lead to significant job creation and economic development.
- **Some of the steps taken in India in recent times to give effect to this form of federalism are:**
    - Greater allocation of funds or favorable terms to states that perform better on certain indices. Ex: Implementation of 'One Nation, One Ration card scheme'
    - Ranking states based on development parameters. **Ex**: Swachh Bharat rankings, Ease of doing business ratings for states, selection of cities to be included under smart city programme etc
    - Andhra Pradesh has come up with their own brand name at Davos integrated and emulated the same elements of the nation brand India campaign with **Make Andhra Pradesh Your Business**
    - States have been given more freedom to plan their expenditure

Critical analysis

Competitive federalism

- Some states have better infrastructure and expertise. This could further **add fuel to the inequality** that exists between the regions
- A **race towards motivated by competition** might not be in the best interests of the states **vis-à-vis tribal displacement, greater level of pollution** etc
- The ranking framework of the central government has also been put to question by some over the **alleged bias towards some states.**
- An institutional mechanism must be evolved where important decisions are appropriately discussed with states.

Cooperative federalism

- Several issues such as trust deficit and **shrinkage of divisible pools plague Centre-State relations**. Together, they make total cooperation difficult.
- On one hand the Centre has increased the States' share of the divisible pool but in reality States are getting a lesser share.
- **For instance**, as per the 15th FC recommendations, many south states are on the losing side of their share of tax resources.
- The allocation towards various social welfare schemes has also come down, affecting the States' health in turn
- **Inter-State water disputes** like the Mahadayi issue between Goa and Karnataka, Mahanadi water disputes (Odisha and Chhattisgarh) requires cooperation from all quarters (centre and riparian states).

Way forward

- There needs to be a mix of competitive and cooperative federalism for India to move ahead.
- The future for India is cooperative and competitive federalism. Competitive federalism provides the dynamism that needs to be unleashed.
- We need cooperative federalism to balance competitive federalism.
- Constitution needed to catch up with economics to "favour integration over granting sovereignty" to promote Indian internal integration.
- GST which seeks to introduce the concept of one nation-one tax, in order to economically unify the country for the first time, is described this as "pooled sovereignty", which would bring a big change in the working of federalism in the country.

Conclusion

Competition alone cannot give the best results it is **competition with cooperation** that will drive the real change. There has to be a balance between cooperative and competitive federalism.

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In this regard an institutional mechanism must be evolved where important decisions are appropriately discussed with states to ensure no states is left behind in the development paradigm.

The legal processes for resolving inter-state water disputes, such as setting up tribunals and courts, can be time-consuming due to procedural complexities. Examine. Suggest measures to resolve them. (250 words)

Difficulty level: Moderate
Reference: The Hindu
Why the question:
The Tamil Nadu government on August 14 moved the Supreme Court seeking a direction to Karnataka to forthwith release 24,000 cusecs of Cauvery water from its reservoirs, at Biligundlu for the remaining period of the month,
Key Demand of the question:
Discuss in detail the causes of Inter-State Water Disputes in India; also state the reasons for delay in resolving river water disputes.
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.
Body:
Start by writing constitutional provisions; Entry 17 of State List deals with water i.e. water supply, irrigation, canal, drainage, embankments, water storage and water power. Entry 56 of Union List empowers the Union Government for the regulation and development of inter-state rivers and river valleys to the extent declared by Parliament to be expedient in the public interest. And talk about Article 262.
Then list down the causes of Inter-State Water Dispute with examples.
State the reasons for delay in resolving river water disputes.
Conclusion:
Conclude with possible solutions.
Introduction

India has seen protracted river water sharing disputes in recent years. **Depleting groundwater, drying rivers and increasing demand for water** have led to long legal wrangles between warring states. But very soon, India might have a single national tribunal — the Inter-State River Water Disputes Tribunal — to arbitrate inter-state water disputes. Its recommendations will be binding on the competing parties. Over the years, there have been several tribunals hearing disputes between states on river water sharing, but they have not been effective in resolving disputes in a time-bound manner. While there are suggestions for reconsidering and reviewing the structuring and functioning of the tribunals, there is also a need to look for an alternative mechanism, based on environmental thinking, to resolve such disputes effectively, amicably and sustainably.

The Tamil Nadu government recently moved the Supreme Court seeking a direction to Karnataka to forthwith release 24,000 cusecs of Cauvery water from its reservoirs, at Biligundlu for the remaining period of the month,

Body:

Provisions related to interstate river water disputes:

- **Entry 17** of State List deals with water i.e. water supply, irrigation, canal, drainage, embankments, water storage and water power.
- **Entry 56** of Union List empowers the Union Government for the regulation and development of inter-state rivers and river valleys to the extent declared by Parliament to be expedient in the public interest.
- **Article 262:** In the case of disputes relating to waters, it provides
    - **Clause 1:** Parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution or control of the waters of, or in, any inter-State river or river valley.
    - **Clause 2:** Parliament may, by law provide that neither the Supreme Court nor any other court shall exercise jurisdiction in respect of any such dispute or complaint as mentioned above.
- **The Interstate (River) Water Disputes Act 1956:** provides for the resolution of disputes. Under its provisions, the disputes are to be adjudicated by ad-hoc, temporary and exclusive tribunals.

Causes of Inter-State Water Dispute:

- Water is a finite resource and its demand has increased several times in agricultural, industrial and domestic sector than what is available at present as the country is growing and lifestyle is changing such as increased urbanization.
- The moment water is accumulated at a large scale, it gives rise to dispute where commissions come into play and this goes on.
- This is also more of a political issue because when these disputes are used as emotive issues, all parties jump in, several vested interest are created which leads to further problems like bandhs and strikes.
- There is a huge debate on development/growth versus environment as well. Problems are also related with the storage of water such as dams, using it for production of electricity etc. which lead to disputes.
- There is an administrative system at present which is in conflict with what people want.

Reasons for delay in resolving river water disputes:

- The Centre takes years to decide whether a matter needs to be heard by a tribunal in the first place—for example, the Godavari and Krishna disputes started around 1956 but the matter was referred to a tribunal only in 1969.
- After the tribunal has been formed, it again takes many years to **pronounce its award**—it took nine years from reference in the case of the Narmada tribunal.
- Adjudication by tribunals involves **long-drawn adversarial litigations** causing chronic delays.
- The arrangement deprives the states of an avenue to **redress their grievances** after the tribunals are dissolved.

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- There is an institutional vacuum for **implementing tribunal awards**. The law entrusts the Central government with the responsibility of framing institutions for implementing tribunal awards. The government is at a loss as there are no proven institutional models for interstate coordination.
- Disputes have become sites of **political mobilisation** in our multi-party democratic setting. Political parties often ride on the emotive associations and notions of identity to animate and escalate disputes. The disputes offer opportunities for grandstanding, and engaging in vote bank politics.
- This nexus between water and politics often subverts and sabotages the resolution. Finally, realising water allocations in monsoon deficit years is the most contentious issue between states.
- There has not been any instance of **satisfactory and successful distress** sharing practices. At the centre of the Cauvery dispute lies this major difficulty.
- The states have **disagreed with the tribunal's recommendation** for a proportional reduction of shares during distress times.

Way forward:

- The Centre's proposal to set up a single, permanent tribunal to adjudicate on inter-state river water disputes could be a major step towards streamlining the dispute redressal mechanism. However, this alone will not be able to address the different kinds of problems—legal, administrative, constitutional and political—that plague the overall framework. To strengthen the cooperative federalism, disputes must be resolved by dialogue and talks and the political opportunism must be avoided.
- The need to work at the basin level for which River Basin Organization should be created.
- The Centre's proposal to set up a single, permanent tribunal to adjudicate on inter-state river water disputes could be a major step towards streamlining the dispute redressal mechanism.
- There should be cooperation and consensus among the states.
- However, this alone will not be able to address the different kinds of problems—legal, administrative, constitutional and political—that plague the overall framework
- Environment is a huge challenge in coming days on which increasing water needs and industrialization requirements to address it serious policy reforms should be done.
- Centre's proposal to set up an agency alongside the tribunal, which will collect and process data on river waters, can be a right step in this direction.
- To strengthen the cooperative federalism, parochial mindset making regional issues superior to national issues should not be allowed.
- Awareness level between the states.
- So disputes must be resolved by dialogue and talks and the political opportunism must be avoided.

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- A robust and transparent institutional framework with cooperative approach is need of the hour.

Conclusion:

The Inter-State River Water disputes (Amendment) Bill, 2019 is a step towards the cooperative federalism and will promote a prompt decision making in case of the various interstate water disputes. The solutions on water disputes will help in the socio economic development of stakeholder states. The implementation of the proposed steps in the bill in its true spirit will develop an integrated regime of river water utilisation.

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

A comprehensive review and strategic adjustments are needed to ensure that UDAN (Ude Deshka Aam Nagrik) achieves its intended goals in promoting balanced regional development and accessible air travel. Evaluate.

Difficulty level: Moderate
Reference: Live Mint
Why the question:
The article discusses the UDAN (Ude Desh Ka Aam Nagrik) scheme's challenges and suggests the need for a reevaluation.
Key Demand of the question:
To write about the achievements and limitations of UDAN scheme five years after its inception.
Directive word:
***Evaluate** – When you are asked to evaluate, you have to pass a sound judgement about the truth of the given statement in the question or the topic based on evidence. You must appraise the worth of the statement in question. There is scope for forming an opinion here.*
Structure of the answer:
Introduction:
Begin by mentioning the aims and objectives of UDAN scheme.
Body:
First, give a brief about the major features of the UDAN scheme.
Next, write about the various achievements of UDAN scheme in promotion regional connectivity and making air travel affordable. Substantiate with examples and facts,
Next, write about the shortcomings of UDAN scheme and any other improvements needed to make it more successful.
Conclusion:
Conclude with a way forward to overcome the shortcomings.
Introduction

Ude Desh Ka Aam Naagrik (UDAN) was launched as a Regional Connectivity Scheme (RCS) under the Ministry of Civil Aviation in 2016. The scheme envisages providing connectivity to un-served and underserved airports of the country through the revival of existing air-strips and airports.

The Ministry of Civil Aviation launched UDAN 5.1, a new version of the Regional Connectivity Scheme (RCS) specifically designed for helicopter routes.

Body

Performance of UDAN scheme

- A recent report by the Comptroller and Auditor General (CAG) says 2.5 million passengers took these UDAN routes in 2022-23.
- Till date,**387 routes and 60 airports have been operationalised** out of which 100 routes are awarded in the North East alone.
- Under the **KRISHI UDAN Scheme**, 16 airports have been identified to enhance the export opportunities of the North East region establishing dual benefits of enhancement of cargo movements and exports.
- The Scheme has been selected for**Prime Minister's Award for Excellence in Public Administration 2020** under the category "Innovation (General) – Central".
- **Economic Growth:**UDAN has a **positive impact on the economy of the country** and has witnessed an excellent response from industry stakeholders especially airlines operators and state governments.
- **Balanced Regional Growth:**More than **350 new city pairs are now scheduled to be connected under the scheme, with 200 already connected** and are widely spread geographically providing connectivity across the length and breadth of the country as well as ensuring balanced regional growth resulting in economic growth and employment to the local population.
    - The scheme led to development of new **GreenField Airports**such as **Pakyong** near Gangtok in Sikkim, **Tezu** in Arunachal Pradesh and **Kurnool** in Andhra Pradesh.
- **Increased Passenger Share:**The scheme led to **5% incremental growth in domestic passenger share** of non-metro airports.

Shortcomings

- The Domestic air traffic placed at 136 million fliers that year, shows a distinct big-city skew.
- **Only 260 UDAN flights** are in operation today, a fraction of those cleared for take-off, going by government data.
- Of the 774 routes awarded in its first three phases, more than half could not make a start; of those that did get off the ground, less than a third lasted all three years of the deal's period; and of these, less than half kept going.
- Weak demand for flights to reach remote places with wobbly facilities for air services is seen as a key force that pushed carriers off profit paths.
- Poor financial health of many smaller regional carriers has hampered the scheme.
- Many players only have one or two planes, which should be addressed more frequently. New planes need to be within reach for these smaller players.

INSIGHTSIAS

- The failure of UDAN is largely because it is a market-driven scheme, which requires the government to make the routes far more profitable for airline operators.
- Bids under UDAN are submitted based on the airline operator's demand assessment for that specific route or route.
- New planes need to be within reach for these smaller players. Smaller airlines must compete with larger airlines for pilots and other personnel, who must be paid on par with major carriers in the market, even though our slice of the pie is much smaller.
- As unsold seats go waste, it is a market of perishables, one marked by such supply rigidities that prices—which vary by demand—tend to be volatile. This effect is amplified on sparsely travelled routes, whose ticket sales swing too wildly for seats to be aptly committed.

Conclusion

Airlines have leveraged the scheme strategically towards gaining additional slots at congested tier-1 airports, monopoly status on routes and lower operational costs. Thus, stakeholders should work towards making the UDAN scheme sustainable on its own and improve its efficiency.

Airlines should undertake marketing initiatives so that more and more people can take advantage of the UDAN scheme. More infrastructure is required for the successful implementation of the scheme across the country.

The process of awarding the death penalty and its sentencing is a topic that warrants careful consideration and reflection. Over time, discussions have emerged regarding the efficacy and fairness of capital punishment. Examine. (250 words)

Difficulty level: Tough
Reference: Live Mint
Why the question:
The article argues for the abolition of the death penalty, stating that its foundational justifications have weakened over time.
Key Demand of the question:
To write about the reforms needed in awarding and sentencing of capital punishment.
Directive word:
Elaborate – Give a detailed account as to how and why it occurred, or what is the context. You must be defining key terms wherever appropriate and substantiate with relevant associated facts.
Structure of the answer:
Introduction:
Start giving the awarding of capital punishment in 'rarest of rare' case.
Body:
First, write about the various developments regarding capital punishment over the years – Bachan Singh vs State of Punjab, context death penalty.
Next, write about the various lacunae in the awarding of death penalty in Indian criminal justice.
Next, suggest reforms based on recent SC judgement and various recommendations of commissions.
Conclusion:
Conclude by writing a way forward.
Introduction

Capital punishment also called as **death penalty** is the execution of an offender sentenced to death after conviction by a court of law. The debate on whether to abolish the death penalty or not, has been raging in India and in several other countries for decades.

