

1. Do you think industrial pressure groups enjoy higher clout and influence in India's polity than their agricultural counterparts? Critically examine.

Approach:

As the directive here is "Critically Examine" here candidate is expected to examine both sides of an issue and come to a balanced conclusion. The issue here is whether 'industrial pressure groups enjoy higher clout and influence in India's polity than their agricultural counterparts or not'. One can start by simply defining what are pressure groups and mentioning their impact on Indian polity in brief. To address this, in the first half of the answer candidate has to present arguments to show influence of industrial pressure groups in Indian polity, while in the second half of the answer present arguments to show influence of agricultural pressure groups in Indian polity. To add more value to your answer, arguments should be substantiated by examples. Also adding success stories of such pressure groups influence will help to fetch more marks. While concluding one can show the important place hold by Pressure groups in Indian polity and impact of their continual influence in Indian polity in brief.

Introduction:

A pressure group is a group of people who are organised actively for promoting and defending their common interest. It is called so, as it attempts to bring a change in public policy by exerting pressure on the government. Both kind of pressure groups i.e. industrial as well as agricultural, influence Indian polity in one way or other, however their gravity of impact changes from one aspect to other in following ways.

Body:

Higher clout and influence in India's polity enjoyed by industrial pressure groups:

- Industrial pressure groups comes under the category of Associational Interest Groups, these are organised specialised groups formed for interest articulation, but to pursue limited goals. Trade unions, organisations of businessmen and industrialists comes under the umbrella of Industrial pressure groups.
- Some examples of Industrial pressure Groups in India are Bengal Chamber of Commerce and Industry, Indian Chamber of Commerce, Trade Unions such as AITUC (All India Trade Union Congress).
- The role of Indian industrial groups in Indian polity is important in two distinct ways. First, it increases the representative power of business in a prominent institution hence influences policy making. For instance, recent controversy where recommendation of the parliamentary health committee not to display a warning covering 85 percent of tobacco products.
- Second, many laws are shaped by influence of industrial pressure groups. For instance, there has been a gradual tilt towards business in the formation of economic policy in India, starting from the latter period of 1980's further accentuated by the economic liberalization of 1991, and into the present day.
- Here, it is evident that industrial pressure groups influence Indian polity to a larger extent by influencing policy making.

- Their influence is also noteworthy due to the fact of funding for political parties, and their respective interests. It's in this aspect agricultural pressure groups lack, due to low amount of funding for agricultural groups itself. For instance, consistent demands of agricultural pressure groups for the revision of MSP and wider crop insurance coverage.
- Industrial pressure groups not only influence Indian polity on the higher echelons, but at lower echelons too. For instance, trade unions work at the grassroots level for the demands of labourers.
- As evident in Pre-independence era when Mahatma Gandhi led Ahmedabad Mill workers Satyagraha and recent two-day nationwide strike call was a success with 20 crore workers, from both the organised and the unorganised sectors across banking, insurance, roads, railways, postal and medical services participated in the 'Bharat Band', alleged that the government failed to create jobs and grossly ignored unions' 12-point charter of demands besides aggressively pushing for fixed-term employment and amendment to the Trade Union Act, all of which is against the interest of the workers.
- With the gains made in mass media and education level, there are various experts and members of these industrial organizations who constantly raise their issues and opinions through media, social media and interviews. Through this, they have tried to influence public opinions.
- The efforts made by industrial groups is evident in time to time changes made by government in the respective industry related policies such as changing work hours of workers, easing tax norms, facilitating tax benefits and so on.
- Here, it is evident that industrial pressure groups influence Indian polity at the higher as well as lower echelons of economy thereby pushing for broader reforms as compared to their agricultural counterparts.

