

IAS BABA



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Phase 2 - Compilation

Part 1/2

GS 2



1. Federalism shouldn't be seen as a fault line of Centre-State relations but a framework of partnership for a better India.

Approach

Question can be approached by explaining federalism given in the Indian constitution followed by the challenges faced by federalism in the current context. In the second part, way ahead can be given citing various supreme court judgements and recommendations.

Introduction

Article 1 of the Constitution of India states that “India, that is Bharat shall be a union of states”. Indian model of federalism is called quasi-federal system as it contains major features of both a federation and union. It can be better phrased as ‘federation sui generis’ or federation of its own kind. Indian federation was not a product of coming together of states to form the federal union of India. It was rather a conversion of a unitary system into a federal system.

Body

Federalism

Federalism is a system of government in which states or provinces share power with a national government. In Indian context, Cooperative federalism refers to a concept where various states cooperate with each other and with the centre to achieve the goals of growth, development of the states and the nation.

Federalism was introduced in India by the Government of India Act, 1935. While drafting the Constitution of Indian, the framers wanted to give a federal look to it considering the pluralistic characteristics of India.

Challenges to federalism in India

- **Over-centralisation:** The Union list has more items than the state list that enables more taxation power to centre. This acts as a major roadblock to cooperative federalism in India. Excessive central character, reduce active participation of states.
- **Regionalism-** It is considered one of the significant challenges to federalism in India. Federalism best thrives as a democratic system when it mitigates the centralization of power sharing between the centre and the states. The pluralist character of India gives rise to many factors including regionalism. For example- People from far northeast sometimes feel themselves at a formidable distance from New Delhi and people in southern part of the country with bigger states feel neglected having been within larger states.

- **Presidential rule:** The constitution has provided the President with power to take over state machinery in situations of state failure and emergency. Unfortunately, it has been misused by political parties to subvert state governments. From 1947 to 1977, there were 44 instances when the power to impose President's rule was exercised. In *S.R. Bommai v. Union of India* (1994), the limitation laid down by the Supreme Court has placed gentle breaks on exercise of this power.
- **Trust deficit:** Trust deficit between Centre and States is widening. Several issues such as shrinkage of divisible pools plague Centre-State relations. Together, they make total cooperation difficult. Recently, Kerala has used Article 131 to move against centre due to displeasure over Citizenship amendment act.
- **Absence of Fiscal Federalism-** At present, about 40 percent of Central revenues (tax and non-tax) is transferred to the States, and this includes the grants they get from the Central Ministries. Despite the enlargement of the shareable pool under the 80th Amendment which includes all central taxes, the revenue accruals of the Centre and the States have not seen any major changes.
- **One size fits all approach-** A 'One Size Fits All' approach had been used for years, not taking into account the heterogeneity of different states and their local requirements. Due to this many states continue to suffer. Earlier planning commission and now Niti Aayog both have followed the same policy. This leads to difficulty in Policy implementation and working together.

What can be done?

- **Empowering states:** There are several ways through which a country can achieve higher growth and promote economic activities. One of the ways is to empower states towards optimum utilization of its resources such as infrastructure, buildings, transportation and the most importantly its human resource.
- **Sarkaria Commission recommendation:** It recommended that there should be mutual consultation, guided by coordination in all areas of concurrent or overlapping jurisdiction. It was further recommended that the Union government, while exercising powers under the Concurrent list, should limit itself to the purpose of ensuring uniformity in basic issues of national policy and not more.
- **Supreme court on federalism-** *State of Bombay vs F.N. Balsara* case: The SC ordered in case of conflict between centre and state, after employing the doctrine of "pith and substance", the laws of the State Legislature must prevail. *S.R. Bommai vs Union of India* case: The SC told that the States are not mere appendages of the Union. The Union government should ensure that the power of the States is not trampled with.
- **Fostering cooperation:** All states should compete with each other regarding policies and its effective implementation. The Union government can include States in how decisions are made and enforced. The Union must develop newer conventions to foster cooperation. Aspirational district initiative has

potential to foster cooperation at local level, enabling the states to work with the centre.

- **Taxation:** States must be given more power to tax and more grants should be given to them. One size fits all policy needs to be changed with focus to specific needs of each state.

Conclusion

Instead of cooperative federalism, combative federalism has taken a mainstream. Combative federalism is against the spirit of the Constitution. The Constitution advocates cooperation and collaboration between the centre and states. As was stated by Supreme Court in *Ajit Mohan V. legislative assembly, NCT of Delhi and others* (2021), for a system to work well central government and state governments have to work hand-in-hand.

2. The PRIs as institutions must be strengthened to be able to effectively strategise, execute and monitor development plans. Do you agree? In this regard, what suggestions would you give to make PRIs more effective? Discuss.

Approach

Candidates are expected to write about the PRI and simply highlight the issues and different problems in PRI such as devolution of power and then as question mainly demands highlight the suggestions to make PRI more effective in its working.

Introduction-

Panchayati Raj Institution (PRI) is a system of rural local self-government in India. Local Self Government is the management of local affairs by such local bodies who have been elected by the local people. PRI was constitutionalised through the 73rd Constitutional Amendment Act, 1992 to build democracy at the grass roots level and was entrusted with the task of rural development in the country.

Body:

Issues and Problems in PRI:

- The 73rd amendment only mandated the creation of local self-governing bodies, and left the decision to delegate powers, functions, and finances to the state legislatures, therein lies the failure of PRIs.
- The transfer of various governance functions—like the provision of education, health, sanitation, and water was not mandated. Instead the amendment listed the functions that could be transferred, and left it to the state legislature to actually devolve functions.

- Because these functions were never devolved, state executive authorities have proliferated to carry out these functions. The most common example is the terrible state water boards.
- The major failure of the Amendment is the lack of finances for PRIs. Local governments can either raise their own revenue through local taxes or receive intergovernmental transfers.
- The power to tax, even for subjects falling within the purview of PRIs, has to be specifically authorised by the state legislature.
- Panchayats received 95 percent of their revenues from the devolved funds from the center/state while generating only 5 percent from their several sources in 2017-18.
- PRIs are reluctant to take on projects that require any meaningful financial outlay, and are often unable to solve even the most basic local governance needs.
- PRIs also suffer from structural deficiencies i.e. no secretarial support and lower levels of technical knowledge which restricted the aggregation of bottom up planning .
- There is a presence of adhocism i.e. lack of clear setting of agenda in gram sabha, gram samiti meetings and no proper structure.
- Though women and SC/STs has got representation in PRIs through reservation mandated by 73rd amendment but there is a presence of Panch-Pati and Proxy representation in case of women and SC/STs representatives respectively.

Reforms suggestions to strengthen and execute monitor development plans:

- Effective devolution: The 2013 expert committee laid out in detail how to achieve this through the device of “activity mapping”. Devolution is necessary for any institution to be innovative and independent.
- It would involve clear identification of where competence, authority and accountability lie. Giving the Gram Panchayats the responsibilities of asset creation, operation, and maintenance, while involving it in the planning process through the Gram Sabha; giving the middle tiers responsibilities for human capital development; and giving higher levels of government the responsibility of policy, standards and monitoring of outcomes.
- Activity maps should be incorporated in the guidelines of all centrally sponsored schemes.
- The massive amounts of money earmarked for poverty alleviation should be sent directly to gram panchayat accounts. This will make citizens directly participate in decisions related to spending the funds and planning collectively.
- Financial incentivisation of the states to encourage effective devolution to the panchayats of the three Fs — functions, finances, functionaries.
- District planning based on grassroots inputs received from the village, intermediate and district levels through people’s participation in the gram and ward sabhas.
- Social audit should be made a mandatory feature. This will ensure transparency and make the process much more participatory.

- Empowerment of panchayat members, especially the women (so that they no more remain mere proxy for their male counterparts) through adequate training.

Conclusion:

India has moved towards what has been described as multilevel federalism now it needs second generation reforms to widened the democratic base of the Indian polity by bringing in governance and issue redressal to the grass roots levels in the country.

3. Do you think the prerogative to adopt the uniform civil code should be left to the states? Critically comment.**Approach**

A simple straightforward question where candidates first need to explain about what uniform civil code is. And in second part give their opinions about does prerogative to adopt uniform civil code should be left to states or not .And give their critical views about it.

Introduction

The term, 'Uniform Civil Code' is explicitly mentioned in Part 4, Article 44 of the Indian Constitution. Article 44 says, "The State shall endeavor to secure for the citizens a uniform civil code throughout the territory of India. Uniform Civil Code in India is a widely debated topic lately since the first petition was filed in 2019 to seek for framing of a UCC to promote national integration and gender justice, equality, and dignity of women.