Body

Background

- The Supreme Court asked the Centre to provide data that may point to a more dignified, less painful and socially acceptable method of executing prisoners other than death by hanging.
- The Bench has sought fresh data to substantiate the argument that a more humane means of execution can be found.

Rationale behind death penalty

- The **punishment is not arbitrary** because, it comes out of a **judicial process.**To call it arbitrary, one has to necessarily prove the process as flawed.
- It is being **implemented in the "rarest of the rare" cases** and the fact is during the last 13 years, **only four people**have been executed.
- The hanging of Ajmal Kasab and Yakub Memon strongly **affirms India's commitment to the protection of life.**
- People criticise it on **arbitrariness, irreversibility and human rights** and these are not valid arguments.
- Its **constitutionality is upheld**, even in liberal democracies like U.S. It is not reflection of uncivilised society.
- India's **neighbourhood is not peaceful**, unlike Scandinavia. It is **not in a group of countries**, like European Union.
- India has **got troubled borders**. Several forces are trying to destabilise the very idea of our Nation from across the Border.
- The sacredness of life can only be seen to be protected, if those who take it away are **proportionately punished**.

Efficiency of death penalty

- A study by the Centre of Death Penalty – at the National Law University Delhi (NLUD) — in 2015 analyzed data of 15 years to conclude that less than 5 per cent death penalties awarded by trial courts were confirmed by the time the cases passed the tests in high courts and the Supreme Court.
- Another NLU Delhi study found that 162 death sentences were awarded across the country in 2018. Only 23 were confirmed by the high courts.
- The Supreme Court heard 12 death penalty cases in 2018 but confirmed death penalty in only one case – of Nirbhaya gangrape and murder.

INSIGHTSIAS

- The Justice JS Verma committee, appointed after the Nirbhaya case, too had examined the efficiency of death penalty for rape. In its report, Justice Verma did not prescribe death penalty for rape for the lack of correlation in preventing the crime of rape or gangrape.

Death Penalty is not the panacea

- It **unfairly targets poor and marginalised**, that means, those ***without money & power.***
- Executions occurred in around **five cases for every 1 lakh murders**and it looks **quite arbitrary.** It depends on judges personal beliefs.
- **India's murder rate has declined**continuously since 1991 and at present the lowest, except for 1963.
- Punishment should **not imitate crime.**
- As per the recent ***Death Penalty India Report by the National Law University,*** Delhi, the **structural flaws in our criminal procedure and criminal justice system** are most pronounced in death penalty cases.
- Most of the **civilised world abolished it**. Death penalty has ***not deterred terrorism, murder or even theft.***
- From 200-2015, Supreme Court **imposed 60 death sentences** and subsequently admitted that it had **erred in 15 of them**. So, it clearly admitted that it has **arbitrarily imposed** the **most extreme punishment**.
- The Police is not known for **its probity or efficiency** in our Country.
- **Delays in the Criminal Justice System** disproportionately affects those, who suffer the tyranny of the uncertainty of their life.

Measures needed

- **Law Commission in its 262nd report** submitted recently recommended the abolition of capital punishment for all crimes in India, except the crime of waging war against the nation or for terrorism-related offences.
- It cited several factors to justify abolishing the death penalty, including its abolition by 140 other nations, its arbitrary and flawed application and its lack of any proven deterring effect on criminals.
- Taking empirical lessons from the fate of Bachan Singh, the Supreme Court may have to now ask the more fundamental question posed and negatived in Bachan Singh — the question of the constitutional validity of death penalty.
- The Court may have to revisit Bachan Singh itself in so far as it refused to declare the death penalty as violative of the right to life envisaged under Article 21 of the Constitution.
- Across the world, 108 nations have abolished death penalty in law and 144 countries have done so in law or practice, according to the Amnesty Report of 2021.
- In the Indian context, where judgmental error is quite frequent and the quality of adjudication is not ensured, what is required is a judicial abolition of death penalty.

Conclusion

As Law Commission said that it is the not right time of abolition experiment, the issue needs to be debated and researched in more detail. But, capital punishment should not become a pent-up of society's misplaced anger and sense of judgment. It is also against the reformative purpose of the Criminal Justice System and we must remember the words of **Oscar Wilde, "Every saint has a past and every sinner a future."**

The deletion of 'sedition' is welcome, and its apparent equivalent, the new Section 150 of Bharatiya Nyaya Sanhita must not be misused to infringe upon free speech rights of the citizens. Analyse. (250 words)

Difficulty level: Moderate
Reference: The Hindu
Why the question:
Sedition has been done away with Bharatiya Nyaya Sanhita but an equivalent exists.
Key Demand of the question:
To discuss the issues related to the implementation of the Sedition law in India and address the demands for its reform.
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 giving context of deletion of section 124A of IPC.
Body:
In the first part, write about the objectives behind sedition law.
Next, in detail write about the various issues within the sedition law – potential misuse and infringement on freedom of speech, interpretation raises concerns, suppressing legitimate criticism and targeting of activists, journalists, and political opponents etc
Next, write about the need of sedition law in the present day as per Bharatiya Nyaya Sanhita. Write recommendations by law commission.
Conclusion:
Conclude by stating a balanced opinion on the issue.
Introduction

The Central government has introduced three new Bills in the Lok Sabha that propose a complete overhaul of the country's criminal justice system. The Bills — **Bharatiya Nyaya Sanhita (BNS), 2023**, to replace the **Indian Penal Code (IPC), 1860**; **Bharatiya Nagrik Suraksha Sanhita (BNSS), 2023**, for the **Code of Criminal Procedure (CrPC), 1973**; and **Bharatiya Sakshya (BS) Bill, 2023**, for the **Indian Evidence Act, 1872**— were referred to a standing committee.

Body

Background

- According to the **Section 124A of IPC**, Sedition is an act that brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards the Government established by law in India by words, either spoken or written, or by signs, or by visible

representation, or otherwise. Colonial administrators used sedition to lock up people who criticised the British policies.

- In the BNS Bill, provision 150 under the chapter pertaining to '**offences against the State**' talks about acts endangering sovereignty unity and integrity of India.

The issues with the new Section 150 of Bharatiya Nyaya Sanhita

- Home Minister said in the Lok Sabha that the new Bill on IPC completely repeals the offence of sedition —which is reflected in Section 124A of the IPC.
- However, upon closer inspection, it can be seen that the provision has been introduced under a new name and with a more expansive definition for the offence.
- **Part VII of the Bharatiya Nyaya Sanhita Bill** is titled 'Of Offences against the State' and includes Section 150 which expressly criminalises 'acts endangering sovereignty unity and integrity of India.'
- Section 150 of the Bill reads as —'Whoever, purposely or knowingly, by words, either spoken or written, or by signs, or by visible representation, or by electronic communication or by use of financial mean, or otherwise, excites or attempts to excite, secession or armed rebellion or subversive activities, or encourages feelings of separatist activities or endangers sovereignty or unity and integrity of India; or indulges in or commits any such act shall be punished with imprisonment for life or with imprisonment which may extend to seven years and shall also be liable to fine.'
- In a significant change to the existing definition of sedition, **Section 150** criminalises aiding through financial means any acts of 'subversive activities or those encouraging 'feelings of separatist activities.'
- This is a wider definition than that recommended by the 22nd Law Commission of India in its report published in June.
- The Commission had suggested that sedition should be retained but with certain amendments to curb its misuse. Its report stipulated that Section 124A of the IPC should include the words 'with a tendency to incite violence or cause public disorder' and that the tendency to incite violence should be defined as a 'mere inclination to incite violence or cause public disorder rather than proof of actual violence or imminent threat to violence.'
- With regards to punishment, Section 150 enhances the alternative punishment to 7 years imprisonment from the 3 years imprisonment provided under Section 124A of the IPC.

Sedition be completely scrapped:

- **Against democratic norms:** It stifles the democratic and fundamental right of people to criticize the government.
- **Inadequate capacity of State Machinery:** The police might not have the "requisite" training to understand the consequences of imposing such a "stringent" provision.
- **Possibility of Misuse:** It has been used arbitrarily to curb dissent. In many cases the main targets have been writers, journalists, activists who question government policy and projects, and political dissenters.

- **The draconian nature** of this law as the crime is non-bailable, non-cognisable and punishment can extend for life—it has a strong deterrent effect on dissent even if it is not used.
- **Used to gag press:** The press should be protected so that it could bare the secrets of government and inform the people. Only a free and unrestrained press can effectively expose deception in government.

Arguments in favour of Sedition

- **Not really a draconian law:** Now after the Supreme Court directions, its jurisdiction has been narrowed down. It can be applied only on grounds laid down by the court.
- **Application is a part of reasonable restrictions:** It is provided under the Article 19 (2).
- **Does not really curb free speech:** One can use any kind of strong language in criticism of the government without inviting sedition. However, such dissent should not be turned into some kind of persuasion to break the country.
- **Threats to unity and integrity of nation**due to presence of anti- national elements and divisive Forces such as naxals, separatists who are receiving support from inside and outside the country.
- **Mere misuse cannot be a ground of repeal,** rather provisions should be made where such misuse is eliminated.

Conclusion

The guidelines of the SC must be incorporated in Section 124A as well by amendment to IPC so that any ambiguity must be removed. Only those actions/words that directly result in the use of violence or incitement to violence should be termed seditious. The state police must be sufficiently guided as to where the section must be imposed and where it must not. Need to include provisions where the government can be penalized, if it misuses the section. This will ensure that section 124 A of IPC strikes a balance between security and smooth functioning of state with the fundamental right of freedom of speech and expression.

Addressing the digital divide, promoting digital literacy, ensuring data privacy, and fostering innovation are among the key areas that require attention to ensure a more inclusive, secure, and technologically advanced future for India. Analyse. (250 words)

Difficulty level: Tough
Reference: Live Mint
Why the question:
The article underscores the urgency of accelerating India's digital expansion efforts and highlights the potential benefits of doing so.
Key Demand of the question:
To write about the challenge for future ready digital India and steps needed to overcome it.
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 giving context.
Body:
First, write about the challenges in the above – Policy frameworks, Infrastructure, Digital literacy and empowerment etc.
Next, write about the measures to bridge the digital divide – Infrastructure development, Digital literacy and skill development, Inclusive policies and affordability etc.
Conclusion:
Conclude by writing a way forward.
Introduction

The digital divide refers to the gap between those who have access to digital technologies and those who do not. Promoting **digital literacy is essential to empower individuals with the skills needed to navigate the digital landscape. Digital literacy** encompasses not only the ability to use digital tools but also critical thinking, evaluating online information, and understanding online safety.

With the increasing **digitization of personal and sensitive information, data privacy has become a paramount concern. Robust data protection** regulations and practices are necessary to ensure that individuals' personal data is collected, stored, and used responsibly. Strengthening data privacy laws and enforcement mechanisms is essential to build trust in digital services and prevent misuse of personal information.

Body

Background: Digital Penetration in India

- Increasing internet penetration, widely affordable connectivity and monthly Unified Payments Interface (UPI) payments headed above **10 billion (and worth over ₹15 trillion) are examples of the strides we have taken.**
- The promise of basic digital enablers can also count on policy support in the form of data-security once privacy rules come to forge fairer—if not freer—online markets, a balance of scales best struck before forces of demand and supply get free play.
- **We also have an e-com-aligned export policy.**
- Cheap data tariffs led a surge **from 462 million in 2018 to 759 million users in 2022,** a majority of our population, going by data from a report by Kantar and Internet and Mobile Association of India. **This number is projected to rise to 900 million by 2025.**

Context for India

- **Digital Divide:** The digital divide takes form in rich-poor, male-female, urban-rural etc segments of the population.
- The gap needs to be narrowed down, then only the benefits of digitization would be utilized equally.
- There are many roadblocks in the way of its successful implementation like **digital illiteracy, poor infrastructure, low internet speed, lack of coordination among various departments,**

issues pertaining to taxation These challenges need to be addressed in order to realize the full potential of this programme.

- **Slow adoption** of new technologies. For example, Banking sector most vulnerable to cloning of magnetic strip debit/credit cards.
- **Piracy**: Rampant use of **unlicensed** and pirated software that are easy targets for malware. E.g.: Saposhi attack leading to Denial of Service.
- **Import dependence**: Majority of electronic devices from cellphones to equipments used in power sector, defense and other critical infrastructure puts India into a vulnerable situation.
- **Lack of uniform security protocol** and standards used across various electronic devices.
- **Security Issues:** There is a cybersecurity challenge in ensuring end-to-end protection of data throughout the whole ecosystem.
- While channels and databases used by the Government for transmission and storage are usually secure, other players in the ecosystem may not possess the requisite expertise or security to prevent and respond to breaches.
- **The alleged breach of the Aadhar database is a case in point.**

Measures needed for India

- **Inclusion:** Addressing the digital divide and promoting digital literacy can ensure that all segments of society, including marginalized communities, have access to and can benefit from digital technologies. This inclusion can lead to greater social and economic equity.
- **Security:** Focusing on data privacy is essential to protect individuals' rights and prevent cyber threats. Strong data privacy measures can build trust in digital services, encouraging more people to embrace technology without fear of their personal information being misused.
- **Innovation and Competitiveness:** By fostering innovation, India can create a conducive environment for startups, research institutions, and technology companies to thrive. This, in turn, can drive economic growth, create high-value jobs, and enhance the country's global competitiveness.
- **Empowerment:** Empowering citizens with digital literacy skills enables them to make informed decisions, engage in online civic activities, and access government services efficiently. This empowerment can lead to active participation in governance and democracy.
- **Sustainable Development:** Leveraging technology for sustainable development, such as using digital solutions for agriculture, healthcare, and education, can address critical challenges and improve the overall quality of life.

Conclusion

INSIGHTSIAS

Overall, India's progress in developing its Digital Public Infrastructure has laid a strong foundation for a digital economy. However, to realize the vision of inclusive and sustainable growth, continuous efforts are needed to address challenges related to data privacy, security, and digital literacy. Additionally, adapting to emerging technologies and fostering innovation will be crucial for India to maintain its momentum towards becoming a digital-first nation.