Higher clout and influence in India's polity enjoyed by agricultural pressure groups:

- Agricultural Pressure groups (APG) are among the most important and potentially legitimate actors that can promote pro-poor agricultural development.
- APG in the farmers' interests occupies the domain between the state and the marketplace. Prominent farmers organization are All India Kisan Sabha, Bharatiya Kisan Union, Hind Kisan Panchayat, etc.
- The rise of peasants groups in India has been mainly due to abolition of Zamindari System, implementation of Panchayati Raj, land reform measures, Green Revolution Movement. They gained power since the 1960s.
- Their demands relate to procurement prices of agricultural products, fertiliser subsidy, tenancy rights, electricity charges, etc.
- The farmers' organizations influence Indian polity by offering support to the political parties during the election time and sometimes even during the non-election times. They control the parties through this voting-in-a-bloc mechanism.
- Another method is staging a protest at the state and national level. This is mainly done on a large scale basis. For instance, recent protests by farmers organisation to oppose the newly passed three farm sector related laws.

- In recent times, the long march of farmers to prominent cities for their demands has become an active medium of voicing their issues. Recently, Mumbai was gheraoed by hundreds of thousands of peasants comprising various agrarian outfits.
- The overall impact has been tremendous for landless labourers and tillers of the soil.
- Not only the farmers' organizations succeeded in many places increasing the wage rates for agriculture labourers and securing a due share for poor peasants.
- Pressure has been exerted by organized agrarian lobbies to persuade the government to improve the socio-economic position of the farmers. Hence varied land reforms measures have been adopted since independence.
- Major reforms due to the intervention of these farmers' bodies include the abolition of Zamindari system, tenancy, reforms, ceiling of land holdings, setting up of co-operative farms etc.

Following are some of the success stories of Industrial and Agricultural pressure groups;

- In 2012, The Parliamentary Standing Committee on Agriculture comprising of 31 members across party lines including 11 members from the ruling party submitted its report on GM crops. After looking at various aspects of the issue and consulting almost all the stakeholders i.e. agricultural pressure groups, over a period of 2.5 years, the committee unanimously recommended that the government should not be in a haste to approve GM crops and there be a complete overhaul of the current regulatory system.
- The important business groups include the Confederation of Indian Industry (CII), Federation of Indian Chambers of Commerce and industry (FICCI) and Associated Chamber of Commerce. They exerted varied kinds of pressures, by trying to influence planning, licensing bodies and economic ministries.

Conclusion:

It is evident that whether it is Industrial or agricultural pressure groups both have their respective domain of influence. Both have worked for the betterment of the respective interest groups and their presence is necessary to have a check on arbitrary government policies and expert advice in policy formulation for the growth and development of their targeted interest groups. It will not only ensure the dream of 'doubling farmers income by 2022' and 'Aatm Nirbhar Bharat' but also give impetus to realise the dream of becoming a '\$5 trillion economy by 2025'.

2. Examine the evolution of the issue of judicial appointments in India. What are your views on the current system? Substantiate your views.

Approach:

Aspirants should examine how judicial appointments in India evolved through the years and associated issues with it. Since, the directive is “substantiate”, aspirants should support their stand/view on current system of appointment with evidence and logical arguments.

Note:

- Student’s views or opinions can be based on two policies of judicial appointments i.e., committed judges policy and independent judges policy.
- Those who advocate the committed judiciary policy base their argument on the moot point that it envisages judiciary and the judges committed towards the laws and public policy made by the democratic representatives who best know the interests and demands of the people.
- On the other hand, independent judges policy holders do not advocate any compromise in appointment in judiciary.

Introduction:

Currently, the Judges of the Supreme Court are appointed by the President under Article 124 (2), while the Judges of the High Courts are appointed by the President under Article 217 (1) of the Constitution. The recent developments and concerns with regards to appointment of judges make it essential to understand the system of judicial appointments in India.

Body:

Evolution of the issue of judicial appointments in India:

Consultative process:

- Constituent assembly was sure that the power and procedure to appoint judges cannot rest exclusively with one organ. Therefore it adopted a consultative process of appointing judges to ensure that judges remain insulated from political influence.
- It vested in the President the power to both make appointments and transfer judges between high courts.
- The President (to act on the advice of the council of ministers) was however required to consult certain authorities such as the CJI or chief justice of the high court appropriately.