Body

- A Uniform Civil Code means that all sections of the society irrespective of their religion shall be treated equally according to a national civil code, which shall be applicable to all uniformly.
- They cover areas like- Marriage, divorce, maintenance, inheritance, adoption and succession of the property. It is based on the premise that there is no connection between religion and law in modern civilization.
- Article 44 corresponds with Directive Principles of State Policy stating that State shall Endeavour to provide for its citizens a uniform civil code (UCC) throughout the territory of India.

Uniform Civil Code Debate

- Historical perspective – The debate for a uniform civil code dates back to the colonial period in India.

Pre-Independence (colonial era)

- The Lex Loci Report of October 1840- It stressed the importance and necessity of uniformity in the codification of Indian law, relating to crimes, evidence and contract. But, it also recommended that personal laws of Hindus and Muslims should be kept outside such codification.

The Queen's 1859 Proclamation- It promised absolute non-interference in religious matters.

- So while criminal laws were codified and became common for the whole country, personal laws continue to be governed by separate codes for different communities. Post-Colonial era (1947-1985).
- During the drafting of the constitution, prominent leaders pushed for a uniform civil code. However, they included the UCC in the Directive Principles of State Policy (DPSP, Article 44) mainly due to opposition from religious fundamentalists and a lack of awareness among the masses during the time.
- At present, personal law is the set of laws that applies to people based on their faith and religion. Most religions have a different set of 'personal laws' and are governed by their respective scriptures.
- With the implementation of Uniform Civil Code, there would be a common law for all citizens irrespective of religion, gender or caste. Personal law is often conflicting and contradictory and is not uniformly applied across courts and region.
- The Supreme Court in October 2015 said, "This (separate laws for different communities) cannot be accepted. Otherwise, every religion will say that it has a right to decide various issues as a matter of its personal law.
- In Sha bano Begum case, Chief Justice Y.V. Chandrachud observed that Parliament should outline the contours of a common civil code as it is an instrument that facilitates national harmony and equality before the law.
- In 1995, in the Sarla Mudgal case, the Supreme Court said, "When more than 80 per cent of the citizens have already been brought under the codified personal law there is no justification whatsoever to keep in abeyance, any more, the introduction of 'uniform civil code' for all citizens in the territory of India.

Should states given prerogative to adopt uniform civil code:

- As the demand for Uniform Civil Code (UCC) gains momentum again after several states demanding 'One Nation One Law' rule.
- This comes at the heels of Uttarakhand declaring their intention of implementing the Uniform Civil Code in the state."
- As per Article 12 of the Constitution, 'State' includes central and state governments. As per that authority, if Uttarakhand or any other state government brings any such legislation, it would require Presidential assent under Article 254 of the Constitution.
- Uniform Civil Code can only be brought by parliamentary legislation as is clear From government reply before courts and Parliament. Article 44 of the

Constitution mandates UCC throughout the territory of India, which was confirmed by Law Minister in February 2022.

- Despite being in the Parliamentary domain, the Supreme Court continues to entertain various PILs covering key subjects of UCC. The apex court has issued notice to the government on the need for uniform laws for all citizens across religious faiths on matters of divorce, maintenance, alimony, adoption, guardianship, succession and inheritance
- In July 2021, Justice Pratibha M. Singh of Delhi High Court observed: "In modern Indian society, which is gradually becoming homogenous, the traditional barriers of religion, community and caste are slowly dissipating." She said that Uniform Civil Code (UCC) should not "remain a mere hope".
- The implementation of UCC would try to bring about a long needed change and an end to plenty of confusion that is mandatorily needed, but due to some of the disadvantages it offers, it has become hard to implement it, even though decades have passed since it was proposed for the first time.
- It is to be noted that Uttarakhand is not the only state declaring its intention of having UCC. Currently, Goa is the only state in the country to follow a version of the Uniform Civil Code
- States should not given prerogative in matters relating to the implementation of UCC because of its diversity consensus of all parties are hard to achieve,
- Because of multi party system and federal form of governments there will always be opposition to policies
- Hence states should have minimum rule regarding implementation of UCC.

Way Forward

- The government and society will have to work hard to build trust, but more importantly, make common cause with social reformers rather than religious conservatives.
- Rather than an omnibus approach, the government could bring separate aspects such as marriage, adoption, succession and maintenance into a UCC in stages.
- Need of the hour is the codification of all personal laws so that prejudices and stereotypes in every one of them would come to light and can be tested on the anvil of fundamental rights of the Constitution.

Conclusion

UCC can only emerge through an evolutionary process. Hence major sensitization efforts are required to reform current personal law reforms which should be first initiated by the communities themselves. A secular republic like India needs a common law for all citizens rather than differentiated rules based on religious practices.

4. Do you think armed forces should be gender neutral? Why or why not? Substantiate your views.

Approach

Candidate can open answer with the history of reforms to increase number of women in the army. In the second part, reasons for the non-inclusivity of gender in the armed forces can be given with a way forward.

Introduction

In the 1.4-million-strong Indian Army, women constitute a minuscule 0.56%, while the corresponding figure is 1.08% in the Air Force and 6.5% in the Navy. While many institutions in the country have become far more gender-inclusive, one which has been slow off the mark is the armed forces, especially the Army.

Body

Women in the armed forces

- After Independence, Indian armed forces started opening their doors for women officers, starting with the medical branches in 1958. From 1992, the government started recruiting women as officers in logistics branches (ASC, AOC, JAG, AEC, and Intelligence Corps) as well as in technical services like EME, followed by technical arms and aviation.
- Thousands of women applied for the 25 vacancies in the first batch in 1992. The first batch of lady cadets underwent training along with male cadets at OTA Chennai and were commissioned in 1993.
- There was no looking back after that. In 1994, the Indian Airforce started recruiting women pilots in support roles. Two women pilots took part in the Kargil War by flying in the combat zone.
- In 2015, the IAF inducted women as fighter pilots. An all women crew of six Indian Navy officers took part in Navika Sagar Parikrama aboard the INSV Tarini in 2018. In early 2021, the Indian Navy started deploying women officers on warships too.
- In 2007, India became the first country to provide All-Female Formed Police Unit (FFPU) for UN peacekeeping mission in Liberia. There were 105 female officers from India's paramilitary troops, the Central Reserve Police Force (CRPF). In 2019, India's first female engagement team was sent to Congo.
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Armed forces and gender neutrality

- Despite making considerable contributions regarding women's participation in armed forces and even in UN Peacekeeping Missions, India is yet to frame a

National Action Plan based on the WPS agenda to increase the participation of women at the domestic level in India's security and military domain.

- As of February 8 2021, the percentage of women in the Indian Army, Indian Air Force and Indian Navy is 0.56%, 1.08% and 6.5%, respectively. Militaries the world over are masculinist organisations, and the culture is set in a way that makes the integration of women replete with challenges.
- Feminist Scholars have highlighted how if attention is not paid to the discursive and performative elements of gender dichotomies, the discursive structures of gender subordination remain even in a gender-integrated military.
- It was only in 2018 that homosexuality was decriminalised in India, and the Indian military hasn't even opened up a conversation of allowing queer people in the military. Homosexuality is a punishable offence in the military.
- The conversation needs to begin now. Women's participation without engaging with the questions of gender and sexuality in the military will perpetuate the same masculinist culture.
- When women join military, They join groups whose terms, premises, and behavioural norms are already defined in terms of the masculine values that they have prized before the inclusion of women, so it becomes difficult for gender inclusivity.

What are the reasons given for non-inclusivity of gender?

- The vulnerability of women soldiers to sexual harassment
- Physical fitness limitations
- Lack of infrastructure such as separate sleeping arrangements and toilets.
- Risks involved in combat role
- Fear of Women officers seeking privileges such as easier postings which might lead to resentment among men.
- It is claimed that male troops, who are predominantly drawn from rural backgrounds, may be unwilling to "accept" a woman commander.
- Concerns are raised over physiology, motherhood and physical attributes of women officers.
- Women officer appointments need extra considerations to hygiene, sensitivities and privacy issues while accommodating them. In Siachen, there are posts with only four soldiers. They sleep and share the same cramped post.

Interestingly, none of the above reasons are fault of women, yet they are excluded.

What can be done?

- Behavioural change at societal level is needed.
- Need to revise their terms of engagement
- Certain concessions given to women officers can be withdrawn, and they can be put through the field and rough appointments with troops.
- The selection for command assignments has to merit-based irrespective of gender.

- The selection for the command should be done through officer's confidential reports and closed promotion board, common for both genders, and the names and gender of the profile should be hidden from selection board.
- It is not as though other professions are immune to sexual harassment. This is just an excuse of status quo mind set which needs to be changed.

Conclusion

Willingness to change at attitude at institutional level can only be the way forward. Most of the reforms undertaken in the army have been initiated by the Supreme Court. Change needs to happen from below, not top down. Army is one of the most important institution of our nation, under representation of women in it fails us as an equal society.

5. The ongoing protests against the Agnipath scheme is an indicator of India's unemployment crisis. However government jobs can't be the solution to the structural issues causing unemployment. Comment.