In the context of Digital Personal Data Protection Bill 2023, examine the need to delicately balance between the right to privacy and the right to information and their coexistence in the digital age. (250 words)

Difficulty level: Tough
Reference: The Hindu
Why the question:
The article explores the tensions between the right to privacy and the right to information, prompting a deeper analysis of their coexistence in the digital era.
Key Demand of the question:
To write about the complexities of balancing the right to privacy and the right to information and the impact on individual rights and government accountability.
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 writing about aims and objectives of Digital Personal Data Protection Bill 2023.
Body:
First, write about the major features of Digital Personal Data Protection Bill 2023.
Next, discuss the Right to Privacy – its significance as a fundamental right, the challenges posed by technological advancements, and its relationship with the digital age.
Next, discuss the Right to Information – its role in promoting transparency and accountability in governance, the challenges of managing sensitive information, and its intersection with privacy concerns.
Next, write about the Delicate Balance – discuss how the right to privacy and the right to information often come into conflict, especially in the digital era, where personal data is vulnerable to misuse.
Conclusion:
Conclude by writing a way forward.
Introduction

Parliament passed the Digital Personal Data Protection Bill (DPDP), heralding what will become the country's first law on protecting personal data.

After nearly five years of negotiations involving the government, technology companies and civil society representatives, the centre passed the Digital Personal Data Protection Bill, 2023, in Parliament on Thursday (August 3), which lays out procedures on how corporations and the government itself can collect and use information and personal data of India's citizens.

Body

Features of Digital Personal Data Protection Bill, 2023

- **Applicability:** The Bill will apply to the processing of digital personal data within India.
    - It will also apply to the processing of personal data outside India, if it is for offering goods or services or profiling individuals in India.
- **Consent:** Personal data may be processed only for a lawful purpose for which an individual has given consent.
    - A notice must be given before seeking consent.
    - Notice should contain details about the personal data to be collected and the purpose of processing. Consent may be withdrawn at any point in time.
    - For individuals below 18 years of age, consent will be provided by the legal guardian.
- **Rights and Duties of Data Principal:** An individual, whose data is being processed (data principal), will have the right to obtain information about processing, seek correction and erasure of personal data, nominate another person to exercise rights in the event of death or incapacity.
- **Transfer of Personal Data outside India:** The central government will notify countries where a data fiduciary may transfer personal data.
    - Transfers will be subject to prescribed terms and conditions.
- **Exemptions:** Rights of the data principal and obligations of data fiduciaries (except data security) will not apply in specified cases. These include prevention and investigation of offences, and enforcement of legal rights or claims.
    - The central government may, by notification, exempt certain activities from the application of the Bill. These include processing by government entities in the interest of the security of the state and public order, and research, archiving, or statistical purposes.
- **Data Protection Board of India:** The central government will establish the Data Protection Board of India.
    - Key functions of the Board include monitoring compliance and imposing penalties, directing data fiduciaries to take necessary measures in the event of a data breach, and hearing grievances made by affected persons.
- **Penalties: The** schedule to the Bill specifies penalties for various offences such as up to Rs 200 crore for non-fulfilment of obligations for children, and Rs 250 crore for failure to take security measures to prevent data breaches

Significance of the Bill

- The Digital Personal Data Protection Bill 2023 will be able to keep the personal data of a user safe, and give them more liberty on how to port their personal data.
- Big corporations and consumers will be charged a hefty fine if they fail to do so and don't follow the norms listed in the bill.

INSIGHTSIAS

- The bill aims to make entities like internet companies, mobile apps, and business houses more accountable and answerable about collection, storage and processing of the data of citizens as part of "**Right to Privacy**".
- Once approved, several entities, both public and private, will need to seek consent from users to collect and process their data.
- This means that the **right to privacy of each consumer will be valued more, and their data will be more safeguarded than before**.

Concerns with the Bill

- Wide-ranging exemptions to the government and its agencies,
    - Dilution of powers of the data protection board,
    - Amendment to the Right to Information Act, 2005.
- The concerns around diluting the RTI Act emanate from the fact that the **Bill has a provision to amend the Act that would prohibit sharing of details linked to personal information of government officials**.
- Currently, the exemption only applies when such information does not serve larger public interest. However, the Bill proposes to remove the public interest caveat.
- Also, the **Bill overrides Section 43A of the Information Technology Act, 2000 which requires companies which mishandle user data to compensate users**.
- Government sources said this was because "compensation is a judicial process", while ex-gratia payments were at the discretion of the governments, and that legally compensation would have to be awarded through civil law.

Conclusion

- The Digital Personal Data Protection Bill, 2023 extends substantial rights to individuals and provides them with better visibility, awareness, decisional autonomy and control over their data.
- It also obligates companies to comply with the rights of the individuals and provide effective redressal mechanisms linked with significant penalties.
- The Bill also provides for a legislative backing to the Supreme Court's landmark judgement in Justice K. S. Puttaswamy (Retd) Vs Union of India Case (2017).
- A nine-judge bench of the Supreme Court unanimously held that Indians have a constitutionally protected fundamental right to privacy that is an intrinsic part of life and liberty under Article 21.

INSIGHTSIAS

Role of civil services in a democracy.

Civil servants are not only responsible for implementing government policies and programs but also in upholding democracy in the country. Explain. (250 words)

Difficulty level: Moderate
Reference: Indian Express
Why the question:
The article discusses how India's economic situation is impacting the country's trade plans and the value of the Indian rupee.
Key Demand of the question:
To write about the various functions performed by the civil servants in for the effective functioning of the government and upholding democracy.
Directive:
Explain – *Clarify the topic by giving a detailed account as to how and why it occurred, or what is the context. You must be defining key terms wherever appropriate and substantiate with relevant associated facts.*
Structure of the answer:
Introduction:
Begin the answer by giving context of civil services as the steel frame.
Body:
Frist, write about the various functions performed by the bureaucracy – implementing public policies, maintaining public trust, ensuring continuity, managing crises etc. Cite examples and statistics to substantiate.
Next, write about role played by civil servants in upholding democracy and importance of upholding democratic values while leveraging the expertise of civil servants to achieve efficient and transparent governance.
Conclusion:
Conclude by summarising.
Introduction

The role of Civil Servants across the domains of policy making and policy implementation is critical to the development process. They assist in identifying major policy areas such as preparing major **policy proposals, analysing various alternatives and solutions to societal problems requiring urgent attention, dividing the major policies into sub-policies, determining program of action and** suggesting modification in the existing policy on the basis of its experience on the implementation front.

Body

Civil service as engine room of modern government

- They**engage in collection of relevant data and information** in order to identify core issues. The type of information required, the extent of substance in the information so collected and assimilation of the information is the task of the Civil Servants.
    - They then assist the government in terms of p**roviding relevant data for substantiating policy proposals.**
- Owing to their enormous administrative expertise and capability of the civil services, they are privy to various problems and issues facing the country.

- Their knowledge and experience so acquired is then put to use by**assuming the role of the 'think-tank' of the government.**
- The Civil Servants**assist the political executive in identifying policy issues** by suggesting the nature of problems and the need for taking them up for consideration at higher levels.

- The civil service engages itself in**examining the issue taken up for policy formulation**, it frames and reframes policy proposals keeping in view its viability, future prospects, resources available, acceptability, etc.
  - It is also the responsibility of the civil services to **analyze policy proposals in relation to the provisions of the Constitution,** the laws framed by the Parliament, and other existing rules and regulations.
  - In this way the civil services**help in framing sound and effective policies.**
- Civil servants are responsible for implementing the laws and policies of government. By **carrying out laws, it regulates the behaviour of the people in society.**
  - The ideals and objectives of government may be very popular, the plans for national development may be extremely progressive and the resources of the country may be abundant, but without civil services, not much can be achieved.
  - An efficient civil service can**avoid waste, correct errors, limit the consequences of incompetence or irresponsibility** while implementing laws and public policies

Civil Servants and building democracy

- Setting**right developmental goals and priorities** in areas of education, health, communications etc. Formulation and implementation of strategies and programmes for the development and modernisation of the nation. E.g., Formulation of plans at district, state and national levels.
- Creation of **new administrative organisations**and improving the capacity of the existing ones for the developmental purposes.
- To**develop agriculture,** civil servants have to properly **manage community resources** such as land, water resources, forests, wetlands and wasteland development. E.g. the District **Collector of Dewas, Umakant Umrao helped the farmers** in Madhya Pradesh to fight against drought by **constructing over 16,000 ponds.**
- To**facilitate industrial development,** infrastructural facilities such as roads, electricity, communications, market centres etc. have to be provided. In these countries, the civil service manages government owned business, industrial enterprises and public utility services. **IAS officer Ritu Maheshwari,** installed **new electricity smart meters** to tackle the prevalent electricity theft in Kanpur.
- Development and mobilisation of natural, human and financial resources and their proper utilization for accomplishing developmental objectives. **P Narahari**, as district collector in Madhya Pradesh, worked towards building a barrier-free environment that ensures that **people with disabilities can move about safely and independently**.

- Securing the**support of the people for developmental activities** by involving them in the process of development by creating appropriate attitude towards the socio-economic changes that are taking place in society. **IAS Officer, Smita Sabharwal, popularly known as 'the people's officer', launched a campaign called "Fund Your City" i**n Warangal. She appealed to residents to help her build the infrastructure of Naxal-affected areas, which resulted in the construction of traffic junctions and foot over-bridges.
- Stabilising Force: Amidst political instability, the civil service offers stability and permanence. While governments and ministers can come and go, the civil services is a permanent fixture giving the administrative set up a sense of stability and continuity.
- Instruments of Social Change & Economic Development:Successful policy implementation will lead to positive changes in the lives of ordinary people. It is only when the promised goods and services reach the intended beneficiaries, a government can call any scheme successful. The task of actualising schemes and policies fall with the officers of the civil services.
- Welfare Services: The services offer a variety of welfare schemes such as providing social security, the welfare of weaker and vulnerable sections of society, old-age pensions, poverty alleviation, etc.
- Developmental Functions: The services perform a variety of developmental functions like promoting modern techniques in agriculture, promoting the industry, trade, banking functions, bridging the digital divide, etc.

Conclusion

The citizen has become the focal point of the administrative and development discourse. As one of the foremost agents of governance, the Civil Services form the connecting bridge between state and the society. This interface is critical to both administration of programs and acquiring inputs as feedback.

This gains currency especially since policy areas are interlinked in multiple ways and citizen has become the core focus. Most government programs are today managed by the civil services and allow citizens access to quick and personalized grievance redressal mechanisms. Hence, they assume importance particularly in terms of eliminating the gulf between expectations of the electorate and the outcomes of government initiatives.

A comprehensive reform of the policing system is essential to create a just, transparent, and responsive policing system that can effectively tackle evolving crime scenarios while respecting the rights of individuals. Comment. (250 words)

Difficulty level: Tough
Reference: Live Mint
Why the question:
The article emphasizes the urgent need for reforming the policing system to address contemporary challenges and ensure effective law enforcement.
Key Demand of the question:

To about various reforms that are needed in the police force.
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 mentioning importance of police in maintaining law and order in the country.
Body:
First, write about the need for reforms – mention systemic factors, attitudinal factors, and political factors etc which are responsible for this. Use recent to substantiate your points.
Next, mention the steps to be taken in this regard to have an efficient, empathetic, sensitive, responsive and an accountable police force. Cite various committees and SC recommendations in this regard as well.
Conclusion:
Conclude with way forward.
Introduction

The primary role of police forces is to uphold and enforce laws, investigate crimes and ensure security for people in the country. Under the Constitution, police is a subject governed by states. There has been almost 30 years of debate on policing and reform in India. The present Indian police system is largely based on Police act of 1861. Police reforms has been on the agenda of Governments almost since independence but even after more than 70 years, the police is seen as selectively efficient, unsympathetic to the under privileged.

The Supreme Court has stated that the landmark judgment of **Prakash Singh v. Union of India (2006**), which dealt with police reforms, is used periodically only as a mantra, to suit the occasion whenever it arises.

Body

Need for Police Reforms:

- If India is to achieve its status as a great power, it is absolutely essential that police is restructured and modernised.
- Without the police ensuring good law and order in the country, the other services would find it difficult to operate.
- To transform the colonial police structure of the country into a progressive, modern force sensitive to the democratic aspirations of the people.
- To eliminate the undue political interference. The police of today are victims of politicization as well as criminalization.
- To instil the confidence of the people in the institution of police by making police more people friendly.
- The security of the society and the welfare of the people is dependent on the efficiency of the police.

Key reasons hindering both police reforms:

- **An overburdened police force:**

- Police force is overburdened especially at lower levels where constabulary is forced to work continuously 14-16 hrs and also for 7 days a week. It adversely impacts their performance.
- While the sanctioned police strength was 181 police per lakh persons in 2016 when the United Nations recommended standard is 222 police per lakh persons.
- 86% of the state police comprises of constabulary. Constables are typically promoted once during their service. This could weaken their incentive to perform well.

- **Improving police infrastructure:**
  - Failure of police infrastructure like vehicles, weaponry. Also audits have found that the POLNET network is non-functional in various states.
  - For example, an audit of the Gujarat police force reported that the network had not been operationalised till October 2015 due to non-installation of essential infrastructure, such as remote subscriber units and generator sets.
  - Funds dedicated for modernisation of infrastructure are typically not utilised fully. For example, in 2015-16, only 14% of such funds were used by the states.
- **Political influence:**
  - Second Administrative Reforms Commission has noted that ministers have used police forces for personal and political reasons.
- **Police accountability:**
  - Police forces have the authority to exercise force to enforce laws and maintain law and order in a state. However, this power may be misused in several ways.
- **Poor quality of investigation:**
  - Crime per lakh population has increased by 28% over the last decade (2005-2015). However, convictions have been low. So it shows the poor quality of investigation.
  - The Law Commission and the Second Administrative Reforms Commission have noted that state police officers often neglect investigation because they are understaffed and overburdened with various kinds of tasks.
  - Further, they lack the training and the expertise required to conduct professional investigations.
  - They also have insufficient legal knowledge and the forensic and cyber infrastructure available to them is both inadequate and outdated. In light of this, police forces may use force and torture to secure evidence.
  - Crime investigations may be influenced by political or other extraneous considerations
- **Forensic labs:**

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- Expert bodies have however said that these laboratories are short of funds and qualified staff. Further, there is indiscriminate referencing of cases to these labs resulting in high pendency.

- **Lack of co-ordination** between centre and states is matter related to maintenance of law & order results in ineffective functioning of police force.
- Police force is not in the position to tackle present problems of cybercrime, global terrorism, Naxalism because of structural weaknesses.
- **Prevalence of Rank system** within the police force results in abuse of power by top level executive over lower level personnel.