For the first twenty-three years of the constitution the judicial appointments were made through the consultative process provided under Article 124 and 217; and the opinion of CJI was hardly avoided. The senior most judge of the Supreme Court was made the CJI and the executive (president) respected the constitutional convention of appointing the senior most judge a CJI till 1973.

In 1973 this convention was deliberately violated and new CJI was appointed superseding three senior most judges.

'Consultation does not mean Concurrence'

- The Supreme Court earlier ruled that the word “consultation” could not be interpreted to mean “concurrence”. Accordingly, the CJI’s opinion was not binding on the executive.
- Nevertheless, the executive could depart from the opinion only in exceptional circumstances and any such decision could be subject to judicial review.
- The system was thus fairly balanced and in the First Judges Case, 1981 the court once again endorsed this interpretation.

‘Consultation means Concurrence’

- Second Judges Case - In the famous Second Judges Case, 1993 the court however overruled its earlier decisions.
- It now held that “consultation” meant “concurrence”, and that the CJI’s view enjoys primacy.
- This is with the rationale that CJI could be best equipped to know and assess the "worth" of candidates.
- But, the CJI was to formulate the opinion only through a body of senior judges that the court described as the 'collegium'.

Collegium system

- In the Third Judges Case, 1998 the court clarified that the collegium would comprise CJI and four senior-most colleagues, in appointments to the Supreme Court. And, the CJI and two senior-most colleagues in the case of appointments to the high courts.
- Additionally, for HCs, the collegium would consult other senior judges in the SC who had previously served in the HC concerned.
- On whether these views of the consultee-judges are binding on the collegium or not, the judgments are silent.

National Judicial Appointments Commission (NJAC)

- The government, through 99th constitutional amendment, sought to replace the collegium with the National Judicial Appointments Commission.
- The Supreme Court however struck NJAC down.
- The court's rationale was that the NJAC law gave politicians an equal say in judicial appointments to constitutional courts.

Collegium as part of the Constitution’s basic structure

- In what might now be called the Fourth Judges Case (2015), the court upheld the primacy of the collegium.
- More importantly it declared collegium as part of the Constitution’s basic structure.
- And so its power could not be removed even through a constitutional amendment.
- But given the criticisms against the system, the judgment promised to consider appropriate measures to improve the collegium system.

Views on the current system:

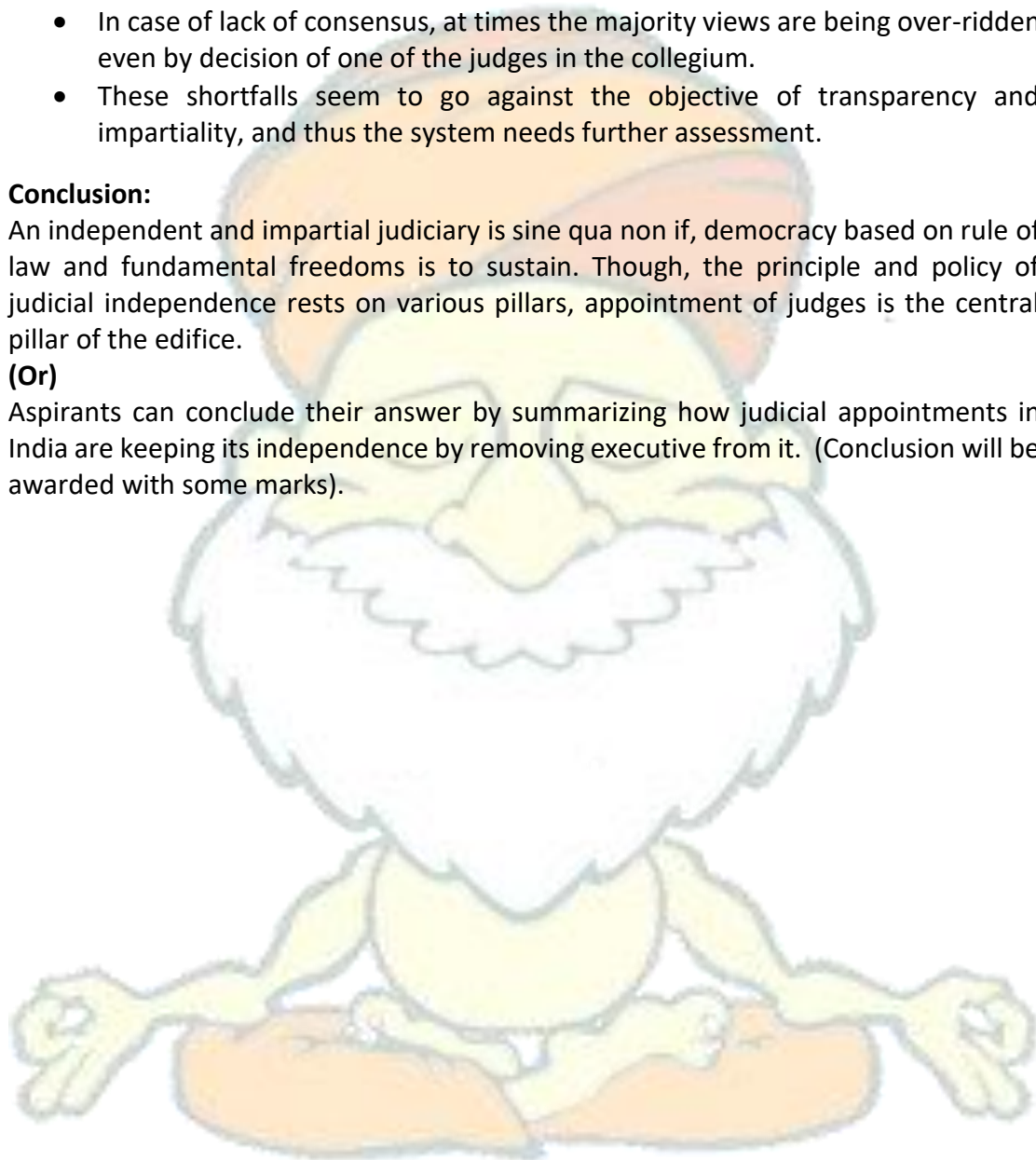
- The move is essential in terms of bringing transparency into a system that has been long been criticized for its opacity.
- Critics have argued that the actual functioning is far from its proposed objective.
- Notably, the details on the valid reasons behind the selection or rejection of judges still lack clarity. Also details on which of the judges reject the candidature is unrevealed.
- In case of lack of consensus, at times the majority views are being over-ridden even by decision of one of the judges in the collegium.
- These shortfalls seem to go against the objective of transparency and impartiality, and thus the system needs further assessment.

Conclusion:

An independent and impartial judiciary is sine qua non if, democracy based on rule of law and fundamental freedoms is to sustain. Though, the principle and policy of judicial independence rests on various pillars, appointment of judges is the central pillar of the edifice.

(Or)

Aspirants can conclude their answer by summarizing how judicial appointments in India are keeping its independence by removing executive from it. (Conclusion will be awarded with some marks).



3. PILs are manifestations of judicial activism which aims to widen judicial access to citizens. Elucidate.

Approach:

It expects students to explain PIL as the manifestation of judicial activism along with how various section of the society got access of judiciary through PIL with relevant examples.

Introduction:

The PIL was envisioned by the Supreme Court's legendary judges as a powerful instrument to preserve the rule of law and to ensure the accountability of and transparency within structures of governance. Since 1980s, It has been successful in enforcing rights of the citizen and redressal of common grievances.