Approach

Candidates need to highlight and explain what is Agnipath scheme and how unemployment crisis had raised the protest in India. Also comment on why government jobs recruitment will not be solution to the alarming structural problem of unemployment in India. And in the end suggest some measures to tackle it.

Introduction

Most protests against the Agnipath scheme began in states such as Bihar, Uttar Pradesh and quickly spread across most of North India. Here good jobs are not being created, the inherent problem of poor work contracts, ad hoc contractualisation and de-unionisation in the workforce has degraded the quality of secure jobs and causing high unemployment.

Body

Agnipath Scheme:

- The Agnipath scheme has been receiving mixed reactions in the country. The government unveiled its new scheme for recruiting soldiers across the three services (Army, Navy, and Air force). Under the new Agnipath scheme, around 45,000 to 50,000 soldiers will be recruited annually, and most will leave the service in just four years.

- Of the total annual recruits, only 25 percent will be allowed to continue for another 15 years under permanent commission.

Unemployment is a reason for alarming concern in India today:

- Unemployment is a situation in which the person is capable of working both physically and mentally at the existing wage rate, but does not get a job to work.
- Unemployment Rate is unemployed who are willing to work and are actively looking for a job expressed as a per cent of the labour force.
- The unemployment rate in the country grew to 7.83 per cent in April from 7.60 per cent in March, according to the Centre for Monitoring Indian Economy (CMIE) data.

Structural problems causing Unemployment:

- Former Governor of the Reserve Bank of India, Raghuram Rajan, recently referred to 25 million youth applying for 90,000 low-grade jobs in the Indian Railways as evidence that high growth has not produced enough jobs.
- Unemployment arising from the mismatch between the jobs available in the market and the skills of the available workers in the market is the major structural problem. Many people in India do not get jobs due to lack of requisite skills and due to poor education level, it becomes difficult to train them.
- The curriculum is mostly theory-oriented and fails to provide vocational training required to match up with current economic environment. The degree-oriented system fail when it comes to produce human resources skilled enough to specific job profiles in the economy.
- Agriculture contributing to 51% employment but the sector contributes a meagre 12-13% to the country's GDP. The problem of disguised unemployment is the biggest contributor behind this deficit.
- Many educated youth run behind government jobs due to job profile and security. This lead to many remain unemployed due to students preparing for government jobs.
- The poor performance of organised, job-creating sectors, including the Micro, Small and Medium Enterprises manufacturing segment, has made the situation worse.

Apart from Agnipath and other government jobs there is need of collaborated steps to tackle the issue of unemployment following steps must be adopted:

- There is a need for rapid industrialization so as to shift the labour forces from agriculture to manufacturing sector.
- The curriculum at education centers should be changed to focus on learning and skill development.

- Self-employment must be encouraged with the help of liability free loans, government assistance etc.
- Incubation centers need to be promoted to cultivate original business ideas that will be financially viable.
- Government as well as business houses should seek to invite more foreign collaboration and capital investment so as to increase avenue for employment.
- The labour intensive manufacturing sectors such as food processing, leather and footwear need to be promoted to create employment.

Conclusion

To tackle unemployment a strategy of multi prong and multi sectoral approach need to be adopted so as to tap demographic dividend. Enhancing human capital through skill development and supporting the private sector to become the major investor in productive enterprises must be aimed so that sufficient number of decent quality jobs for all citizens in the formal and informal sectors are created.

1. Critically examine the significance of consensus for making policies in an electoral democracy.

Approach

Candidate can define consensus, while explaining consensus as a process and consensus as a product. In the second part, importance of consensus in policy making and electoral democracy can be highlighted with appropriate examples.

Introduction

The word consensus is Latin meaning "agreement, accord", derived from sentire meaning "feel together". Consensus is a group decision-making processes in which participants develop and decide on proposals with the aim, or requirement, of acceptance by all. The focus is on establishing agreement of the supermajority and avoiding unproductive opinion.

Body

What is consensus?

Consensus is a cooperative process in which all group members develop and agree to support a decision in the best interest of the whole. In consensus, the input of every participant is carefully considered and there is a good faith effort to address all legitimate concerns.

Consensus as a process

- Often referred to as "consensus building," the process is a journey of preparing participants to make a decision. Discussion is needed to identify issues, clarify questions, establish decision-making criteria and address all concerns.
- The goal is to create an understanding of the issues and then share the perspectives of all involved. Using a facilitator to plan the process and lead conversations to get to a decision is important.

Consensus as a product

- Consensus is the outcome of a consensus-building process. After listening to all perspectives, participants develop a proposal that honors the wisdom of the group. When people think and talk together, they can find a solution or proposal to move forward as a group.
- A consensus decision does not mean that everyone agrees on all the details or that some have changed their ideas or perspectives. Ideally, a consensus decision reflects mutual understanding, agreement to support a decision and commitment to take action steps for the benefit of the group.

Importance of Consensus in electoral democracy

- Consensus in a policy making is a process that builds trust and creates ownership and commitment. An effective consensus process (consensus-building) is inclusive and engages all participants.
- Consensus decisions can lead to better quality outcomes that empower the group or community to move forward to create their future together. Consensus lies at the heart of democracy.
- In a vibrant democracy like India, where diversity is vast, consensus building in policy making is the most important factor for better results.
- Differences and diversity is at the core of democracy, for the smooth functioning of democracy, consensus building must be prioritised.
- For example- after independence Nehru created a system of governance that eschewed left and right extremism. It is this system that is popularly known as Nehruvian Consensus.
- In the most challenging times of democracy, consensus created by Nehru saved Indian democracy, which highlights the importance of it in policy making.

Benefits of consensus in policy-making

- Inclusive participation engages and empowers the group
- Requires a commitment to work together and increases cooperation
- Creates shared understanding through discussion that bridges differences
- Equalizes the distribution of power in a group

- Can create better decisions that are more representative of the larger community
- Creates more ownership and commitment
- Results in more effective implementation because the entire group takes action on the project or plan

Conclusion

Consensus oriented decision-making ensures that even if everyone does not achieve what they want to the fullest, a common minimum can be achieved by everyone which will not be detrimental to anyone. Consensus tries to achieve common minimum good which is at the centre of democracy and governance.

2. What are the challenges posed by the multiplicity of law enforcement agencies and institutions in a federal system? Explain with the help of suitable examples.

Approach

Candidates are expected to write about challenges of Multiplicity of the law enforcement agencies with highlighting example. Also try to suggest some measure to improve and reform the system.

Introduction-

India's multiplicity of national and state-level law enforcement agencies presents different challenges. Lengthy delays between investigation and prosecutions in India's overburdened court system also complicate effective prosecutions with existence of number agencies and archaic laws dealing with it.

Body:

Challenges due to multiplicity of law enforcement agencies and institutions in Indian federal system:

- Overlapping jurisdictions and duplication of efforts in dealing with complaints, and addressing grievances.
- Data duplications lead to narrow implementation and this negatively impacts the intended outcomes.
- Low financial independence and politicization of commissions, absence of checks and balances, etc.
- Multiple agencies are investigating the same incident or criminal offence. It leads to dilution of evidence, prolonged incarceration of innocents etc.
- The multiplicity and complexity of laws make compliance, deterrence, and effective enforcement difficult if not impossible.
- The result is circumvention by citizens and businesses, making them vulnerable to harassment from state functionaries.

- Dependence on State governments for invoking its authority to investigate cases in a State, even when such investigation targets a Central government employee.
- Since police is a State subject under the Constitution, and the CBI acts as per the procedure prescribed by the Code of Criminal Procedure (CrPC), which makes it a police agency.
- For example CBI needs the consent of the State government in question before it can make its presence in that State. This is a cumbersome procedure and has led to some ridiculous situations.
- The agency is dependent on the home ministry for staffing, since many of its investigators come from the Indian Police Service.
- The agency depends on the law ministry for lawyers and also lacks functional autonomy to some extent.
- Tussles between the agencies of central government and those of state governments stress the cohesive functioning of centre and states.
- Because of number of agencies there is Lack of infrastructure, lack of modern equipment, lack of accountability of erring officers, lack of sufficient manpower in a single particular agency.

For example:

- To deal with illicit drug trafficking besides the State Police and State Excise, the Centre has seven different law enforcement agencies the NCB, Central Bureau of Narcotics (CBN), Directorate General of Revenue Intelligence (DRI), Customs, Central Excise and Coast Guard different acts such as NDPS and there sections make prosecution complicated and unorganized.

Chief Justice of India N.V. Ramana calls for immediate need for the creation of an independent umbrella institution, so as to bring various central agencies like the CBI, Enforcement Directorate and the Serious Fraud Investigation Office under one roof.