Reforms needed:

- **Directions of the Supreme Court in Prakash Singh vs Union of India:**
  - **Fixing the tenure and selection of the DGP** to avoid situations where officers about to retire in a few months are given the post.
  - In order to ensure no political interference, a **minimum tenure was sought for the Inspector General of Police** so that they are not transferred mid-term by politicians.
  - Postings of officers should be done by **Police Establishment Boards (PEB)** comprising police officers and senior bureaucrats to insulate powers of postings and transfers from political leaders.
  - Set up **State Police Complaints Authority (SPCA)** to give a platform where common people aggrieved by police action could approach.
  - Separate investigation and law and order functions to better improve policing.
  - Set up of **State Security Commissions (SSC)** that would have members from civil society.
  - Form a **National Security Commission**.
- **Independent Complaints Authority:**
  - The **Second Administrative Reforms Commission** and the Supreme Court have observed that there is a need to have an independent complaints authority to inquire into cases of police misconduct.
  - Example is that of the New York City Police which has a Civilian Complaint Review Board comprising of civilians appointed by local government bodies and the police commissioner to investigate into cases of police misconduct**.**
- **Investigation:**
  - Experts have recommended that states must have their own specialized investigation units within the police force that are responsible for crime investigation.
- **Padmanabhaiah commission:**

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- It has also been recommended that constables, and the police force in general, should receive greater training in soft skills given they need to deal with the public regularly.

- **Housing:**
  - Importance of providing housing to the constabulary (and generally to the police force) to improve their efficiency and incentive to accept remote postings has also been emphasised by expert bodies, such as the National Police Commission.

- **Community policing: Janamaithri Suraksha in Kerala**
  - This project is an initiative of the Kerala Police to facilitate greater accessibility, close interaction and better understanding between the police and local communities. For example, Beat Constables are required to know at least one family member of every family living in his beat area.
  - **Meira Paibi (Torch-bearers) in Assam:** The women of the Manipuri Basti in Guwahati help with improving the law and order problem in their area, by tackling drug abuse among the youth. They light their torches and go around the basti guarding the entry and exit points, to prevent the youth of the area from going out after sunset

- **Courts:**
  - The Madras High Court has said that the state government should contemplate giving policemen a day off in a week like other government officials in order to spend time with their families.
  - The court suggested introducing an 8-hour, three-shift system for police personnel. It will help them rejuvenate themselves and relieve them from stress.

- **Evidence based policing** is gaining credibility day by day – Indian police force must be exposed to it.
- **Second ARC** recommended that the government should declare certain crimes as "federal" and entrust their investigation to a Central agency.
- Police need to have the operational freedom to carry out their responsibilities professionally, and satisfactory working conditions, while being held accountable for poor performance or misuse of power.
- **Gender Parity in Police force:** The 2nd Administrative Reform Commission recommended that the representation of women in police at all levels should be increased through affirmative action so that they constitute about 33% of the police.
- **Improvement in Intelligence gathering:** The intelligence gathering machinery in the field needs to be strengthened and at the same time, made more accountable. Human intelligence should be combined with information derived from diverse sources with the focus on increased use of technology.

Conclusion

The police force needs to be freed from the stranglehold of the executive and given functional autonomy to enforce the rule of law. Police should be a **SMART Police** -a police which should be strict and sensitive, modern and mobile, alert and accountable, reliable and responsible, tech-savvy and trained.

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.

Critics believe that conducting a caste census might reinforce social divisions and caste identities. It could lead to polarization and potentially hinder the progress made in reducing caste-based discrimination. Examine. (250 words)

Difficulty level: Tough

Reference: The Hindu , Insights on India

Why the question:

The article reports that the Indian government has informed the Supreme Court that only the central government has the authority to conduct a census or any similar exercise.

Key Demand of the question:

To write about benefits of collecting caste based data in census as well as the harms it might cause in light of the reality of Indian society.

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 caste-based census in India.

Body:

In the first part, discuss the pros – lack of accurate data related to many affirmative action programmes of the government, helpful in the debate related to reservation policy, targeted poverty reduction programmes etc

Next, Discuss the cons – creates chasms within society, historical apprehensions when such data was used to further divide and rule policy, the reality of Indian society and the implications that it would have in a situation of trust deficit between communities, it would be a process of recording caste generated a conception of community as a homogeneous and classifiable community and thereby influenced the processes of political representation.

Conclusion:

Based on above arguments give a fair and balanced view as conclusion.

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.

The Indian government has informed the Supreme Court that only the central government has the authority to conduct a census or any similar exercise.

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 21st 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.

Discuss the significance of Rajasthan Gig and Platform Workers (registration and welfare) Act in empowering gig workers in the state, recognizing their contributions and improving their working conditions. (250 words)

Difficulty level: Moderate
Reference: The Hindu , Insights on India
***Why the question**:*
The article discusses the key points and implications of Rajasthan's proposed legislation aimed at providing social security and welfare measures for gig workers in the state.
Key Demand of the question:
To write about the issues faced by gig workers, need to ensure and protect rights of gig workers.
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:
Begin by writing about the objectives of the act.
Body:

In the first talk about the ambiguity in gig economy which results in the exploitation of gig workers – lack of formal employer-employee relationship, remuneration, rigidity of working hours and the working conditions etc.
Next, write about the benefits of regulating the gig economy and steps needed to protect the rights of workers and grant them social protection and role of Rajasthan Gig and Platform Workers (registration and welfare) Act in doing.
Next, write about the issues in the above.
Conclusion:
Conclude by writing a way forward.
Introduction

According to the Oxford Internet Institute's 'Online Labor Index', India leads the global gig economy with a **24% share of the online labor market. A gig economy is a free market system** in which temporary positions are common and organizations contract with independent workers for short-term engagements Examples of gig employees in the workforce could include freelancers, independent contractors, project-based workers and temporary or part-time hires.

The Rajasthan government's proposed **Rajasthan Platform-based Gig Workers (Registration and Welfare) Bill, 2023,** which will introduce a welfare board, is a step towards ensuring the welfare of gig workers. For Gig Workers, working conditions have become increasingly harsh, with gig workers not recognized as "workers" and lacking any social security or related benefits.

Body

Background

- This bill aims to address the **lack of protection and benefits for gig workers,** who were **previously classified as "partners"** rather than **employees** in companies like Ola, Uber, Swiggy, Zomato, and Amazon.
- Earlier, the **Code on Social Security, 2020** mandated **social security funds for gig workers**, including life, disability, health benefits, and more.

Issues faced by gig economy workers

- This workforce has **limited employment rights like minimum wages, health benefits, sick leaves** or even retirement benefits to fall back on.
- Also, the payment is **assured only on the completion of the project** giving a sense of financial insecurity.
- The **lack of any kind of protection was also deterring several talented workers** against participating in the economy
- **No stable and secure employment:** These so-called jobs do not provide health insurance, nor pay for overtime with no sick leave.
- **Lack of income security:** There is no room for wage negotiations, and unions are absent. In the gig economy, job creation should be seen as the provision of livelihoods for entrepreneurs.
- **Grievance redressal mechanism:** For instance, when Ola and Uber started cutting back incentives, the drivers in Mumbai decided to go on 'strike'.

  - But there was no clarity against whom they were striking. When the strikers agitated at a local transport commissioner's office, he had to tell them that he did not regulate the hail-a-taxi business.

- The Central government recently passed the **social security code** which could cover gig worker as well.
- One of the key proposals includes the creation of a **social security fund which is around 1 per cent of the aggregators' annual turnover.**
- This fund would be used primarily for the welfare of the unorganized and the gig workforce

Regulation of gig economy

- Constant upskilling and reskilling is required for such talents to stay industry relevant and market ready.
- A **categorical clarification** could ensure that social security measures are provided to workers without compromising the touted qualities of platform work.
- Countries must come together to set up a platform to extend their labour protection to the workforce who are working part-time in their country.
- Companies employing the workforce on a temporary basis should also be made responsible to **contribute to their insurance and social obligation** other than just their tax commitment.
- There is a need for a **socio-legal acknowledgement of the heterogeneity of work** in the gig economy, and the **ascription of joint accountability to the State and platform companies** for the delivery of social services.
- In the Code on Social Security, 2020, platform workers are now eligible for benefits. **Actualising these benefits will depend** on the political will at the Central and State government-levels and how unions elicit political support.

Way forward

- The government needs to come out with some more regulations to protect the workforce of the gig economy.
- Also, at present, there is no mechanism to address the issue of redress of disputes.
- It could also mean countries coming together to set up a platform to extend their labour protection to the workforce who are working part-time in their country.
- Companies employing the workforce on a temporary basis should also be made responsible to contribute to their insurance and social obligation other than just their tax commitment.

Conclusion

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The scope of the gig economy in a country like India is enormous. The government needs to come out with a comprehensive legislation to empower and motivate many to take this path. The gig economy and its workforce cannot be overlooked when we talk about the future of employment.

With a population of over 1.3 billion, and a majority of them below the age of 35, relying on the "gig economy" is perhaps the only way to create employment for a large semi-skilled and unskilled workforce. Therefore, it is important to hand-hold this sector and help it grow. We need policies and processes that give clarity to the way the sector should function.

Value addition

Statistics

- *Human resources firm TeamLease estimates that **13 lakh Indians joined the gig economy** in the last half of 2018-19, registering a 30% growth compared to the first half of the fiscal year.*
- *Better Place, a digital platform that does background verification and skill development in the informal sector, estimates that of the **21 lakh jobs that will be created in the metros** in 2019-20, 14 lakh will be in the gig economy.*
- ***Food and e-commerce delivery** will account for **8 lakh positions** and drivers will account for nearly 6 lakh positions, says the report, based on 11 lakh profiles in over 1,000 companies.*
- *Delhi, Bengaluru and other metros are expected to be the biggest drivers of this sector. And **two-thirds of this workforce will be under the age of 40.***

There is need for a more compassionate and realistic approach to comprehending the ongoing war in Ukraine and ending it. What role can India play in this regard? Analyse. (250 words)

Difficulty level: Tough
Reference: Indian Express , Insights on India
Why the question:
The article discusses the evolving understanding of the realities of the conflict in Ukraine. It highlights how the initial romanticized notions of war have given way to a more sobering understanding of its devastating impact on human lives.
Key Demand of the question:
To write about the stand of India on Russia-Ukraine war and role it can play in ending it.
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 giving context.
Body:
First, in brief, write about the deadlock in the Ukraine conflict which has been going on since the its start and how it impacts the global multilateral order and the world economy.
Next, write about India's pragmatic neutrality on the above issue and its outcome.
Next, write about the role India can play diplomatically towards peace efforts and de-escalation of hostilities between India and Ukraine.
Conclusion:
Conclude by writing a way forward.

Introduction

On February 23, 2023, on the eve of the first anniversary of Russia's invasion of Ukraine, the United Nations General Assembly (UNGA) adopted a resolution, calling for an end to the war. The resolution was favoured by 141 members and opposed by seven, **while 32 states abstained. Unsurprisingly, India was one among the 32.** This is in line with the position India has been taking on the Ukraine crisis from the beginning. India has refused to condemn Russia for the invasion; **it has refused to join the West's sanctions; has stepped up buying Russian fuel at a discounted price, and has consistently abstained from UN votes on the war.**

Body

Background

- India's position has triggered sharp responses in the West.
- Before the war, there was much debate among the global strategic commentariat about India's irreversible shift towards the West.
- However, after the war began, many wondered why the world's largest democracy did not condemn Russia.
- For some others, India was "financing" Vladimir Putin's war by buying Russian oil.

India's strategic policy on Russia-Ukraine war

- India has repeatedly stated in the UN that the sovereignty and territorial integrity of all countries should be respected.
    - But a key dilemma before any country in international relations is that when it comes to specific actions in the event of a clash between moral positions and national interests, it is about which path they should take.
- **For the U.S. and much of Europe, there is a convergence of their moral positions and foreign policy objectives in the case of the Ukraine war.**
    - The U **S. wants to "weaken" Russia,** as U.S. Defence Secretary Lloyd Austin said, and **Europe wants to make Russia's invasion costly so that they believe Moscow would be deterred in the future.**
    - So, the moral line they take serves their strategic purpose. However, this position has hardly been consistent especially when there are clashes between values and interests.
- **Hypocrisy of US:** In 2003, the U.S. launched its illegal invasion of Iraq, violating the country's sovereignty.
    - In 2011, the **North Atlantic Treaty Organization (NATO) turned a UN Security Council resolution to establish a no-fly zone in Libya into a full-scale invasion.**
    - Right now, the U.S. has **illegally placed its troops in Syria.**
    - Or, take the case of Israel, **which has illegally annexed East Jerusalem and Syria's Golan Heights and keeps building illegal Jewish settlements** in the occupied West Bank.

  - The**S. has recognised Israel's annexation of Golan** and moved its embassy to Jerusalem.
  - While Russia is being pounded with sanctions, Israel is getting billions worth of military aid every year from the U.S.

- **India's ties with Russia:** Ties with **Russia**, a historical partner, **are important for India in many ways**.
  - **One is energy —** discounted fuel coming in from Russia is a relief for India, the world's fifth largest economy, that meets over 80% of its fuel needs through imports.
  - But the energy ties are largely opportunistic — even if supplies from Russia are disrupted, India could find alternatives for a higher price.
  - **Defence supplies,** however, tell a different tale — Russia has **fulfilled over 46% of India's defence needs in the last five years.**
  - There is a sound argument that India should diversify its source of defence imports, but such a change would take time.
- **China factor:** Third, at a time when Russia is deepening its ties with China, which is India's main competitor, **India should ask itself whether it should retain its leverage over Russia through existing ties or lose it completely** by joining the western coalition over moral commitments.
- **Furthermore, to manage its continental interests and tackle its continental security concerns, India has to work with powers in the Eurasian landmass** where the U.S. is practically absent, especially after its **disastrous withdrawal from Afghanistan. Russia plays a key role in India's continental foreign policy.**

Conclusion

What India wants is an immediate end to the war and a new security equilibrium between great powers so that the global economy could be stabilised, and the world could focus on more pressing problems — from climate change to UN reforms. So, if it wants peace and a resolution to the conflict, as Jawaharlal Nehru stated in 1957 in the wake of the Soviet intervention in Hungary, "it doesn't help calling names and condemning" any power. Instead, India should stick to its pragmatic neutrality, rooted in realism, and continue to push for a practical solution to the Ukraine crisis.