Body:

PILs as manifestations of judicial activism:

- Public Interest Litigation is product of judicial activism. Supreme Court being apex court in the country under article 142 of Indian constitution allowed passing any order necessary for doing complete justice in any cause or matter pending before it.
- PILs have introduced a new dimension to judiciary's involvement in public administration. The issue of locus standi and the procedural complexities has taken a back seat in the causes brought before the courts through PIL.
- In the beginning, the PIL was confined only to improving the lot of the disadvantaged sections of the society, who by reason of their poverty and ignorance was unable to seek justice and, therefore, any member of the society was permitted to file a case for appropriate directions.
- Consequently, the expectations of public went high and the demands on the courts to improve the administration by giving appropriate directions for ensuring compliance with statutory and constitutional prescriptions increased.
- Supreme Court of India has taken a goal-oriented approach in the interest of justice by simplifying highest technical and anachronistic procedures and brought justice to the doorstep of the weak, the unprivileged and exploitative section of society.
- Supreme Court highlighted essential aspect of PIL in words, 'person who moves the court has no personal interest in the outcome of the proceedings, apart from a general standing as a citizen before the court.'

PIL widened Judicial Access:

- Scope of Fundamental rights widened: The Courts in exercise of powers under Articles 32 and 226 of the Constitution can entertain a petition filed by any interested person in the welfare of the people and constitutionally bound to protect the Fundamental Rights of such disadvantaged people and direct the

State to fulfill its constitutional promises. Through judicial review Supreme Court expanded scope of Fundamental rights under Article 19, 21 and 23 substantially.

- Reforms in judicial approach towards under trials: In Hussainara Khatoon case, Supreme Court addressed the issue of under trial prisoners and helped to create a precedent over the speedy trial and equitable justice for the under trial prisoners. This case was stated to be a landmark case in India.
- Many times inadequacy of the law or regulation in concerned matter obliged court to issue guidelines regarding. E.g. Vishakha guidelines issued by Supreme Court because there was no Sexual harassment at workplace act put in place.
- Progressive societal change: Rights of LGBTQ community were long ignored by state. Political compulsions of ruling parties hindered radical societal changes. PILs helped to decriminalize the homosexual relations.
- Environment protection: Indian Judiciary is always vocal in support of Environment and healthy life for the people through its judgements. In various cases, courts had preferred environment over developments. E.g. in M.C. Mehta case the Supreme Court held that air pollution in Delhi caused by vehicular emissions violates right to life under Art. 21 and directed all commercial vehicles operating in Delhi to switch to CNG fuel mode for safeguarding health of the people.
- Electoral reforms: In the case of Association for Democratic Reforms, the judiciary brought about a major electoral reform. Court gave various directions making it obligatory on the part of candidates at the election to furnish information about their personal profile, background, qualifications and antecedents.

Public Interest Litigation has done tremendous amount of good. It has practically tried to wipe away every tear of the underprivileged, disadvantaged and illiterate sections of the society.

Conclusion:

PIL is a radical procedural innovation that allows the court to overcome conventional, constitutional norms of the separation of powers, dilute procedural norms and devise unique and far-reaching institutional remedies. This may only be justified if it is used as an extraordinary instrument that compensates for the political and legal marginality of groups or interests otherwise excluded by current institutional practices.

4. India's geopolitical interests are in close alignment with a stable and moderate Arab centre. Do you agree? Substantiate your views.

Approach:

It expects students to write about - in first part write about why stable Arab centre important for India geopolitically - in second part mention challenges in west Asia - in third part write about what should be India's future policy towards West Asia.

Introduction:

India's relations with the West Asian countries are historical since the independence. India has interests in economic, political, security and strategic fields with the West Asian nations. India has huge stakes involved in the region such as energy, trade and safety of Indian community in the region.

Body:

Geopolitical interest of India in west Asia:

- Geopolitically West Asia occupies an important position in international relations due to its geographical location and proximity to continents and countries South Asia, China, Central Asia, Europe, and Africa.
- The region is strategically significant due to its enormous energy resources, trade route links to different parts of the world.
- It is the world's largest oil-producing region accounting for 34% of world production, 45% of crude oil exports and 48% of oil proven reserves.
- Gate way to central Asia: West Asia is gate way to land locked and energy rich central Asia.
- Geostrategic importance: To reduce the influence of china in west Asia and in Arabian Sea. China is continuously making in road to west Asia through OBOR initiative.