Wayforward:

- The umbrella organisation will end the multiplicity of proceedings. Once an incident is reported, the organisation should decide as to which specialised wing should take up the investigation.
- A reasonable check and balance can be introduced by instituting an annual audit of the performance of the agencies.
- The umbrella body, if created under a statute, clearly defining its powers, functions and jurisdictions, will ensure parliament upholds effective accountability of these institutions.
- The umbrella body will ensure a harmonious relationship between the State and Central agencies, given that the goal of all those organisations was to secure justice.

Conclusion:

Government needs to be concentrate on reforms it must be made in order to make sure the smooth functioning of the federal system. The onus lies both on the states as well as on the centre for better cohesion and replacement of agencies for creation of umbrella agency as well as for maintaining the constitutional scheme of federal structure.

3. How far have various alternative dispute redressal platforms have been able to address the problem of judicial pendency. Critically examine .**Approach**

A simple straightforward question where candidates needs to write about Judicial pendency and are various other alternative platforms been successful in solving problem of judicial pendency .discuss both positives and negatives of these bodies .

Introduction

ADR is a mechanism of dispute resolution that is non adversarial, i.e. working together cooperatively to reach the best resolution for everyone. It helps in reducing the burden of litigation on courts, while delivering a well-rounded and satisfying experience for the parties involved. Alternate Dispute Resolution (ADR) encompasses a range of means like Mediation, Arbitration, Conciliation to resolve conflicts outside formal court system.

Body

- Experiment with ADR's was initiated with the passing of the Legal Services Authorities Act 1987 which provided for establishing Lok Adalats.
- In 2002, Section 89 of the Civil Procedure Code was modified to incorporate conciliation, mediation and pre-trial settlement methodologies for prompt and inexpensive resolution of disputes.
- The different mechanisms formed in India are Gram Sabha, Nyaya Panchayat, Lok Adalat, Family Court, Commission of Inquiry, Tribunals, Consumer Court, Indian Legislation on ADR, etc.

ADR is generally classified into the following types:

Arbitration:

- The dispute is submitted to an arbitral tribunal which makes a decision (an "award") on the dispute that is mostly binding on the parties.
- It is less formal than a trial, and the rules of evidence are often relaxed.
- Generally, there is no right to appeal an arbitrator's decision.
- Except for some interim measures, there is very little scope for judicial intervention in the arbitration process.

Conciliation:

- A non-binding procedure in which an impartial third party, the conciliator, assists the parties to a dispute in reaching a mutually satisfactory agreed settlement of the dispute.
- Conciliation is a less formal form of arbitration.
- The parties are free to accept or reject the recommendations of the conciliator.

However, if both parties accept the settlement document drawn by the conciliator, it shall be final and binding on both.

Mediation:

- In mediation, an impartial person called a "mediator" helps the parties try to reach a mutually acceptable resolution of the dispute.
- The mediator does not decide the dispute but helps the parties communicate so they can try to settle the dispute themselves.
- Mediation leaves control of the outcome with the parties.

Negotiation:

- A non-binding procedure in which discussions between the parties are initiated without the intervention of any third party with the object of arriving at a negotiated settlement to the dispute.
- It is the most common method of alternative dispute resolution.
- Negotiation occurs in business, non-profit organizations, government branches, legal proceedings, among nations and in personal situations such as marriage, divorce, parenting, and everyday life.

Significance of ADR's:

- To promote governance. Ex: Administrative Tribunals, National Company Law Tribunal, National Green Tribunal and others.
- ADR process offers confidentiality. Help preserve important social relationships for disputants especially in civil matters like divorce.
- Reduce workload on the courts given that today about 3.3 crore cases are pending in Indian courts (National Judicial Data Grid data).
- Speedy disposal of cases thus timely justice by avoiding procedural delays associated with formal court system and thus fulfil fundamental right of speedy trial part of Article 21.
- Access to justice is improved as cost and time of litigation comes down thus duty of providing free legal aid to poor is met (39A)
- Saves common man from complex and adverse judicial process.

Example

Lok Adalats is one of the Alternative dispute resolution mechanisms in India, it is a forum where cases pending or at pre litigation stage in a court of law are settled.

Advantages:

- Speedy justice as it can be conducted at suitable places, arranged very fast, in local language too, even for the illiterates.
- Saves from lengthy court procedure. The procedural laws and evidence act are not strictly followed.
- Parties do not have to bear any expenses.

- Helps in solving problems of backlog cases.
- Issues related to ADR's: lack of manpower, lack of experts, arbitrary procedure, appeals to regular courts.

Although it has several advantages its disadvantages cannot be neglected

Disadvantages

- It can be used as stalling tactic .
- Parties not compelled to continue negotiations .
- ADMs do not provide legal precedents.
- Parties have limited bargaining authority .
- Little or no checks on power imbalances between the parties .
- Exclusion of pertinent parties weakens the weakens final agreement .
- May not adequately protects parties legal rights .

Conclusion

ADR has proven successful in clearing the backlog of cases in various levels of the judiciary. But there seems to be a lack of awareness about the availability of these mechanisms. The National and State Legal Services Authorities should disseminate more information regarding these, so they become the first option explored by potential litigants.

4. What are NFTs? How do they work? Explain with the help of suitable examples.

Approach

Question is straight forward. Student can explain in detail design, functioning and use of NFT's. In the second part, with the help of examples, importance of NFT's and concerns related to it can be given along with a conclusion.

Introduction

NFTs (non-fungible tokens) are unique cryptographic tokens that exist on a blockchain and cannot be replicated. NFTs can represent real-world items like artwork and real estate. "Tokenizing" these real-world tangible assets makes buying and selling, and trading them more efficient while reducing the probability of fraud. NFTs can also function to represent individuals' identities, property rights, and more.

Body

What are NFT's?

- Anything that can be converted into a digital form can be an NFT. Everything from your drawings, photos, videos, GIF, music, in-game items, selfies, and

even a tweet can be turned into an NFT, which can then be traded online using cryptocurrency.

- NFTs are not the digital art but instead certificates of authenticity, and most use the blockchain of ethereum, the second-biggest cryptocurrency.
- NFT's inception dates back to 2015 and Terra Nulius was the first NFT on Ethereum Blockchain, although this project was merely an idea which only allowed to customise a short message which was then recorded on blockchain.

How NFT's work?

- Anything that can be converted into a digital form can be an NFT.
- What makes NFTs unique from other digital forms is that it is backed by Blockchain technology.
- NFT works on blockchain as it gives users complete ownership of a digital asset. For instance, if you're a sketch artist, and if you convert your digital asset to an NFT, what you get is proof of ownership, powered by Blockchain.
- Blockchain is a distributed ledger where all transactions are recorded. It is like a bank passbook, except all the transactions are transparent and can be seen by anyone and cannot be changed or modified once recorded.
- NFTs have the potential for several use cases. For example, they are an ideal vehicle to digitally represent physical assets like real estate and artwork.
- Because they are based on blockchains, NFTs can also work to remove intermediaries and connect artists with audiences or for identity management. NFTs can remove intermediaries, simplify transactions, and create new markets.
- Much of the current market for NFTs is centered around collectibles, such as digital artwork, sports cards, and rarities.
- Recently, Twitter's Jack Dorsey tweeted a link to a tokenized version of the first tweet ever, in which he wrote: "just setting up my twttr." The NFT version of the first-ever tweet sold for more than \$2.9 million.

How NFT's are different from cryptocurrency?

- Like physical money, cryptocurrencies are fungible, meaning that they can be traded or exchanged, one for another. For example, one bitcoin is always equal in value to another bitcoin.
- Similarly, a single unit of ether is always equal to another unit. This fungibility characteristic makes cryptocurrencies suitable as a secure medium of transaction in the digital economy.
- NFTs shift the crypto paradigm by making each token unique and irreplaceable, thereby making it impossible for one non-fungible token to be equal to another.
- They are digital representations of assets and have been likened to digital passports because each token contains a unique, non-transferable identity to distinguish it from other tokens.

Examples of NFT's

- Launched in November 2017, the NFT cryptokitties are digital representations of cats with unique identifications on Ethereum's blockchain. Each kitty is unique and has a price in ether. They reproduce among themselves and produce new offspring, which have different attributes and valuations compared to their parents.
- The most hyped NFT space is NBA Top Shot, a place to collect non-fungible tokenized NBA moments in digital card form. Some of these cards have sold for millions of dollars.

Why NFT's are important?

- Perhaps, the most obvious benefit of NFTs is market efficiency. The conversion of a physical asset into a digital one streamlines processes and removes intermediaries. NFTs representing digital or physical artwork on a blockchain remove the need for agents and allow artists to connect directly with their audiences.
- Non-fungible tokens are also excellent for identity management. Consider the case of physical passports that need to be produced at every entry and exit point. By converting individual passports into NFTs, each with its own unique identifying characteristics, it is possible to streamline the entry and exit processes for jurisdictions.
- NFTs can also democratize investing by fractionalizing physical assets like real estate. It is much easier to divide a digital real estate asset among multiple owners than a physical one.
- The most exciting possibility for NFTs lies in the creation of new markets and forms of investment. Consider a piece of real estate parceled out into multiple divisions, each of which contains different characteristics and property types.