Assess the potential impact of the PM Vishwakarma Scheme for traditional workers in India, and discuss how such initiatives can contribute to preserving traditional skills and uplifting marginalized artisans. (250 words)

Difficulty level: Tough
Reference: The Hindu
Why the question:
The article sheds light on the PM Vishwakarma Scheme and its significance in supporting traditional workers, prompting a deeper examination of its potential outcomes.
Key Demand of the question:
To write about the PM Vishwakarma Scheme and its potential 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:

Begin by writing about aims and objectives of PM Vishwakarma Scheme.

Body:

First, write about the major features of PM Vishwakarma Scheme.

Next, write about the potential impact of the scheme on preserving traditional skills, highlighting how it can prevent the erosion of indigenous knowledge and craftsmanship.

Next, write about the role of such schemes in fostering sustainable economic growth by promoting the revival of traditional industries and enabling artisans to contribute to the economy.

Conclusion:

Conclude with a way forward.

Introduction

The PM Vishwakarma scheme approved by the Cabinet to help **traditional craftspeople and artisans can provide an economic boost to these professionals.** Announced by Prime Minister Narendra Modi during his Independence Day speech, the scheme, with an outlay of **₹13,000 crore, provides loans of up to a total of ₹3 lakh (in two tranches) at a concessional interest rate of 5%.**

Body

Objectives of PM Vishwakarma

- **Supporting Artisans:** It will be a Central Sector Scheme with twofold objective: **to nurture the Guru-Shishya Parampara:**
    - Age-old tradition of imparting skills within families, and
    - To uplift artisans and craftsmen engaged in manual trades.
- **Coverage**: This comprehensive scheme encompasses 18 traditional trades in its initial phase, including blacksmiths, carpenters, potters, goldsmiths, tailors, and more, who form the bedrock of rural economies.

Features of the scheme

- **Financial Provision:** The scheme is fortified by a budgetary outlay of ₹13,000 crore, ensuring robust financial support to artisans and craftsmen.
- **Recognition and ID:** Artisans and craftspeople will receive recognition through the prestigious PM Vishwakarma certificate and an official ID card, validating their skills and contributions.
    - **It covers individuals from 18 trades such as cobblers, toy makers, laundrymen, barbers, masons and coir weavers.**
    - Registration for the Vishwakarma Yojana can be completed at **common services centers in villages.**
    - While the central government will provide funding for the scheme, state governments' support will also be sought.

- **Credit Support:** The scheme provides access to credit support, offering up to ₹1 lakh in the first tranche and ₹2 lakh in the second tranche, with an advantageous interest rate of 5%.
- **Skill Upgradation:** To enhance expertise, the scheme includes skill upgradation programs encompassing both basic and advanced training. Participants will receive a stipend of ₹500 per day during training.
- **Modern Tools and Incentives:** Beneficiaries will be granted up to ₹15,000 to acquire modern tools, further improving the quality and efficiency of their work.
- **Digital Transactions and Marketing:** Embracing modern practices, the scheme encourages digital transactions and marketing support, linking artisans with broader markets.

Potential impact of the scheme

- The government expects about **five lakh families** to be covered in the first year and **30 lakh families** to benefit from the scheme over **five years.**
- The scheme can help craftspeople and artisans to the extent of freeing them from the difficulties they now face in **accessing affordable credit from the formal banking system.**
- The challenges they face are far deeper than just the availability of cheap credit. By far the biggest of these that traditional art and craft professionals face is either the **lack of patronage for their goods and services in the wider marketplace,** or in the case of other trades, **a skewed undervaluation of their economic output.**
- **By integrating them on e-commerce** and creating awareness about the art, they may get better value for their art.
- The Vishwakarma scheme includes skilling programmes **that offer a nominal stipend** as well as financial help to purchase modern tools.

Conclusion

Ultimately, the success of this well-intentioned scheme will hinge on its implementation, an area where the government would do well to rope in professionals with the know-how and entrepreneurial flair to help the craftspeople and artisans upgrade their offerings to cater to new markets and tap fresh opportunities.

"Affordable Housing for All" is not just about providing shelter; By ensuring that everyone has access to safe, decent, and affordable housing, India can create a more equitable and thriving society. Discuss. (250 words)

Difficulty level: Moderate
Reference: The Hindu
Why the question:
The article discusses a scheme aimed at assisting urban poor individuals in constructing houses in cities, emphasizing the significance of affordable housing for vulnerable urban populations.
Key Demand of the question:
To write about significance "Affordable Housing for All" in the economic development and well-being of India.
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:

Define what is meant by housing for all.

Body:

Firstly, discuss in what way Food, cloth and housing are the basic necessities of any individual. How Affordable housing improves well-being of an individual and a country.

Next, elucidate on how Affordable housing helps in human development, how it helps in Economic Development.

Next, write about the mechanisms available from the government side for the same and what are the challenges involved in the above.

Conclusion:

Conclude by writing a way forward.

Introduction

"Affordable Housing for All" represents a vision that extends beyond the basic provision of shelter. By ensuring that everyone has access to safe, decent, and affordable housing, a country like India can catalyze the creation of a more equitable and thriving society. This concept involves several interconnected dimensions that contribute to social, economic, and environmental well-being

Body

Affordable housing: Significance

- **Dignity and Security**: Access to safe and affordable housing grants individuals and families a sense of dignity and security. It provides a stable foundation from which people can pursue opportunities, access education, and lead healthier lives. Adequate housing protects vulnerable populations from environmental hazards, displacement, and exploitation.
- **Economic Empowerment**: Affordable housing contributes to economic empowerment in multiple ways. When people spend less on housing, they have more resources to invest in education, healthcare, and starting businesses. It boosts local economies by creating jobs in construction, real estate, and related industries.
- **Education and Skill Development**: Stable housing can positively influence educational outcomes for children. When families have a secure place to live, children can attend school regularly and focus on their studies. This contributes to a cycle of education and skill development that leads to better employment opportunities in the future.
- **Community Development**: Affordable housing promotes the growth of vibrant and cohesive communities. People are more likely to engage in local activities, collaborate on projects, and build social networks when they have a stake in their community. Strong communities contribute to a sense of belonging and shared responsibility.
- **Reducing Inequality**: Affordable housing initiatives target the root causes of inequality by providing marginalized and underserved populations with access to a fundamental need. This creates a more level playing field and reduces disparities in living conditions and opportunities.

- **Health and Well-being**: Housing conditions have a direct impact on health. Adequate housing reduces exposure to environmental hazards, overcrowding, and unsanitary conditions, leading to better physical and mental health outcomes for residents.
- **Urban Planning and Sustainability**: Well-planned affordable housing projects can contribute to sustainable urban development. Concentrating housing close to employment centers and public transportation reduces commuting times and energy consumption. Additionally, integrating green spaces and energy-efficient design principles can create more livable and environmentally friendly communities.
- **Social Cohesion**: A society that prioritizes affordable housing for all fosters a sense of inclusivity and shared purpose. When people from diverse backgrounds live in close proximity, they have opportunities to interact, learn from one another, and challenge stereotypes, promoting social cohesion.
- **Reduced Informal Settlements**: Adequate affordable housing options can help reduce the prevalence of informal settlements, slums, and unregulated housing. This leads to improved living conditions and reduces the strain on urban infrastructure and services.
- **Long-term Economic Stability**: Providing affordable housing contributes to long-term economic stability. It reduces the burden on social services, enhances overall quality of life, and supports sustainable urbanization.

Challenges in affordable housing scheme

- **Identification of Beneficiaries**: Identifying eligible beneficiaries accurately is a challenge. Ensuring that those who are most in need receive the benefits while preventing potential misuse of the program requires a robust and transparent selection process.
- **Land Availability**: Acquiring suitable land for housing projects, particularly in urban areas, can be difficult and time-consuming. Land scarcity and high land prices can hinder the timely implementation of projects.
- **Funding and Financing**: The financial resources required for the ambitious housing projects under PMAY can strain government budgets. Mobilizing funds, securing loans, and coordinating with financial institutions to ensure a steady flow of resources is a persistent challenge.
- **Timely Implementation**: Delays in project implementation can occur due to bureaucratic processes, administrative bottlenecks, and lack of coordination among various stakeholders. Timely completion is crucial to meeting the housing needs of the beneficiaries.
- **Quality Control**: Ensuring the construction of quality housing units that are durable and safe is vital. Monitoring and maintaining construction standards across a large number of projects can be challenging, especially in remote or underserved areas.
- **Infrastructure and Services**: Affordable housing projects must also provide basic infrastructure and services such as water supply, sanitation, electricity, and access to healthcare and education. Coordinating these services alongside housing construction can be complex.

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- **Preference for Location**: Beneficiaries often prefer housing units located closer to their places of work or original residences. Balancing these preferences with the availability of land and infrastructure can be a challenge.
- **Geographical Diversity**: India's geographical diversity presents varied challenges in terms of climate, terrain, and local building practices. Designing housing solutions that are suitable for different regions while maintaining quality standards can be demanding.
- **Awareness and Participation**: Raising awareness about the PMAY scheme among eligible beneficiaries and ensuring their active participation is crucial. Many potential beneficiaries might not be aware of the program or how to apply.
- **Monitoring and Evaluation**: Effective monitoring and evaluation mechanisms are needed to track the progress of the program, measure its impact, and identify areas that require improvement.

Government measures

- **Pradhan Mantri Awas Yojana (PMAY)**: PMAY is a flagship affordable housing scheme aimed at providing "Housing for All" by 2022. It is divided into two components: Pradhan Mantri Awas Yojana (Urban) and Pradhan Mantri Awas Yojana (Gramin).
    - Under PMAY (Urban), financial assistance is provided to eligible beneficiaries to construct new houses, renovate existing ones, or buy ready-built houses.
    - PMAY (Gramin) focuses on providing financial assistance for the construction of pucca houses to rural beneficiaries.
- **Credit-Linked Subsidy Scheme (CLSS)**: CLSS is a component of PMAY that offers interest subsidies on home loans for different income groups.
    - Beneficiaries falling under Economically Weaker Sections (EWS), Low-Income Groups (LIG), Middle-Income Group-I (MIG-I), and Middle-Income Group-II (MIG-II) can avail interest subsidies based on their income.
- **Affordable Housing Fund (AHF)**: The Affordable Housing Fund was set up by the government to provide financing to affordable housing projects. It encourages banks and financial institutions to extend credit for housing projects targeted at EWS and LIG beneficiaries.
- **Infrastructure Status for Affordable Housing**: Affordable housing was granted infrastructure status, making it easier for developers to access institutional funding and loans at more favorable terms. This facilitates faster project approvals and development.
- **Goods and Services Tax (GST) Reduction**: The government reduced GST rates on under-construction affordable housing projects, which has led to lower overall costs for homebuyers.
- **Urban Rental Housing Policy**: The Urban Rental Housing Policy aims to provide a regulatory framework for the rental housing market, making it more attractive for both landlords and tenants. This encourages increased supply and affordability of rental housing.

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- **Pradhan Mantri Swamitva Yojana**: This scheme aims to provide property ownership rights to people living in rural areas. By providing property titles, it enables access to formal credit, and this can contribute to better housing conditions and affordability.
- **Real Estate (Regulation and Development) Act, 2016 (RERA)**: While RERA primarily focuses on transparency and accountability in the real estate sector, its implementation has indirectly contributed to better consumer protection and more realistic pricing, which can benefit homebuyers.
- **Incentives for Developers**: Various incentives, such as tax breaks and faster approvals, are provided to developers who focus on building affordable housing projects.

Conclusion

"Affordable Housing for All" transcends the idea of mere shelter. It represents a transformative approach to social development that addresses numerous interconnected challenges. By ensuring that everyone has access to safe, decent, and affordable housing, India can foster a more equitable, inclusive, and prosperous society for present and future generations.

Discuss the significance of preserving tribal culture and the challenges faced in doing so. Suggest measures to promote the rich cultural heritage of tribal communities. (150 words)

Difficulty level: Moderate
Reference: The Hindu
Why the question:
The article emphasizes the importance of safeguarding tribal culture and traditions, prompting a deeper examination of the subject matter.
Key Demand of the question:
To analyse the significance of preserving tribal culture and identify the obstacles encountered in this endeavour
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:
Introduce the concept of tribal culture and its value in the context of cultural diversity.
Body:
First, write about Significance of Preserving Tribal Culture -unique cultural heritage and traditions of tribal communities, role of tribal culture in enriching the nation's cultural tapestry and promoting social cohesion etc.
Next, write about Challenges in Preserving Tribal Culture – impact of modernization and globalization on tribal communities and their cultural practices, threat posed by urbanization, displacement, and assimilation to tribal identity etc.
Next, write about measures needed in the above regard.
Conclusion:
Conclude with a way forward.
Introduction

India is home to a significant number of tribal communities, also known as Scheduled Tribes (STs). According to the 2011 Census of India, there are over 700 scheduled tribes in the country,

representing about 8.6% of the total population. These tribes have unique cultures, languages, traditions, and ways of life.

Body

Significance of preserving tribal culture

- **Cultural Diversity:** India's tribal communities contribute to the country's vibrant cultural diversity. Their unique traditions and practices add depth to the nation's collective identity.
- **Traditional Knowledge:** Tribal cultures often hold valuable traditional knowledge related to sustainable agricultural practices, herbal medicine, and ecological conservation. Preserving this knowledge can benefit society as a whole.
- **Social Cohesion:** Cultural practices and rituals play a crucial role in maintaining social cohesion within tribal communities. Preserving these practices helps strengthen their social fabric.
- **Identity and Inclusivity:** The preservation of tribal culture ensures that tribal communities retain their distinct identity and are included as equal stakeholders in the nation's development.
- **Economic Opportunities:** Traditional art, craft, and cultural practices of tribal communities can offer economic opportunities through tourism and handicraft industries.

Challenges in preserving tribal culture

- **Displacement and Land Rights:** Many tribal communities have faced displacement due to development projects, leading to a loss of their traditional lands and disruptions in their way of life.
- **Lack of Representation:** Tribal communities often suffer from inadequate representation in decision-making processes and limited access to resources.
- **Language Endangerment:** Several tribal languages are endangered, and the lack of support for their preservation threatens the loss of their cultural heritage.
- **Marginalization and Exploitation:** Tribal communities often face marginalization and exploitation, with their cultural practices and art forms being commodified for commercial purposes without appropriate recognition or compensation.
- **Lack of Awareness:** There is a lack of awareness among the general population about the rich cultural heritage of tribal communities, which can lead to neglect and indifference.