Challenges in west Asia:

- The security situation in West Asia has been continuously deteriorating ever since the onset of the Arab Spring in December 2010.
- The internal security situation in Syria, Iraq and Yemen has gone from bad to worse. The regional powers continue to fight proxy wars on sectarian lines, pumping huge amount of money and weapons to bolster their favoured groups.
- The involvement of extra-regional players such as the USA and Russia in the internal conflicts in West Asia has further aggravated the situation.
- The GCC-Iran rivalry, Shia-Sunni conflict, external intervention in the region, the fear of rise of religious radicalism etc. have further contributed to instability in West Asia.
- Terrorism: Terrorism has emerged as the biggest security threat to the region. The rise of the Islamic State in Iraq and Syria (ISIS) is the most disturbing trend.
- Saudi-Iran rivalry: destabilizing West Asia and influencing West Asian geopolitics.

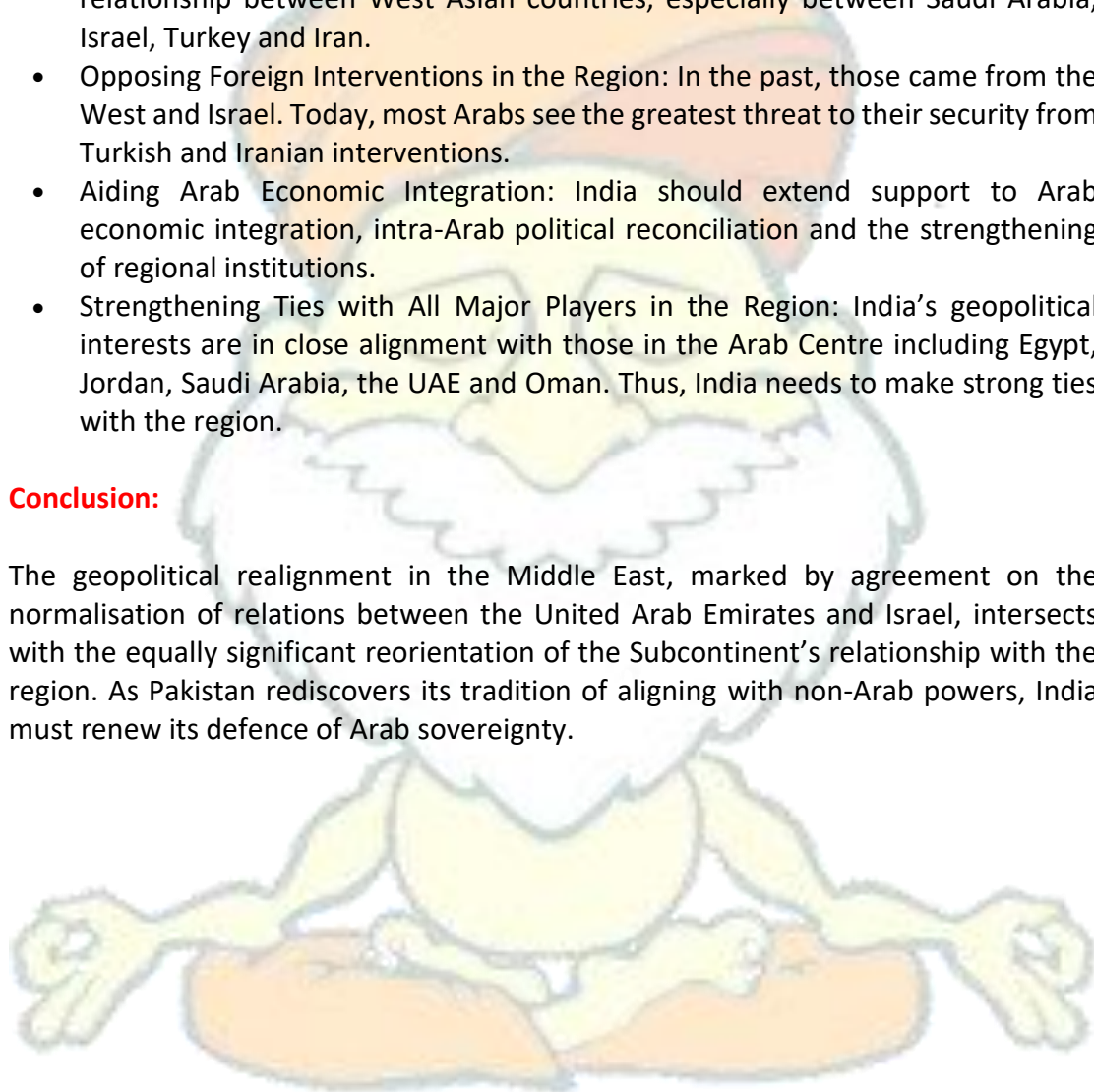
- Pakistan factor: Pakistan is very close ally of many west Asian countries especially with GCC.
- India's close relation with Iran may antagonize Saudi Arabia. India has to balance its ties with all three regional power in west Asia-Iran, Israel and Saudi Arabia.