Concerns related to NFT's

- Emergence of fake marketplaces
- Unverified sellers often impersonating real artists and selling copies of their artworks for half prices
- Sharing potential phishing link during the sale to drain the participant's crypto wallets.
- Hacking the NFT collections
- Fees and gas money can result in artists losing money
- Technology issues like non attachment of a purchased item to the NFT, global chip shortage, etc.

Conclusion

Budget 2022-23 has proposed for the introduction of a taxation regime for virtual digital assets that include evolving manifestations of cryptocurrencies, codes and non-

fungible tokens. This might be a new step in acceptance of digital formats in financial system. Apart from its drawbacks, NFT's represent a new future for secure and safe financial transactions.

5. What are algorithms? How do social media platforms use algorithms for outreach? What are the threats posed by the misuse of algorithms? Discuss.

Approach

Candidates need to explain and define what is algorithms, how it's used in social media and other platforms. Discuss the threats due to misuse of algorithms on different users and other socio economic impact.

Introduction

Algorithms in social media platforms can be defined as technical means of sorting posts based on relevancy instead of publish time, in order to prioritize which content an user sees first according to the likelihood that they will actually engage with such content.

Body

Example of how algorithm work:

- The posts which are recommended to you when you scroll through your Instagram feed, or the stories of your friends that appear first on the dashboard, are determined by algorithms.
- This may include marketing of a brand or content that public pages want to promote by paying a fee to the social media in order to have the algorithms promote them.

Usage of algorithms in social media for increasing outreach:

- The function of an algorithm is to deliver relevant content to users. The reason why social media platforms use algorithms is to more organically filter through the large amount of content that is available on each platform.
- Algorithms do the work of delivering content that is potentially more "interesting" for a user to the detriment of posts which are deemed irrelevant or low-quality – either in general, or to a specific user.
- Regarding the criteria based on which algorithms deliver content, sometimes social media platforms explicitly specify which content they consider as high-quality and therefore promote on their platform.
- Algorithms are designed in a way that takes into account different aspects. Some of these aspects are content-based, meaning that this kind of

algorithmic design seeks to match a user's taste, based on their profile, to specific posts that the system guesses the user will like.

- Often algorithms may be created with the aim of increasing awareness or interest in the digital society on a specific matter, some users may suddenly see in their feed an increase of posts concerning nutrition and diet, or foreign cinema, or politics.

Threats due to misuse of algorithms:

- Concern of privacy: Algorithms work with the personal data of the social media user, in order to "know" how to display the content on the social media platform (for example, algorithms make use of sensitive data such as the geographical location of the user, the friends and acquaintances they interact the most with, the pages and hashtags that they often search for, et cetera).
- Influence behaviour: Similarly, there are also considerations about how algorithms influence the opinion and interests of social media users and, consequently, of the digital society.
- Consumer perception: These search algorithms can be used to personalize services in ways that are difficult to detect, leading to search results that can be manipulated to reduce choice or artificially change consumers' perceptions.
- Information Gaps: Through the use of shadow bans, algorithms may give rise to information gaps, as they hide or neglect certain posts, while prioritizing revenue-inducing content. This may lead to a non-objective and polarized decision of who and what gets in the spotlight.
- Influencing ranking: Additionally, firms can also use these algorithms to change the way they rank products on websites, prioritizing their own products and excluding competitors.
- Misinformation and hate speech: Allegations of Facebook's system and algorithms fuelling hate speech and fake news, have led to widespread concerns over the influence of algorithms and tools in amplifying harmful content and misinformation.

Wayforward

- Algorithm of any social media platform should not violate fundamental rights of Indians, and the laws and jurisprudence would need to evolve continuously to keep pace with the changing nature of internet.
- Taking transparent and consistent approach to algorithms is a conscious choice to be made by every social media platform, and is "the right way to go" to establish trust with users.
- While self-regulation should be the first step, separate instructions are needed in cases where platforms are not living up to the expectation of users.
- Planning and massive outreach is required in the form of a dialogue with public, consumer forums, academia, industry and others on fast-evolving online space and studied what more needs to be done to ensure that internet is open, safe and trusted.

1. The Indian constitution details a federal system of government that differs significantly from its American counterpart. Comment

Approach

Candidate is expected to understand the demand of the question. Candidate can define federalism and can describe Indian federal system in brief followed by detail analysis of differences between Indian and American federalism. Uniqueness of Indian federalism can be highlighted during the explanation.

Introduction

Federalism is a form of government in which power is shared between a central authority and the many component parts of the country. A federation usually has two levels of governance. The others are provincial or state governments that are in charge of most of the day-to-day administration of their respective states. Both of these tiers of government wield power independently of one another.

Body

Indian federal system

During framing of the Constitution, the drafting committee headed by Dr Ambedkar, borrowed many features from Constitutions of other countries including US which was adopted in the Indian context. Hence, both U.S and India, even though federal in character have certain similarities as well as differences between them.

Differences between federal systems of India and U.S

- **Nature of constitution** – The constitution of the USA is on the rigid side of the spectrum as compared to India. Though the amendment to the constitution can be initiated by convention of states no 2/3 state legislature unlike the Indian constitution, where provinces and states do not have power to initiate amendment.
- **Division of Power** – Residuary power lies with the state in USA, while in India it lies with the Centre.
- **Unitary at times of emergency**– Indian constitution has an exception of the provision of Emergency which disrupts the normal interaction between Union and state polity making India necessarily a unitary constitution.
- **Citizenship** – Indian constitution grants single citizenship while USA have dual citizenship one that of state and other of the Centre.
- **Judiciary** – Indian judiciary is largely integrated which adjudicates in the matter of central as well as state law, while USA have separate courts for the state and federal matters.

- **Separation of Power**– Both US and Indian Constitutions provides for separation of powers among three institutions namely executive, legislature and judiciary. Each division is empowered with a separate power.
- The separation of power between different organs of the government is more strict in the American constitution compared to the Indian. The three organs of the government are strictly independent in American constitution whereas in India, executive is part of the legislature.
- President of US is the chief executive head of US, whereas the Union cabinet headed by the Prime Minister is the real chief executive body in India. Both US and India have a bicameral legislature.
- **Powers of Checks and Balances**- Though there is a clear-cut separation of powers between executive, legislature and judiciary in both countries, still there can be overlapping of these powers. There are chances of abuse of power or arbitrariness. Thus, there is a need for a system of 'checks and balances' prevalent in both countries.
- The President having chief executive power appoints the members of his 'Kitchen Cabinet' and he is the Supreme Commander-in-Chief of Army, Navy and the Air Force. He is empowered to appoint the Chief Justice of the Supreme Court of the US. He enters into treaties with other countries. However, his treaties must be approved by the House of Senate. Otherwise, the treaty will not come into force.
- On the other hand in India, it is the Prime Minister and his cabinet who exercise real power. They can be removed from power by a successful no-confidence motion passed by both houses of parliament. The policy decisions become laws only after obtaining the requisite majority of the parliament.

The US federalism is very strong and more rigid as envisaged in their Constitution by its leaders. It is more federal than unitary in character. Whereas, India is more unitary than federal and we can even say that it is a quasi-federal state.

Conclusion

It can be observed that each country has a unique federal system based on local conditions and aspirations. Indian constitution adopted its federal features from American constitution but moulded it to the requirements of Indian tradition. As Indian federation was not the result of coming together model of American constitution, the unique nature of Indian federalism is evident of far sightedness of our constitution makers.

2. Has the upper house of the legislature been losing its purpose and glory of late? Critically examine.

Approach

Candidates are expected to write about the upper house and bicameralism and its evolution. And then simply do critical examination of upper houses in Indian legislature system especially the rajya sabha. Candidates need to explain both side of arguments.

Introduction-

The Rajya Sabha elections were recently concluded. Leaving aside the tussle for majority in Rajya sabha(to get bills passed), this body has been in news for many reasons. One of the primary debate also questions the very need and purpose of an upper house.

Body:

About the upper houses in Indian legislature:

- The Rajya Sabha is the Upper House (Second Chamber or House of Elders) and it represents the states and union territories of the Indian Union.
- It came into being on April 3, 1952 and held its first session on May 13 the same year.
- The State Legislative Council, or Vidhan Parishad, or Saasana Mandali is the upper house in those states of India that have a bicameral state legislature; the lower house being the State Legislative Assembly. Its establishment is defined in Article 169 of the Constitution of India.
- Government of India Act of 1919 introduced, for the first time, bicameralism. Government of India Act, 1935 proposed an elaborate and improved version of the second chamber, but this never materialised.
- Bicameralism is a specific feature of Federal form of government and was borrowed from the British Constitution.