Measures needed

- **Legal Protections:** Strengthen and enforce legal provisions to protect tribal land rights and cultural heritage from exploitation and encroachment.
    - The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, provides legal protection to tribal communities by recognizing their rights to forest land and resources.
    - **Inner line permit** also protects tribes from outside interference.

- **Cultural Centers and Museums:** Establish cultural centres and museums in tribal areas to showcase their art, craft, music, and traditions, providing platforms for tribal artists to display their skills.
    - Eg: : **The Tribal Research Institute in Odisha** houses a Tribal Museum that showcases the art, craft, music, and traditional knowledge of various tribal communities in the state.
- **Language Preservation:** Support initiatives for documenting and revitalizing endangered tribal languages, with a focus on developing language schools and community programs.
    - **Eg The Kui Language School in Odisha** is an initiative focused on revitalizing the endangered Kui language by teaching it to tribal children and conducting language documentation workshops.
- **Empowerment and Representation:** Promote the inclusion of tribal representatives in decision-making bodies and increase their participation in local governance.
    - **The Panchayats (Extension to Scheduled Areas) Act, 1996, empowers tribal communities by ensuring that they have a say in local governance through the formation of Gram Sabhas in Scheduled Areas.**
- **Education and Awareness:** Integrate tribal history, culture, and traditions into school curricula to raise awareness and respect among the younger generations.
    - **Eg The Jharkhand government includes chapters on tribal culture, history, and heritage in school textbooks to raise awareness** and promote respect for tribal communities among students.
- **Economic Opportunities:** Encourage responsible and sustainable tourism that respects tribal cultures and traditions, while also generating income for tribal communities.
    - **The Dongria Kondh community in Odisha's Niyamgiri Hills** has been able to generate income through responsible tourism, as visitors come to learn about their unique culture and way of life.
- **Cultural Festivals and Exchanges:** Organize cultural festivals and exchanges to promote intercultural dialogue and understanding between tribal and non-tribal communities.
    - **An example of successful cultural preservation is the Hornbill Festival in Nagaland. This festival brings together various Naga tribes to showcase their distinct cultural heritage, including traditional dances, music, crafts, and food.** It has become a platform for preserving and promoting Naga tribal culture while also attracting tourists from around the world.
- **Media and Communication:** Encourage positive and accurate media representation of tribal cultures, highlighting their contributions to India's cultural heritage.
    - **Recently 'elephant whisperers'** won an oscar which shows tribes who are into caring for Elephants with support from Forest Dept.

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- **Capacity Building and Skill Development:** Invest in capacity building and skill development programs to empower tribal artisans and craftsmen, helping them preserve and promote their traditional art forms.
    - **Organizations like TRIFED** (Tribal Cooperative Marketing Development Federation of India) work on skill development programs for tribal artisans, empowering them to preserve and promote traditional art forms.
- **Collaboration with NGOs:** Partner with non-governmental organizations working on tribal welfare and cultural preservation to develop comprehensive strategies.

Conclusion

In conclusion, preserving tribal culture in India is vital for maintaining cultural diversity, sustainable development, and social cohesion. Addressing the challenges faced by tribal communities and implementing measures to promote their rich cultural heritage can ensure that India's tribal legacy continues to thrive for generations to come.

Value addition

Tribes of India

- ***Gonds:*** *Gonds are one of the largest tribal groups in central India, primarily found in Madhya Pradesh, Chhattisgarh, Maharashtra, Telangana, and Andhra Pradesh. They are known for their distinctive art, music, and dance forms.*
- ***Santhals:*** *Santhals are a significant tribal community residing in the states of Jharkhand, West Bengal, Bihar, and Odisha. They have a rich cultural heritage, including traditional music and dance.*
- ***Bhils:*** *Bhils are a prominent tribal group in Rajasthan, Gujarat, Madhya Pradesh, and Maharashtra. They are known for their agricultural practices and artistic expressions.*
- ***Munda:*** *Munda tribes are mainly concentrated in the states of Jharkhand, West Bengal, and Odisha. They have a unique language and traditional customs.*
- ***Khasi:*** *Khasi tribes primarily inhabit the northeastern state of Meghalaya. They have a matrilineal society and are known for their unique culture and traditions.*
- ***Nagas:*** *Nagas are tribal communities residing in the northeastern states of Nagaland, Manipur, Arunachal Pradesh, and parts of Assam. They have distinct languages and rich folklore.*
- ***Bodos:*** *Bodos are one of the largest tribal groups in Assam and parts of West Bengal. They have their language and rich cultural heritage.*
- ***Siddis:*** *Siddi tribes are descendants of Africans who migrated to India centuries ago. They are found in states like Gujarat, Karnataka, and Maharashtra.*
- ***Jarawas:*** *Jarawas are indigenous tribes living in the Andaman and Nicobar Islands, maintaining their unique way of life and culture.*

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- ***Onges:*** *Onges are another indigenous tribe in the Andaman and Nicobar Islands, known for their ancient hunting and gathering practices.*

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

Inclusivity goes beyond diversity, encompassing respect, collaboration, and equal opportunities for all individuals, regardless of their background. Discuss the steps that are required to create inclusive workplaces that value and empower every employee. (250 words)

Difficulty level: Moderate
Reference: Live Mint
Why the question:
The article discusses the concept of creating truly inclusive workplaces and highlights its importance.
Key Demand of the question:
To write about the significance of inclusivity and steps needed to make public spaces inclusive.
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 context.
Body:
First, write about the importance of Inclusivity in Public spaces – play a crucial role in providing access to information and fostering a composite culture, promote equal access to knowledge and information, serve as community hubs, fostering social interaction and engagement etc,
Next, in detail, write about the challenges in Creating Inclusive spaces -Financial constraints and limited resources, Lack of awareness about the importance of inclusivity, Accessibility issues for individuals with disabilities and Language barriers etc.
Next, write about the strategies needed to overcome the above challenges.
Conclusion:
Conclude by writing a way forward.

Introduction

Inclusivity is a dynamic concept that transcends the boundaries of mere diversity**, encompassing a profound commitment to respect, collaboration, and equitable opportunities for every individual, irrespective of their background.** It signifies a fundamental shift from simply embracing differences to actively cultivating an environment where all employees feel valued, empowered, and able to contribute their unique perspectives. Inclusive workplaces go beyond token representation, striving to dismantle barriers, challenge biases, and foster a sense of belonging that enriches both individual lives and organizational success.

Body

Inclusivity in workplaces

- **Leadership Commitment**: Inclusive workplaces start at the top. Leadership should publicly commit to fostering an inclusive culture and set an example by practicing inclusive

behaviors. Their commitment should be communicated through statements, policies, and actions that prioritize diversity and equity.

- **Diversity and Inclusion Training**: Provide comprehensive training to all employees to raise awareness about unconscious bias, cultural competence, and the importance of inclusivity. This helps individuals recognize their own biases and understand how to interact respectfully with people from different backgrounds.
- **Equitable Policies and Practices**: Review and update company policies, procedures, and practices to ensure they are fair and unbiased. This includes policies related to hiring, promotion, pay, and benefits. Pay particular attention to potential barriers that may disproportionately affect certain groups.
- **Inclusive Hiring Practices**: Develop recruitment strategies that attract a diverse pool of candidates. Use blind screening techniques to minimize bias and ensure that job descriptions are inclusive and avoid gendered or biased language. Interview panels should also be diverse to reduce unconscious bias in the selection process.
- **Employee Resource Groups (ERGs)**: Establish ERGs or affinity groups that provide safe spaces for employees from marginalized groups to connect, share experiences, and contribute to the company's diversity and inclusion initiatives. These groups can also serve as valuable sources of feedback and insights for improving the workplace.
- **Mentorship and Sponsorship Programs**: Implement mentorship and sponsorship programs that connect employees from underrepresented backgrounds with more experienced colleagues who can provide guidance, support, and opportunities for advancement.

Steps to create inclusive workplace

- **Transparent Communication**: Foster open and transparent communication channels where employees feel comfortable discussing their concerns, sharing their experiences, and suggesting ideas for improvement without fear of retaliation.
- **Inclusive Benefits and Work-Life Balance**: Offer benefits and accommodations that address the diverse needs of employees. This could include flexible work arrangements, parental leave policies, religious accommodations, and accessibility measures for employees with disabilities.
- **Professional Development Opportunities**: Provide equal access to professional development opportunities, workshops, and training for all employees. This helps in building skills, increasing confidence, and creating a level playing field for career growth.
- **Regular Diversity and Inclusion Assessments**: Conduct regular assessments to measure the effectiveness of diversity and inclusion initiatives. Gather feedback from employees through surveys and focus groups to identify areas that need improvement.
- **Address Microaggressions**: Train employees on recognizing and addressing microaggressions—subtle, often unintentional, discriminatory comments or behaviors. Foster an environment where these issues can be openly discussed and resolved.

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- **Accountability and Metrics**: Set clear diversity and inclusion goals, and hold leadership accountable for progress. Establish measurable metrics to track representation, promotion rates, and employee satisfaction among diverse groups.
- **Celebration of Differences**: Create opportunities to celebrate cultural events and diversity. This could involve hosting workshops, cultural festivals, or awareness campaigns that showcase the rich tapestry of backgrounds within the organization.
- **Anti-Racist and Anti-Discrimination Policies**: Develop and communicate explicit anti-racist and anti-discrimination policies that outline zero tolerance for any form of harassment, discrimination, or bias.
- **Continuous Improvement**: Inclusivity is an ongoing effort. Regularly assess, refine, and adapt your strategies to ensure that the workplace remains inclusive as the organization grows and changes.

Conclusion

Building an inclusive workplace is a journey that requires long-term commitment, patience, and genuine dedication from all levels of the organization. The goal is to create an environment where every employee feels valued, respected, and empowered to contribute their best.

Ayushman Bharat-Pradhan Mantri Jan Arogya Yojana (PM-JAY) has played a crucial part in providing a safety net for healthcare expenses and promoting financial inclusivity. However, it also highlights challenges such as uneven access to healthcare services, gaps in quality assurance, and limitations in addressing non-communicable diseases. Critically examine. (250 words)

Difficulty level: Moderate
Reference: Indian Express
Why the question:
The article discusses the strengths and limitations of India's Ayushman Bharat-Pradhan Mantri Jan Arogya Yojana (PM-JAY) health insurance scheme.
Key Demand of the question:
To write about the successes and limitations PM-JAY
Directive word:
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 citing the aims and objectives Ayushman Bharat-Pradhan Mantri Jan Arogya Yojana (PM-JAY).
Body:
First, write about the Salient features of Ayushman Bharat-Pradhan Mantri Jan Arogya Yojana (PM-JAY).

Next, write about the successes of the above – Reducing Out-of-Pocket Expenditure, Technology Integration, Coverage etc.
Next, write about the limitations of the same.
Conclusion:
Conclude by writing a way forward.
Introduction

The Ayushman Bharat Health Infrastructure Mission touted as "India's largest scheme to scale-up health infrastructure" was launched by Prime Minister recently. It is aimed at ensuring a robust public health infrastructure in both urban and rural areas, capable of responding to public health emergencies or disease outbreak.

Healthcare provisions in India is grossly inadequate and access to healthcare is highly inequitable. **Lack of efficient public healthcare and burden of out-of-pocket health expenditures reduces people's capacity** or disables them from investing in the human capital of their children.

In India, a large portion of the population is below the poverty line, therefore, they do not have easy access to primary health and education. There is growing inequality across social groups and income groups which translates itself into poor socio-economic mobility.

Body

PM-JAY: Features and Significance

- PM-JAY is the **world's largest health insurance/ assurance scheme** fully financed by the government.
    - **Launched in February 2018,** it offers a sum insured of**5 lakh per family for secondary care** (which doesn't involve a super specialist) as well as tertiary care (which involves a super specialist).
    - Under PMJAY, cashless and paperless access to services are provided to the beneficiaries at the point of service, that is, hospital.
    - Health Benefit Packages **covers** surgery, medical and day care treatments, cost of medicines and diagnostics.
    - Packaged rates (Rates that include everything so that each product or service is not charged for separately).
    - These are flexible but the hospitals can't charge the beneficiary more once fixed.
- **Beneficiaries:** It is an entitlement-based scheme that targets the beneficiaries as identified by latest **Socio-Economic Caste Census (SECC) data.**
- Once identified by the database, the beneficiary is considered insured and can walk into any empaneled hospital.
- **Funding:** The funding for the scheme is shared – 60:40 for all states and UTs with their own legislature, 90:10 in Northeast states and Jammu and Kashmir, Himachal and Uttarakhand and 100% Central funding for UTs without legislature.

- **Nodal Agency:** The **National Health Authority (NHA)** has been constituted as an autonomous entity under the Society Registration Act, 1860 for effective implementation of PM-JAY in alliance with state governments.
    - The State Health Agency (SHA) is the apex body of the State Government responsible for the implementation of AB PM-JAY in the State.
- **Beneficial for Poor:** In around the first 200 days of implementation, PM-JAY has benefitted more than 20.8 lakh poor and deprived people who received free treatment worth more than Rs. 5,000 crores.
- **During Covid-19:** A key design feature of PM-JAY from the beginning of the scheme is portability, which helps to ensure that a PM-JAY-eligible migrant worker can access the scheme's services in any empanelled hospital across the country, irrespective of their state of residence.

Challenges in healthcare

- **Finance:** At **about 1.3% of the national income**, India's **public healthcare spending**between 2008 and 2015, has virtually remained stagnant. This is way less than the global **average of 6 per cent**. It is a herculean task to implement a scheme that could potentially cost Rs 5 lakh per person and benefit 53.7 crore out of India's 121 crore citizenry, or roughly about 44% of the country's population. **Over 70 per cent of the total healthcare expenditure** is accounted for by the private sector.
- **Crumbling public health infrastructure:**Given the country's crumbling public healthcare infrastructure, most patients are forced to go to private clinics and hospitals. There is a shortage of **PHCs (22%)** and **sub-health centres (20%),** while **only 7% sub-health centres and 12% primary health centres meet Indian Public Health Standards (IPHS) norms**.
- **High Out of Pocket Expenditure:** Reports suggest that 70% of the medical spending is from the patient's pockets leading to huge burden and pushing many into poverty. Most consumers complain of rising costs. Hundred days into the PMJAY, it remains to be seen if private hospitals provide knee replacement at Rs 80,000 (current charges Rs 3.5 lakh) bypass surgery at Rs 1.7 lakh (against Rs 4 lakh).
- **Insurance:**India has one of the lowest per capita healthcare expenditures in the world. Government contribution to insurance stands at roughly 32 percent, as opposed to 83.5 percent in the UK. The high out-of-pocket expenses in India stem from the fact that 76 percent of Indians do not have health insurance.
- **Doctor-Density Ratio:** The **WHO**reports the doctor-density ratio in **India at 8 per 10,000 people** as against **one doctor for a population of 1,000.** To achieve such access, merely increasing the number of primary and secondary healthcare centres is not enough.
- **Shortage of Medical Personnel:**Data by **IndiaSpend** show that there is a staggering shortage of medical and paramedical staff at all levels of care: 10,907 auxiliary nurse midwives and

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3,673 doctors are needed at sub-health and primary health centres, while for community health centres the figure is 18,422 specialists.