India's geopolitical interests are in close alignment with stability in West Asia. Therefore, standing up for the region and opposing the forces of regional destabilisation should be at the very heart of India's foreign policy in the region. In this context, India's West Asia policy should adhere to following four principles:

- Acting as a Peace Negotiator: India should act as a mediator to normalize the relationship between West Asian countries, especially between Saudi Arabia, Israel, Turkey and Iran.
- Opposing Foreign Interventions in the Region: In the past, those came from the West and Israel. Today, most Arabs see the greatest threat to their security from Turkish and Iranian interventions.
- Aiding Arab Economic Integration: India should extend support to Arab economic integration, intra-Arab political reconciliation and the strengthening of regional institutions.
- Strengthening Ties with All Major Players in the Region: India's geopolitical interests are in close alignment with those in the Arab Centre including Egypt, Jordan, Saudi Arabia, the UAE and Oman. Thus, India needs to make strong ties with the region.

Conclusion:

The geopolitical realignment in the Middle East, marked by agreement on the normalisation of relations between the United Arab Emirates and Israel, intersects with the equally significant reorientation of the Subcontinent's relationship with the region. As Pakistan rediscovers its tradition of aligning with non-Arab powers, India must renew its defence of Arab sovereignty.



5. Collaboration between India and Australia can limit the dangers of the growing geopolitical imbalance in the Indo-Pacific. Comment.

Approach:

It expects students to write - in first part write how India and Australia can limit the dangers of the growing geopolitical imbalance in the Indo-Pacific - In second part write about challenges before it - in third part write way forward

Introduction:

India and Australia has shared a cordial relation with each other since a very long time and has witnessed an increased commitment in recent past. Multiple engagement in fields such as bilateral trade, strategic relations, student exchange programs, similar commitments towards sustainable development has made this relationship all the more dynamic. As the global momentum is markedly shifting towards the Indo-Pacific region it becomes imperative for both the nations to stand in unison and provide the stability the region desires owing to the over-indulging nature of China.

Body:

Geopolitical imbalance in the Indo-Pacific:

- China's ambitious Belt and Road Initiative (BRI) raises concerns among other nations like China Pakistan Economic Corridor Passing through Pakistan Occupied Kashmir. China's alleged 'String of Pearls Policy' aimed at encircling India using infrastructural projects in countries like Sri Lanka and Pakistan.
- China is also building artificial islands in SCS and establishing naval ports of Hambantota and Gwadar in Indian periphery. Japan is also wary of China's capability to influence the energy supply chains on which East Asia depends.
- It is estimated that IPR will witness more than 50% of world's submarines and advanced combat aircraft movement in next two decades. Debt Book Diplomacy followed by China of leading to China acquiring Hambantota Port of Sri Lanka for a lease period of 99 years.
- China's has declared its ambition to make its military world class', one that is capable of 'winning wars' is not the right signal for regional peace and prosperity. The recently released Doklam report by Indian Parliamentary Panel even also suggested not to take China's strategic intentions casually.
- In 2016, International Court's (ICJ) held that China's claim over whole of SCS is baseless compromising the sovereignty of many other nations. China's out rightly refused to accept this verdict on South China Sea.
- Lack of holistic Legal mechanism for multilateral cooperation on maritime security in the IPR makes resolution of issues difficult. For example, the recently concluded Caspian Sea deal is a legal mechanism evolved to recognize the sovereign rights of all the littoral nations.
- Presence of Organized Crime and Piracy in the IPR the Golden Crescent and Golden Triangle region. Also, there is still presence of Pirate groups in the Somalia and adjoining regions. Presence of major nuclear weapons states like

India, China, USA and rouge nuclear states like Pakistan and North Korea, in this region.

India and Australia can limit the dangers of the growing geopolitical imbalance in the Indo-Pacific as follows:

- The two countries must order their security establishments to develop strategic coordination in the various sub-regions of the Indo-Pacific littoral.
- The eastern Indian Ocean that lies between the shores of peninsular India and the west coast of Australia ought to be the top priority.
- Eastern Indian Ocean, connecting the two oceans, is at the heart of the Indo-Pacific. This is where Delhi and Canberra can initiate a full range of joint activities, including on maritime domain awareness, development of strategically located islands and marine scientific research.
- The sea lines of communication between the Indian and Pacific oceans run through the Indonesian archipelago. Given the shared political commitment to the Indo-Pacific idea between Delhi, Jakarta and Canberra and the growing pressures on them to secure their shared waters, India and Australia must seek trilateral maritime and naval cooperation with Indonesia.
- The current trilateral dialogue between Japan, Australia and India (JAI) can be expanded from the diplomatic level to practical maritime cooperation on the ground.
- Paris and Canberra are eager to develop a trilateral arrangement with Delhi that will supplement the bilateral cooperation among the three nations. Delhi must endorse the initiative.
- India and Australia must explore the possibilities for engagement between India and the Five Power Defence Arrangement (FPDA). FPDA was set up back in 1971, after Britain pulled back most of its forces from the East of Suez. The FPDA brings together the armed forces of the UK, Malaysia, Singapore, Australia and New Zealand.

Challenges:

- There are also a growing number of non-traditional and trans-boundary security challenges, including terrorism, natural disasters and pandemics.
- Also, India faces unfavourable trade with Australia and despite opening talks for a comprehensive economic cooperation agreement in 2011, the agreement which would have significantly lowered the trade balance in favour of India, has remained elusive.
- The region faces a range of traditional security challenges that relate to issues of trust in the form of China which has emerged as a regional power and has little faith in rule based order.

Way Forward:

- Shared values, shared interests, shared geography and shared objectives are the bedrock of deepening India-Australia ties and the cooperation and coordination between the two countries have picked up momentum in recent years.

- India no longer sees Australia at the periphery of India's vision but at the centre of its thoughts.
- Both India and Australia share a vision of a free, open, inclusive and rules-based Indo-Pacific region and cooperative use of the seas by adherence to international law including the United Nations Convention on the Law of the Sea (UNCLOS) and peaceful resolution of disputes rather than through unilateral or coercive actions.
- The opportunity as well as challenge is that the two nations are at very different levels of development. There can be converging and diverging interests.
- It is only by building a series of overlapping bilateral and minilateral platforms for regional security cooperation that Delhi and Canberra can limit the dangers of the growing geopolitical imbalance in the Indo-Pacific.
- Therefore, the future must be woven around the three pillars, which are economic relationship, geostrategic congruence and people-to-people ties, and the glue that can bind this is a sustained momentum.

Conclusion:

It is only by building a series of overlapping bilateral and minilateral platforms for regional security cooperation that Delhi and Canberra can limit the dangers of the growing geopolitical imbalance in the Indo-Pacific.