Upper houses still has purpose and still proves it's worth:

- Upper House provides for detailed scrutiny of bills which may have been rushed through in haste due to political compulsions by the elected members and also acts as a check on such actions.
- Second chamber introduces an element of sobriety and second thought. As a revising Chamber also, the Rajya Sabha has revised a number of Bills passed by Lok Sabha.
- Among some of the important Bills revised are the Income Tax (Amendment) Bill, 1961 and the National Honor Bill, 1971 wherein some substantial amendments suggested by the Rajya Sabha were accepted by the Lok Sabha.

- This House brings forth the views of the states and serves as a platform to deliberate concerns of the states. This House is necessary to move in the direction of cooperative federalism.
- According to President Radhakrishnan, there are functions, which a revising chamber like Rajya Sabha can fulfil fruitfully. Parliament is not only a legislative but a deliberative body. So far as its deliberative functions are concerned, Rajya Sabha has made very valuable contributions time and again.
- It's true that party dynamics affects the working of Rajya Sabha. But in democracy passion often defeat the normal rationality. Thus a revising house is needed to check such adrenal rush.
- While the argument of members not able to win in direct elections holds true, but retaining talent is essential for any democratic system. Losing valuable talent during election fervours has mostly been corrected by Rajya Sabha. It has also given entry to other experts like scientist, artist, sportsmen etc that can rarely face the electoral politics.
- While Lok Sabha have members for each state, the Hindi belt domination is a constant theme. Hence other state interests, like those in North East, have always been taken up by the Rajya Sabha.
- A permanent Upper House is also a check against any abrupt changes in the composition of the Lower House. Rajya Sabha has continuity and is a permanent house.

Purpose of upper house has lost and it's proved obstructionist:

- In 2006 in *Kuldip Nayar v. Union of India and Others*, the SC held that – Rajya Sabha has turned out to be another chamber of the Parliament akin to the Lok Sabha, except for the mode of selection of its members.
- An analysis by the Secretariat revealed that the productivity of the Rajya Sabha till 1997 has been 100% and above and the past 23 years have thrown up a disturbing trend of rising disruptions.
- This decline is primarily on account of disruptions forcing cancellation of Question Hour frequently. Disruptions also dent the quality of law-making as seen in passing of Bills without discussion sometimes.
- The deadlock between both Houses on parliamentary matters is a major setback to India's progress and shows the leadership of all parties in a bad light.
- Only some members have the necessary qualifications that will do justice to the role of the Rajya Sabha, others do not measure up. Cronyism capitalism associated with membership and patronage appointments are increasing.
- Many parties are now using the Rajya Sabha as a backdoor to get members elected, most of whom will not be able to win a Lok Sabha election. Rajya Sabha often has members from the party defeated in various elections, or are from political families, and due to political differences, they do not allow passage of important bills.
- People get in from States they are least connected with.
- Parliamentary logjams and stalling of legislation can be avoided.

- According to Mr. Mohd. Tahir (Constituent Assembly member) – “Upper House was not essential and viewed it as a creation of imperialism.”
- According to Professor Shibban Lal Saksena – “the second chamber acts as an obstruction in the wheel of progress of the nation as it doesn't enable quick law-making.”

Conclusion:

The council of states emerged after it was subjected to serious argumentation and undergoing severe scrutiny in the Constituent Assembly. It should be our responsibility to make it an effective and time-bound contributor to India's parliamentary system. It has the role of a watchdog, it must assert itself as a House of correction. Its function is to improve legislation passed by the Lower House and is not one of obstruction.

3. What are the methods by which the legislatures control the actions of executive? Explain. How effective are those controls in reality? Examine.

Approach

In this question candidates are expected to write about methods by which legislatures control the actions of executives and in second part write about how effective are those controls in reality.

Introduction

The Constitution provides for the legislature to make laws, the government to implement laws, and the courts to interpret and enforce these laws. While the judiciary is independent from the other two branches, the government is formed with the support of a majority of members in the legislature. Therefore, the government is collectively responsible to Parliament for its actions.

Body

Lok Sabha and Rajya Sabha can hold the government accountable for its decisions, and scrutinise its functioning by following ways ;

- **Collective responsibility:** Executive or Ministerial responsibility to Parliament or what is often termed legislative control over the Executive is based on Article 75- the constitutional provision of collective responsibility of the Council of Ministers to the popular House of Parliament.
- **Threat of 'no confidence' over poor policy decision:** The House may at any time decide to throw out the Government by a majority vote i.e. if the ruling party loses the support of the majority of the members of the House.

- Want of parliamentary confidence in the Government may be expressed by the House of the People by passing a substantive motion of no-confidence in the Council of Ministers.
- **Financial accountability:** Financial control is a critical tool for Parliament's authority over the executive hence finance committees (Public Accounts Committee, the Estimates Committee and the Committee on Public Undertakings) are considered to be particularly powerful.
- Parliament's control over the Budget through budget demand, capacity to refuse to vote supplies or of defeating the Government on a financial measure. In first session of 17th Lok Sabha, 11 of the 22 Bills have been passed without scrutiny by parliamentary standing committees, which indicate loosing legislative oversight on law making.
- **Procedural devices:** The various procedural devices like Questions, Calling Attention, Half-an-Hour Discussion, etc. constitute very potent instruments for effecting parliamentary surveillance over administrative action. During Question Hour, MPs may pose questions to ministers related to the implementation of laws and policies by the government.
- In the 16th Lok Sabha, question hour has functioned in Lok Sabha for 77% of the scheduled time, while in Rajya Sabha it has functioned for 47%. A lower rate of functioning reflects time lost due to disruptions which reduces the number of questions that may be answered orally.
- **Reflection of public opinion:** Significant occasions for review of administration are provided by the discussions on the Motion of Thanks on the President's Address.
- Specific matters may be discussed through motions on matters of urgent public importance, private members' resolutions and other substantive motions.
- Members are free to express themselves and to say what is good for the country and what modifications are required in the existing policies.
- In a Parliamentary form of Government, such as we have, the function of Parliament is to legislate, advise, criticise, and ventilate the public grievances; and that of the Executive, to govern. Under the Constitution of India to maintain accountability,
- The relationship between the Executive and the Parliament should be based on mutual trust and confidence.
- Parliament has almost unlimited right of information and criticism ex post facto and the Executive has likewise unlimited right to initiate and formulate proposals and policies and to give effect to the approved policies, unfettered and unhindered.
- In essence, Parliament must respect the Executive and the Executive must feel parliamentary influence all the time.
- So long as this equilibrium is maintained, there is every reason to believe that the government of the country will be carried on in accordance with the wishes of the people. The success of our system lies in our having in fact this happy balance and blending.

How effective are those controls in reality :

- Although there is a checks and balances policy being followed by Indian government sometimes executives overpowers legislature in following ways
- Frequent usage of ordinances under Article 123 and 213 to pass important bills, bypassing legislative scrutiny. Eg: Land acquisition bill.
- Passing of important legislations through Money bill route. Recently Aadhar act was passed like this to bypass scrutiny of Upper House.
- Taking important policy decisions without discussing them in Parliament. The announcement of demonetization was criticized for this.
- Passing of important bills and budget without much discussion through Guillotine method.
- The ratio of passage of Private member's bills is very low.
- The direction of Whip curtails individual member's freedom in having opinion and taking decisions.

Way forward

- In order to balance the powers of executive and legislature, we need to adopt few suggestions as a way out
- Mandatory scrutiny of all bills by the standing committees as in other countries like the UK
- Fixing the number times an ordinance could pass.
- Relaxing the powers of Whip on members so that they can take individual decisions.
- Increasing the productivity of legislatures, avoiding frequent disruptions and wash-outs.
- Constructive criticism on the part of opposition parties must become a norm.

Conclusion

There is scope for increasing the accountability and strengthening the control of Parliament over the Executive. One of the proposals which is debated and canvassed is the use of the existing Committees on an increasing scale and extending the Committee System of Parliament. It is suggested that these are needed to oversee administration, to scrutinise the actions of Government, to collect, discuss and report, on actions and performance of Departments of Government.

4. India's increasingly violent young cohort is a serious national security problem. Do you agree? How can it be addressed? Discuss.

Approach

Question can be approached by addressing the root cause of rising violent young cohort. By quoting scholars and giving examples of recent past, reasons for the growing violence among youth can be given. In the second part, way ahead can be given along with the conclusion.

Introduction

India has 62.5% of its population in the age group of 15-59 years which is ever increasing and will be at the peak around 2036 when it will reach approximately 65%. These population parameters indicate an availability of demographic dividend in India, which started in 2005-06 and will last till 2055-56. But as witnessed in the recent events, India's unemployment has hit the record high leading to instances of violence.

Body

Why there has been rise in violent young cohort?

One of the major is unemployment.