- **Rural-urban disparity:**The rural healthcare infrastructure is three-tiered and includes a sub-center, primary health centre (PHC) and CHC. PHCs are short of more than 3,000 doctors, with the shortage up by 200 per cent over the last 10 years to 27,421. Private hospitals don't have adequate presence in Tier-2 and Tier-3 cities and there is a trend towards super specialisation in Tier-1 cities.
- **Social Inequality:** The growth of health facilities has been highly imbalanced in India. Rural, hilly and remote areas of the country are under served while in urban areas and cities, health facility is well developed. The SC/ST and the poor people are far away from modern health service.
- **Poor healthcare ranking:**India ranks as low as 145th among 195 countries in healthcare quality and accessibility, behind even Bangladesh and Sri Lanka.
- **Commercial motive:**lack of transparency and unethical practices in the private sector.
- **Lack of level playing field between the public and private hospitals**: This has been a major concern as public hospitals would continue receiving budgetary support. This would dissuade the private players from actively participating in the scheme.
- **Scheme flaws**: The overall situation with the National Health Mission, India's flagship programme in primary health care, continues to be dismal. The NHM's share in the health budget fell from 73% in 2006 to 50% in 2019 in the absence of uniform and substantial increases in health spending by States.

Conclusion

Making good use of technology and innovation can further reduce the overall cost of healthcare. AI-powered mobile applications can provide high-quality, low-cost, patient-centric, smart wellness solutions. The scalable and inter-operable IT platform for the Ayushman Bharat is a positive step in this direction.

Issues relating to poverty and hunger.

By prioritizing gender-sensitive policies and initiatives, India can enhance its efforts to combat hunger and malnutrition more effectively. Discuss. (250 words)

Difficulty level: Moderate
Reference: Indian Express , Insights on India
Why the question:
The article discusses the issue of hunger in India and suggests that addressing this challenge requires a focus on gender-sensitive economic growth.
Key Demand of the question:
To write about the impact of malnutrition and suggest measures to tackle malnutrition in India and role of gender-sensitive policies in doing so.
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:

Begin by giving statistic regarding malnutrition in India based on NFHS-5.

Body:

In the first part, write about the consequences of malnutrition – which includes stunting (low height for age), wasting (low weight for height), underweight (low weight for age) and micronutrient deficiencies or insufficiencies (a lack of important vitamins and minerals). The other is overweight, obesity and diet-related non-communicable diseases (such as heart disease, stroke, diabetes and cancer).

Next, write about how women play a crucial role in ensuring food security and nutrition within families, and their empowerment can have a significant positive impact on reducing hunger.

Next, suggest measures needed to tackle hunger and malnutrition in the country.

Conclusion:

Conclude by writing a way forward to achieve SDG-2.

Introduction

In malnutrition, the body becomes deficient in **vitamins, minerals, and other nutrients required** to maintain healthy tissues and organs. It occurs in **people who are either undernourished or over nourished.**

As per NFHS-5 (2019-21), 32 per cent of children were underweight, 35 per cent stunted, and 19 per cent wasted. Although India made reasonably good progress in reducing infant mortality from 57 per 1,000 in 2005-06 to 35 per 1,000 in 2019-21, the progress on other indicators of malnutrition is not very satisfactory.

Body

Malnutrition in India

- India, currently has the **largest number of undernourished people in the world**around 195 million.
- Nearly 47 million or 4 out of 10 children in India do not meet their full human potential because of **chronic undernutrition or stunting**.
- 9% of children under 5 years are stunted and 20.8% are wasted, compared to the Asia average of 22.7% and 9.4% respectively.
- Rate of overweight and obesity continues to rise, affecting almost a fifth of the adults, at 21.6% of women and 17.8% of men.
- Inequities in food and health systems increase inequalities in nutrition outcomes that in turn can lead to more inequity, perpetuating a vicious cycle.

Consequences of malnutrition

- Malnutrition results in a reduced ability to work and increased susceptibility to disease, and depending on the nutrients lacking: anaemia, blindness, mental retardation, or death.
- Undernutrition increases the risk of infectious diseases like diarrhoea, measles, malaria and pneumonia.

- Chronic malnutrition can impair a young child's physical and mental development. Cognitive impairment resulting from malnutrition may result in diminished productivity in academic performance.
- As per estimates of World Bank, childhood stunting may result in a loss of height among adults by 1%, which may further lead to a reduction in individuals economic productivity by 1.4%
- Undernutrition puts women at a greater risk of pregnancy-related complications and death (obstructed labour and haemorrhage).
- Widespread child undernutrition greatly impedes a country's socioeconomic development and potential to reduce poverty.
- India loses 4% of its GDP annually due to malnourishment.

Gender sensitive policies to tackle malnutrition

- Incentivise and improve the access and quality of education for women through liberal scholarships, especially after 10th grade to Master's level. This can give high returns, limiting family size and contributing significantly to the nation's growth story.
- There is a direct correlation between the nutritional status of children and their mothers' education is a further stroke for the case of women's education.
- It demonstrated that with higher levels of schooling for a mother, her children received better diets.
- The recently released Health Ministry survey that showed a direct correlation between the nutritional status of children and their mothers' education is a further stroke for the case of women's education.
- Development economists have long studied the role that education of girls plays in enabling them to emerge as agents of change.
- Empirical work in recent years, Nobel laureate Amartya Sen reasons, has clearly shown how the relative aspect and regard for women's wellbeing is strongly influenced by women's literacy and educated participation in decisions within and outside the family.
- On two counts, meal diversity and minimum acceptable diet, and in terms of bolstering food with micro nutrients, the children of mothers with better education did well.Next focus on improving productivity in agriculture while making food more nutritious and the food system more climate resilient.
- This will require doubling or even tripling R&D expenditures in agriculture to make abundant food available at reasonably competitive prices.
- The Punjab Agriculture University which played a yeoman's role in spreading the Green Revolution, and still ranks at the top, can be roped in to usher in a new revolution of sustainable growth and more nutritious food in agriculture.

Other measures needed to tackle malnutrition

- **Agriculture-Nutrition linkage schemes** have the potential for greater impact in dealing with malnutrition and thus, needs greater emphasis.
    - Recognising the importance of this link, the Ministry for Women and Child Development launched the**Bharatiya Poshan Krishi Kosh in 2019**.
    - There is a need to promote schemes directed to nutrition-agriculture link activities in rural areas. However, implementation remains the key.
- **Early fund disbursement:** The government needs to ensure early disbursement of funds and optimum utilisation of funds in schemes linked to nutrition.
- **Underutilisation of Resources:**It has been pointed out many a times that expenditure made under many nutrition-based schemes is considerably lower than what was allocated under them. Thus, emphasis needs to be on implementation.
- **Convergence with other Schemes:**Nutrition goes beyond just food, with economic, health, water, sanitation, gender perspectives and social norms contributing to better nutrition. This is why the proper implementation of other schemes can also contribute to better nutrition.
    - The convergence of Swachh Bharat Abhiyan, Jal Jeevan Mission with schemes pertaining to nutrition, will bring holistic changes to India's nutrition scenario.
- **Mid-Day Meal Scheme: T**he Mid-Day Meal Scheme aims to enhance the nutrition of school children by providing a balanced diet in schools.
    - By including milk and eggs in each states' menu, preparing a menu based on climatic conditions, local foods etc. can help in providing the right nutrition to children in different States.

Conclusion

Educating a woman serves a larger ameliorative purpose. As former American First Lady Michelle Obama said, "Because we know that **when girls are educated,** their **countries become stronger and more prosperous**." No other task can assume greater urgency for a nation striving **to improve its performance on all fronts.**

Value Addition

Government welfare measures

- ***Eat Right India:*** *An outreach activity organised by the Food Safety and Standards Authority of India (FSSAI) for citizens to nudge them towards eating right.*
- ***Pradhan Mantri Matru Vandana Yojana:****A centrally sponsored scheme executed by the Ministry of Women and Child Development, is a maternity benefit programme being implemented in all districts of the country with effect from 1st January, 2017****.***
- ***Food Fortification****: Food Fortification or Food Enrichment is the addition of key vitamins and minerals such as iron, iodine, zinc, Vitamin A & D to staple foods such as rice, milk and salt to improve their nutritional content.*

- ***National Food Security Act, 2013:****It legally entitled up to 75% of the rural population and 50% of the urban population to receive subsidized food grains under the Targeted Public Distribution System.*
- ***Mission Indradhanush:*** *It targets children under 2 years of age and pregnant women for immunization against 12 Vaccine-Preventable Diseases (VPD).*
- ***Integrated Child Development Services (ICDS) Scheme:****Launched on 2nd October, 1975, the ICDS Scheme offers a package of six services to children in the age group of 0-6 years, pregnant women and lactating mothers.*
-
    - ***Supplementary Nutrition,***
    - ***Pre-school non-formal education,***
    - ***Nutrition & health education,***
    - ***Immunization,***
    - ***Health check-up and***
    - ***Referral services.***
- ***POSHAN Abhiyaan:*** *Also called National Nutrition Mission, was launched by the government on the occasion of the International Women's Day on 8th March, 2018.*
- *The Abhiyaan targets to* ***reduce Stunting, undernutrition, Anaemia*** *(among young children, women and adolescent girls) and reduce* ***low birth weight by 2%, 2%, 3% and 2% per annum respectively.***
- *It also targets to bring down* ***stunting among children*** *in the age group 0-6 years from* ***4% to 25% by 2022.***


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

India needs to strike a balance between its multipolarity rhetoric and its foreign policy actions within the BRICS group, especially in a rapidly evolving global landscape. Analyse. (250 words)

Difficulty level: Tough

Reference: Indian Express , Insights on India

Why the question:

The article discusses India's position within the BRICS group (Brazil, Russia, India, China, South Africa) and examines the effectiveness of India's pursuit of a multipolar world order.

Key Demand of the question:

To write about the issues among the BRICS countries in the present day and need for India to strike balance regarding its multipolarity rhetoric.

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 giving context regarding BRICS.

Body:

In the first part, write about the various issues among the BRICS member countries which has brough them at a crossroad. Mention the current limitations of the BRICS bloc and hindrances to achieve its potential.
Next, write about – India has consistently advocated for a multipolar world and emphasized its commitment to strategic autonomy, its foreign policy choices within the BRICS framework have often aligned with major powers like the United States. This raises questions about India's ability to maintain true multipolarity while also cooperating closely with dominant global players.
Conclusion:
Conclude with a way forward and diplomatic steps needed to be taken in this regard.
Introduction

BRICS is the acronym coined for an association of five major emerging national economies that have similar economic development. The five countries are Brazil, Russia, India, China and South Africa. Together, BRICS accounts for about 40% of the world's population and about 30% of the GDP (Gross Domestic Product), making it a critical economic engine. It's an emerging investment market and global power bloc. For India, BRICS is strategic especially in times where there is lot of geopolitical flux.

The 15th BRICS summit will be held from August 22-24, 2023 and Indian Prime Minister will attend it. It will be the first in-person BRICS Summit after three consecutive years of virtual meetings owing to the Covid-19 pandemic.

Body

Challenges within BRICS

- **Varied Political Structures and values:**While Brazil, India and South Africa are democratic, China and Russia are not.
    - Structure of financial systems, levels of income, education, inequality, health challenges also differ substantially within BRICS which makes it hard for them to speak with a unified voice and to co- ordinate action.
- **Different geopolitical agenda:** The Brasilia declaration notes shared perceptions on global economic and financial governance. However, their interpretation by each country depends on its national interest in specific circumstances.
    - on expansion of the UN Security Council, BRICS exposed its disunity yet again by sticking to the formulation that refuses to go beyond China and Russia supporting the "aspiration" of Brazil, India and South Africa "to play a greater role in the UN".
    - Also the China-Pak axis will always be a hindrance for India to fully cooperate with China. China's rejection of NSG membership to India is an example.
- **Diverging long-term economic goals of member countries:**Though the five nations have greatly increased their combined economic heft since the turn of the century, the share is imbalanced.g. Brazil, Russia and South Africa's shares of global output have actually shrunk since 2000.
    - Despite their combined population accounting for 40% of humanity, intra-BRICS trade still makes up just 15% of world trade.
    - Brazil also took India to WTO dispute resolution wrt sugar production.

- **Ukraine crisis with Russia:** The primary agenda of BRICS was rebalancing an international system dominated by the West.
    - However, the Ukraine crisis could act as a distraction from that primary agenda.
    - The geopolitical considerations of its members can come in the way of attaining the grouping's original goal.

Overcoming the problems

- Create institutional arrangement: Challenging the economic might of the West in the near future might be close to impossible. Despite the group comprising China, India and Russia, intra-BRICS trade accounts for less than 20 per cent of global trade.
    - BRICS is far from having its own payment mechanisms, international messaging systems or cards.
    - The Ukraine crisis should drive home the need to create institutional arrangements that can cushion against similar financial turbulence in the future.
- Recalibrate structure and expand: BRICS requires a recalibration of its structure and agenda. Creating financial mechanisms and technological institutions could turn BRICS into a G20 for developing nations.
-
    - It's time to revisit the idea of expanding the grouping by inviting new members.
    - This could also impart new vigour to the BRICS's developmental goals.
- Economic cooperation between India and China: Economic cooperation between India and China is vital for the success of any future BRICS endeavour. The border conflict has created a mistrust of China in India.
- **South-south cooperation:**We need to expand south-south cooperation to share experiences on food and agriculture production and make expanded efforts to share India's experiences for countries in Africa and Asia.
- In the current situation, New Delhi is unlikely to take an anti-West stance.
- India, unlike China, is neither a UN Security Council member nor does it have major sticking points with the West. At the same time, India is not a part of the Western camp.
- That does open up the possibility of New Delhi taking a more proactive position in BRICS.The two powers need to come together for the sake of global governance reform.

Conclusion

The Ukraine crisis could be an occasion for the leaders of BRICS nations to commit themselves to the original goal of the bloc. It's an opportunity they shouldn't let go of. A significant amount of convergence on economic issues is required for BRICS to work as a strong multilateral body that will have a significant effect on global governance.

Value Addition

About BRICS and areas of cooperation

- ***Economic Cooperation:*** *There are rapidly growing trade and investment flows between BRICS countries as well as economic cooperation activities across a range of sectors.*
    - *Agreements have been concluded in the areas of* ***Economic and Trade Cooperation; Innovation Cooperation, Customs Cooperation; strategic cooperation between the BRICS Business Council , Contingent Reserve Agreement*** *and the* ***New Development Bank.***
- ***Reform of multilateral institutions: B****RICS was founded on the desire to* ***end the domination*** *of the western world over institutions of global governance* ***(IMF, World Bank, UN) and strengthen multilateralism.***
- ***Combat Terrorism:*** *Terrorism is an international phenomenon impacting all parts of the world. Recent developments in Afghanistan stress the need to bridge the gap between rhetoric and action.*
    - *In this context, BRICS is attempting to shape its counter-terrorism strategy by crafting the* ***BRICS Counter-Terrorism Action Plan.***
    - *It contains specific measures to fight radicalisation, terrorist financing and misuse of the Internet by terrorist groups.*
- ***Promoting technological and digital solutions for the Sustainable Development Goals:*** *This will help to improve governance and will also prove beneficial in the current situations e****.g. Global pandemic response.***
- ***Expanding people-to-people cooperation:*** *This will improve gradually once all the travel restrictions are eased.*

Significance of BRICS

- *Economically, militarily, technologically, socially and culturally, BRICS nations represent a powerful bloc.*
- *40 per cent of the world's population: They have an estimated combined population of 3.23 billion people, which is over 40 per cent of the world's population.*
- *25 per cent of global GDP: They account for over more than a quarter of the world's land area over three continents, and for more than 25 per cent of the global GDP.*
- *Two fastest growing large economies: The grouping comprises two of the fastest-growing nations, India and China.*
- *It has proved its mettle to an extent by establishing the BRICS New Development Bank (NDB) and the Contingency Reserve Arrangement (CRA).*

INSIGHTSIAS

Free trade agreements (FTAs) offer significant economic opportunities for India, but successful negotiations require careful consideration of various issues and active efforts to address concerns and balance interests. Examine. (250 words)

Difficulty level: Tough
Reference: Live Mint
Why the question:
The article calls for a shift towards a more forward-looking and adaptable approach to trade policy to better integrate India into the global economy.
Key Demand of the question:
To write about FTAs, its importance, issues involved in it and ways to overcome it.
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 defining what FTAs are.
Body:
First, write about the major components of the FTA.
Next, write about the importance of FTA to India – economic growth, eliminate tariff barriers, diversify investments etc.
Next, write about the various issues in FTA negotiation – tariff reduction impacting the entire manufacturing and the agricultural sector; rules on services trade; digital issues such as data localisation; intellectual property rights etc.
Next, suggest ways to overcome the above.
Conclusion:
Conclude by writing a way forward.
Introduction

A free trade agreement is a pact between two or more nations to reduce barriers to imports and exports among them. Under a free trade policy, goods and services can be bought and sold across international borders with little or no government tariffs, quotas, subsidies, or prohibitions to inhibit their exchange.

Body

Background

- Economic theory tells us that FTAs are **not always sure-win strategies** because these create as well as divert trade.
- FTAs need to be designed in a manner that they enhance complementarities amongst partners and overcome regulatory hurdles.
- It has been reported that the FTA will be remodelled into three separate deals—trade, investment and geographical indications (GIs).
- While the investment deal is seen as a standalone agreement, the one on GIs could be integrated with the trade deal.
- It may be in India's interest to ensure that all the three negotiations move in parallel and feed into each other.

- Since India unilaterally terminated bilateral investment treaties (BIT), including those with the EU member states, the EU appears to be keen to conclude an investment deal that includes **Investor State Dispute Settlement (ISDS) provisions.**

Significance of FTA's for India

- India is expected to conclude the UK agreement and that with Canada by the end of this year in 2022 or early 2023.
- These countries offer **many of the factors that India needs to establish a dependable production capability** serving both global and domestic markets.
    - With these FTAs, sectors such as gems and jewellery, engineering goods, agro-processed foods, textiles, technology, and financial services are likely to gain.
- To achieve **the $2-trillion export target by 2030,** India's active participation in global value chains (GVCs) is essential.
    - Today, **70 per cent of the global goods and services** exports come from GVCs.
    - GVCs require close trade cooperation, lower duties, and efficient customs administration, which can be ensured by an FTA.
- The inclusion of new-age areas like digital trade in FTAs will enhance cooperation and transform GVCs by lowering entry barriers, increasing transparency, and facilitating collaborative networks.

Various issues involved with FTA and negotiations

- There are issues related to **labour laws and investor protection** provisions impact India's ability to negotiate deep-trade agreements. **Deep trade agreements h**ave been designed over the last two decades to facilitate complex global value chains and the underlying trade-investment-services linkages.
    - **The predominant focus** in these agreements is linked to **investor protection,** intellectual property rights **(IPRs)** and **labour standards.**
    - India has found it difficult to negotiate these issues in its earlier free trade agreements.
    - For instance, **issues related to labour laws** led to the suspension of the FTA negotiations with the **EU in 2013** and **pushed** these negotiations to
- Furthermore, India's 2016 template for a **model investment treaty,** may make it difficult for India to negotiate the investor protection provisions. Because it is more state-friendly and includes some **burdensome provisions for the foreign investor.**
- **Next, a protectionist tariff structure,** if not corrected, could remain a hurdle at the preliminary stage of FTA negotiations.
- **India's tariff structure has been relatively higher than the average MFN tariffs** in the manufacturing sector. For example, As per World Bank data, the applied, weighted mean tariff rate for manufactured products in India increased from 5.5 percent in 2008 to 6.6

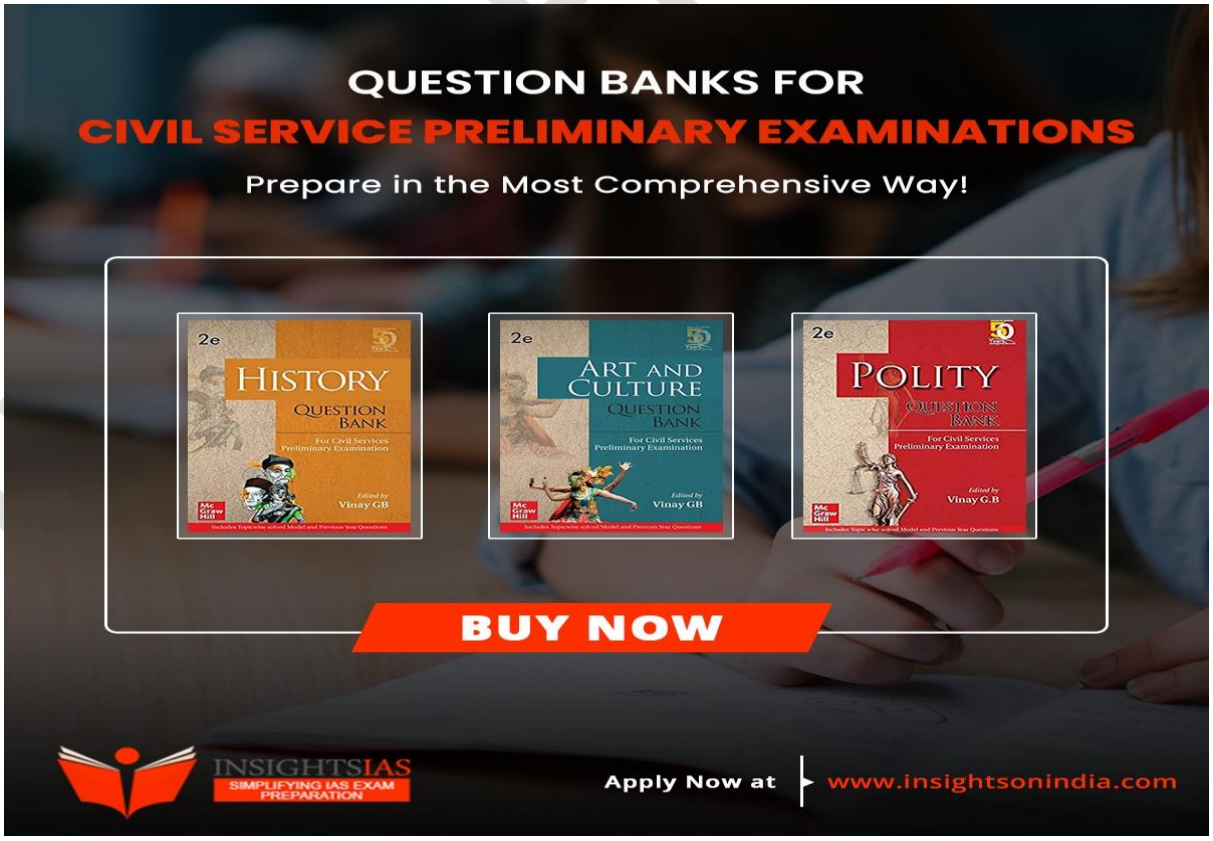
INSIGHTSIAS

percent in 2019. Whereas it decreased in the case of Vietnam from 5.6 percent to 1.4 percent over the same period.

- **Exports** have **not expanded** as thought. **India's exports to Asean countries** amounted to $**23 billion** in 2010, which increased to $**36 billion** in **2018**, with a compound annual growth rate of five per cent. At the same time, I**ndia's imports** from these countries increased from $**30 billion** in 2010 to **$57 billion**, a growth of eight per cent.
    - **India's net exports** to countries without a trade agreement **were only marginally lower than its net exports to countries with FTAs.**
    - In contrast, the imports from countries with trade agreements were substantially higher, pushing India into a trade deficit.
- India had **recorded a trade deficit in all major trade agreements** other than the South Asia Free Trade Agreement (SAFTA).

Conclusion

The trade policy framework of India must be accompanied by economic reforms that result in an open, competitive, and technologically advanced economy. India needs to strengthen its domestic manufacturing base in value-added products like engineering goods, electronic products, drugs and pharmaceuticals, textiles, and agriculture machinery, that could be used to boost exports.

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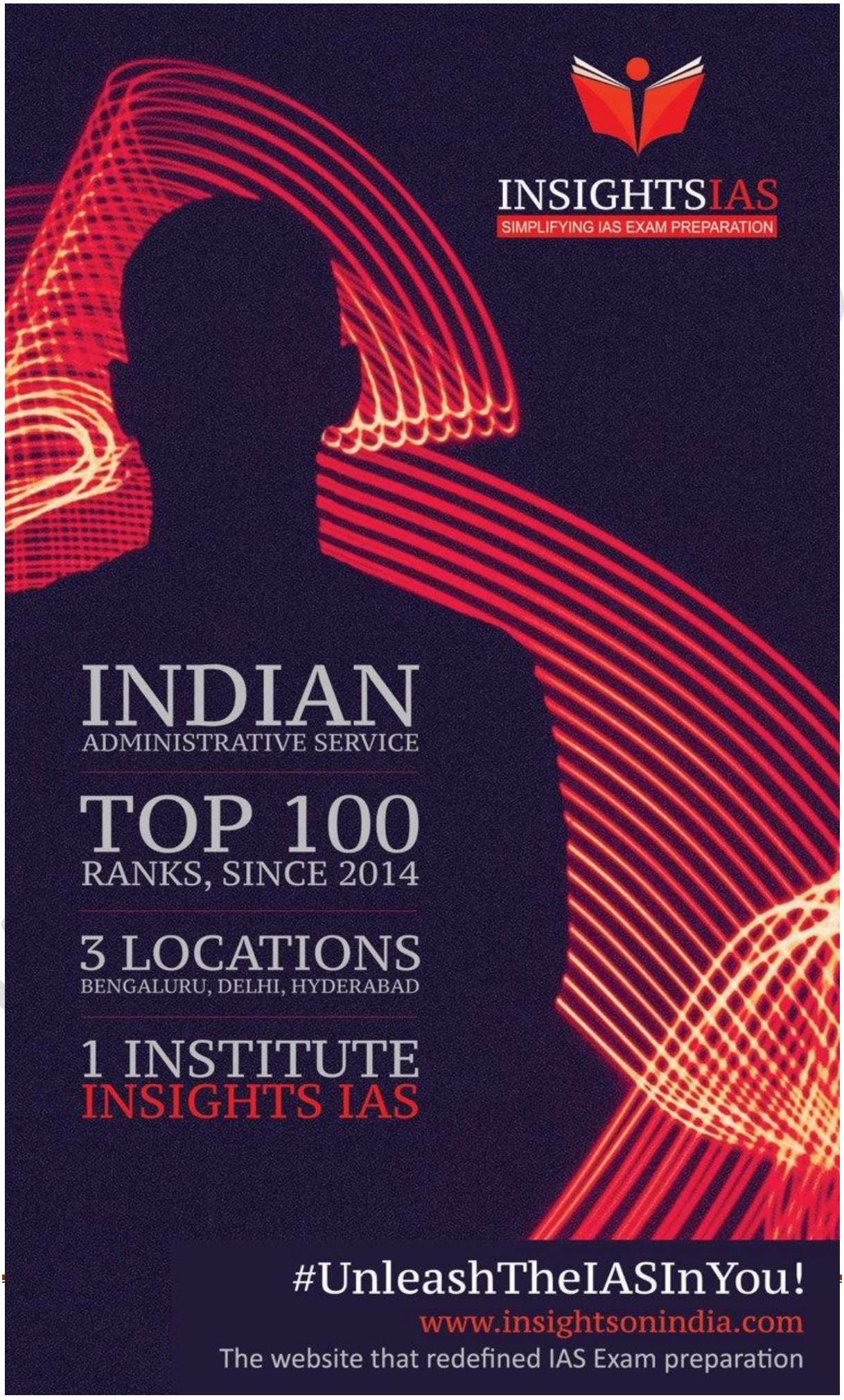
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