Unemployment and societal pressure

- According to the latest Periodic Labour Force Survey (PLFS) released by the National Statistical Office (NSO), India's urban unemployment rate jumped to 12.6 per cent in the April-June quarter of 2021, compared to 9.3 per cent in the January-March quarter. It, however, eased from the 20.8 per cent level seen during the first wave of the Covid pandemic.
- Recent, World Bank data shows, Less than one in four Indians aged 15-24, now participate in the labour force, and twenty-five per cent of youth job-seekers can't find work.
- The situation's been getting steadily worse for decades, in a country where over half the population is now below 25, India needs to be creating a million jobs a month; the economy has never come close to meeting that demand.
- Recently India witnessed large scale violence on streets in protest of agnipath scheme, which speaks of the resentment amongst youth. Unemployment and depression is making things worse for the many young minds.
- The spill over effect of this resentment and depression can be seen on streets. Instance of communal violence over a fake whatsapp forward tells us a story of unsatisfied youth.
- For example in history- Large-scale ethnic violence in Kenya from 1991 to 1993, was similarly rooted in demographic pressures. "The ability of the economy to absorb a rapidly growing labour force declined as the private sector slumped and the number of jobs in the public sector, Kenya's largest source of employment, stopped growing."

What can be done?

- **Skilling:** Skill development to increase employability of young population. India's labour force needs to be empowered with the right skills for the modern economy.
- **Job Creation:** The nation needs to create ten million jobs per year to absorb the addition of young people into the workforce. Promoting businesses'

interests and entrepreneurship would help in job creation to provide employment to the large labour-force.

- Education: Enhancing educational levels by properly investing in primary, secondary and higher education. India, which has almost 41% of population below the age of 20 years, can reap the demographic dividend only if with a better education system. Also, academic-industry collaboration is necessary to synchronise modern industry demands and learning levels in academics.
- Building human capital: Investing in people through healthcare, quality education, jobs and skills helps build human capital, which is key to supporting economic growth, ending extreme poverty, and creating a more inclusive society where violence is absent.

Way forward

- In a 2005 paper examining violent conflict in India, researcher Henrik Urdhal concluded that the risk of armed conflicts and riots had a significant statistical association with youth bulges. “The risk of armed conflict,” he noted, “is particularly pronounced when youth bulges go together with great male surpluses.”
- After the pandemic, when large number of unemployed youth came on streets to protest unemployment, many were seen as saying, “we will become terrorists if the agnipath scheme is not rolled back”. The growing frustration and language of violence is enough to showcase the gravity of the problem.
- If not addressed with the seriousness, this young cohort can become serious national security problem. The point is to address the problem immediately.

Conclusion

Engaging with India's youth crisis should be the biggest single task of India's national security system—because the alternatives, like the one happened in arab spring, discontented youth made a violent choice. To reap the youth energy, proper investment in human capital is needed by focussing on education, skill development and healthcare facilities. Alongside that, we must invest much more in education, health and nutrition, large scale job creation, and adopt an expansionary economic policy and create a favourable environment for youth of future.

5. What are tactical nuclear weapons? How are they different from strategic nuclear weapons? Discuss.

Approach

Candidates need to explain and define what is tactical nuclear weapons and highlight its features and usage by different nation. Also as question demands analyze the difference between the strategic nuclear weapons and tactical nuclear weapons.

Introduction

A tactical nuclear weapon (TNW) or non-strategic nuclear weapon (NSNW) is a nuclear weapon which is designed to be used on a battlefield in military situations, mostly with friendly forces in proximity and perhaps even on contested friendly territory.

Body

Tactical nuclear weapons:

- Tactical nuclear weapons include gravity bombs, short-range missiles, artillery shells, land mines, depth charges, and torpedoes which are equipped with nuclear warheads. Also in this category are nuclear armed ground-based or shipborne surface-to-air missiles (SAMs) and air-to-air missiles.
- The term “tactical” nevertheless incorporates many types of weapon, including smaller bombs and missiles used as “battlefield” weapons.
- Tactical nuclear weapons vary enormously in size and power. The smallest can be one kiloton or less (equivalent to a thousand tonnes of the explosive TNT) – the larger ones perhaps as big as 100 kilotons.
- The effects would depend on the size of the warhead, how far above the ground it detonates and the local environment.
- In the Cold War, these were the bombs which the two superpowers, the US and Soviet Union, could launch over long distances at each other’s homeland.
- These can be placed on various types of missiles which are normally used to deliver conventional explosives. They can even be fired as artillery shells on a battlefield.
- They have also been developed for aircraft and ships – for instance torpedoes and depth charges to target submarines.
- These can be delivered by air, ship, and ground-based systems, some of which also deliver conventional weapons.
- For example, some of the missiles Russia has used against Ukraine can also carry nuclear warheads, increasing the potential for confusion.
- Possibility is a demonstration strike, without any military utility. For example, Russia could explode a nuclear weapon over the Black Sea to warn NATO countries against aiding its adversaries, such as Ukraine.

Difference between tactical nuclear weapons and strategic nuclear weapons:

- Definitions vary from power to power, but the term “strategic nuclear weapons” generally refers to nuclear devices that can be launched over a high or intercontinental range.
- They can cause enormous and indiscriminate damage to large areas, although smaller devices (used e.g. to take out an enemy missile silo) launched over a long range could be classed as strategic nuclear weapons.
- Some analysts describe tactical nuclear weapons as intended to win a battle, while strategic weapons are intended to win a war.
- Tactical nuclear weapons can have lower explosive “yield” than strategic weapons, meaning they’re explosively less powerful.
- This may make them more militarily useful, and less politically objectionable, and thus more likely to be used.
- Generally, short-range missiles are termed tactical while long-range missiles are termed strategic. Battlefield missiles (like the Scud-type) are tactical while long-range missiles targeting bigger targets like cities are termed strategic.
- While long- and medium-range nuclear systems have been constrained or eliminated by arms control treaties, tactical nuclear weapons have never had verified limits.
- Strategic attacks on Hiroshima and Nagasaki utilized weapons between 10 to 20 kilotons. This was because the “Little Boy” and “Fat Man” bombs were the most destructive and the only nuclear weapons available at that time.
- While the tactical weapons are designed to meet battlefield objectives, the main purpose of strategic weapons is in the deterrence role, under the theory of Mutually Assured Destruction (MAD).

Conclusion

The command and control of tactical nuclear weapons has to be decentralised during war to enable their timely employment. Extremely tight control would make their possession redundant and degrade their deterrence value. Decentralised control would run the risk of their premature and even unauthorised use, based on the discretion of field commanders, however discerning and conscientious they may be.

1. Explain the concept of judicial review. Why is it significant? Can the Supreme Court reviews its own judgments? Examine.

Approach

Candidate is expected to understand the demand of the question. Candidate can define what is judicial review and explain judicial review as a concept and how it works. Also highlight the significance of judicial review and how supreme reviews it's own judgment with recent examples.

Introduction

The power of judicial review refers to the judiciary's ability to examine and assess the legality of a law or an order. The power of judicial review is available to the courts both against legislative and executive actions.

Body

Concept of judicial review:

- When a court declares a law as unconstitutional and void, it does not suggest alternatives or improvement to the law. However, it is expected to give detailed reasons by quoting the relevant provisions of the constitution and explaining why the law is held to be unconstitutional and void.
- Judicial Review is a part of the Basic Structure of the Constitution.
- Judicial review has two vital purposes: legitimising government action and protecting the Constitution against government overreach. It also includes the Supreme Court's ability to examine its own judgement order.
- In AK Gopalan verses State of Madras, the power of judicial review was firmly established and the limitations for its exercise were clearly enunciated.
- The power of Judicial Review comes from the Constitution of India itself (Articles 13, 32, 136, 142 and 147 of the Constitution).
- Judicial review of judicial actions can be visualized in Golaknath case, banks nationalization case, privy purses abolition case, Minerva mills etc.

Significance of judicial review:

- Judicial review by the Supreme Court and High Courts has played a critical role in ensuring constitutional government in India by keeping the Union and State governments within their respective jurisdictional realms.
- According to liberal interpretation, the provisions of the constitution were given a new meaning and dimension based on the adaptability of changed circumstances.
- Most crucially, it has ensured citizens' actual freedom by safeguarding their Fundamental Rights from unwarranted legislative and executive intervention.
- Judicial review of administrative action is a mechanism of enforcing constitutional discipline over administrative agencies while exercising their powers.
- It is necessary for the judiciary's independence to be protected.
- It prohibits executive tyranny.
- It is necessary for the Constitution's supremacy to be maintained.

Supreme court reviewing it's own judgement:

- Article 137 of the Constitution of India grants the Supreme Court the power to review any of its judgments or orders. This power is however subject to to the

Rules made by the Supreme Court under Article 145, as well as the provisions of any law enacted by parliament.

- The court has the power to review its rulings to correct a “patent error” and not “minor mistakes of inconsequential import”. In a 1975 ruling, Justice Krishna Iyer said a review can be accepted “only where a glaring omission or patent mistake or like grave error has crept in earlier by judicial fallibility”.
- The court allowed the Centre’s petition seeking a review of a March 2018 judgment that had effectively diluted the Scheduled Castes and Scheduled Tribes Atrocities Act.
- A number of recent Supreme Court decisions have given currency to the expression “review petition”. Petitioners plan to seek review of the recently delivered Babri Masjid-Ram Janmabhoomi and telecom revenue verdicts, while the Supreme Court also agreed to review its Sabarimala verdict.

Criticism of Judicial Review:

- It has a long history of being linked to judicial activism.
- It has the effect of elevating the judiciary to the status of Super-legislator.
- It has definitely harmed Parliament’s standing. In addition, the Court’s use of judicial review has stymied the passage of progressive social legislation in India.
- Judicial review can be harmful to the general public because it might be affected by personal or selfish reasons.
- People’s faith in the government’s integrity, quality, and efficiency can be eroded by repeated court interventions.

Conclusion

Because we have adopted the concept of separation of powers in India, we are unable to exercise the power of judicial review in its entirety. If the courts assume full and arbitrary judicial review power, it will result in bad performance by all government departments. As a result, in order for all of the functions to function correctly, each one must work within its own area.

2. Pressure groups don’t always act in national interest. Do you agree? What are its implications? Analyse.

Approach

Candidates are expected to write about the pressure groups and define it. And then address the main demand of question how pressure groups are affecting the overall national interest also try to explain the role of pressure groups in positive aspect.

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. It acts as a liaison between the government and its members.

Body:

National interest:

- National Interests can be defined as the claims, objectives, goals, demands and interests which a nation always tries to preserve, protect, defend and secure internally at home and in relations with other nations.

Role of Pressure groups in Polity:

- Pressure groups in India represent interest of various sections of Indian society and economy such as Business groups, Trade unions, Professionals group, Students organisation, Agrarian groups etc.
- Interest Articulation: Pressure Groups bring the demands and needs of the people to the notice of the decision-makers.
- Pressure groups help to educate people, compile data and provide specific information to policy makers, thus they work as an informal source of information.
- Agents of Political Socialisation: Pressure groups are agents of political socialisation in so far as they influence the orientations of the people towards the political process.

Pressure groups acting against national public interest and its implications:

- Pressure groups improve participation, but in an unequal way, benefiting the well organised but disadvantaging the weakly organised. In this sense, they work against not in favour of the public interest. For .e.g. green peace from USA, as per IB report they protested with vested interest and they work against development.
- Caste based violence: Riots and unpleasant clashes with other castes, sometimes ending in death or serious consequences. Ex: Clashes between upper castes and the Mahars on the 200th anniversary of the Battle of Bhima Koregaon.
- Fragmentation of society and enhanced caste consciousness caste based pressure group: Creation of favor in own interests and animosity between different sections of people. Ex: Lingayat Sect in Karnataka.
- Political motive: Instead of the pressure groups exerting influence on political process, they become tools and implements to subserve political interests.
- Narrow selfish interests: Some Pressure Groups promote narrow selfish interest. Unlike the pressure groups in the developed countries of the West, where these are invariably organised to safeguard economic, social, cultural

interests, etc. In India these groups are organised around religious, regional and ethnic issues. Many a time factors of caste and religion eclipse the socioeconomic interests.

- Misuse of power: Instead of the pressure groups exerting influence on political process, they become tools and implements to sub serve political interests.
- Instability: Most pressure groups do not have autonomous existence; they are unstable and lack commitment, their loyalties shift with political situations which threatens general welfare. They many a times resort to unconstitutional means like violence. Naxalite movement started in 1967 in West Bengal is one such example.
- Propagating extremism: Pressure groups can allow too much influence over the government from unelected extremist minority groups, which in turn could lead to unpopular consequences. They many a times resort to unconstitutional means like violence. For example recent Republic Day-Red Fort incidents in Delhi.

Conclusion:

Pressure groups are an essential dimension of any democracy, yet they can endanger democracy if sectional groups undermine the public and national interest or if the methods they use are corrupt or intimidating.

3. What is the structure and the mandate of the cabinet committee on security [ccs] Is it a constitutional body? Discuss

Approach

A simple straightforward question where candidates are expected to write about Structure and mandate of cabinet committee on security .In second part of answer discuss about its significance write about its work .

Introduction

Cabinet Committees are organizations, which are instrumental in reducing the workload of the Cabinet. These committees are extra-constitutional in nature and are nowhere mentioned in the Constitution. However, the Rules of Business provide for their establishment. These rules emerge out of Article 77(3) of the Constitution.

Body

The Prime Minister constitutes Standing Committees of the Cabinet and sets out the specific functions assigned to them. He can add or reduce the number of committees.

CABINET COMMITTEE ON SECURITY

Composition

- Prime Minister (Chairman).
- Minister of Home Affairs.
- Minister of External Affairs.
- Minister of Finance.
- Minister of Defence.

Mandate

- To deal with all defence related issues.
- To deal with issues relating to law and order and internal security.
- To deal with policy matters concerning foreign affairs that have internal external security implications including cases relating to agreements with other countries on security-related issues.
- To deal with economic and political issues impinging on national security.
- To review the manpower requirements relating to national security and setting up new structures to deal with security-related issues.
- To consider all cases involving capital expenditure of more than Rs.1000 crore in respect of Department of Defence Production, Department of Defence Research and Development.
- All matters relating to atomic energy.
- To consider cases of increase in the firmed up cost estimates or revised cost estimates.

Significance

- The Cabinet Committee on security reduces the burden on Cabinet by enabling collective decisions to be taken by a smaller group of ministers.
- It is the supreme decision-making body in the government dealing with issues relating to law and order, internal security and policy matters concerning foreign affairs with internal or external security implications.
- The Cabinet Committee on Security (CCS) of the Government of India discusses, debates and is the final decision-making body on senior appointments in the national security apparatus, defence policy and expenditure, and generally all matters of India's national security.

Examples:

- India has withdrawn the Most Favoured Nation status granted to Pakistan following the Pulwama terror attack in Jammu and Kashmir.
- CCS has approved setting up of Defence Space Research Organisation, which has been entrusted with task of creating space warfare weapon systems and technologies.
- Defence Procurement decisions such as purchasing modern aircrafts (Rafael deal), advanced warships etc.
- Reviewed the progress in operationalising of India's nuclear doctrine.

Conclusion:

The decisions taken by the Cabinet Committees are fundamental to the governance of the country and form the basis of policy formulation as also for evaluating the impact of programmes, policies, plans, projects and schemes of the Government. Therefore, it facilitates decision making at the highest level of government.

4. Do you think the violation of pre-poll alliance to form government after elections is antithetical to democratic principles? Critically comment.**Approach**

While taking recent examples, question can be approached from various angles. In the first part, principle of pre-poll alliance can be given followed by constitutionality of the same. In the conclusion, need of the political socialisation can be given while addressing problem at societal level.

Introduction

A pre-poll alliance, unlike a coalition (which is a temporary post-poll arrangement), is an express agreement between two or more political parties involving seat sharing before the commencement of elections. It is an understanding whereby the alliance members share the total number of contestable seats amongst themselves and set up candidates in such a manner that no two alliance members set up candidates from the same constituency.

Body**Principle of pre-poll alliance or coalition**

- The term 'coalition is derived from a Latin Word' COALITIO' which is verbal substance of coalesceto go together and the desire to grow up which means to go or to grow together.
- A pre-poll understanding offers a common podium to the parties in order to attract the electorate on the basis of joint manifesto.
- It has already has been made a framework that coalition government are running well in European countries for example in France, Italy and Portugal because the alliance of the parties is based on ideology.
- In developing countries, the coalition government has no common program cohesion of class composition, uniformity of social arrangement etc. The parties of coalition government form hands with another to form a united front without any ideological base.

- In India, pre poll alliances are mostly marriage of convenience. Politics has always been a game of self-interest, hence the old alliances are broken, new alliances are made to serve the interest.
- In the last assembly election in Maharashtra, the congress and NCP formed a post-poll alliance with the Shiv Sena; in Jammu and Kashmir, the BJP allied with the PDP post-elections; and in Haryana, the BJP got Dushyant Chautala into its crew after the results.
- All the parties that formed post poll alliance, fought against each other.

Constitutionality of pre-poll alliance

- For a long time, it has been debated that the abject immorality of alliances between parties who fought elections against each other must be scrutinised and demotivated.
- It is pertinent to note that the Tenth Schedule was incorporated in our Constitution to prevent unethical defections and horse-trading. Hence, it is need of the hour that the definition of a party under anti-defection and the Constitution must be construed in a broad manner, so that the objective of the Tenth Schedule gets accomplished.
- In the Kihoto Hollohan vs Zachillhu case, the Supreme Court elaborated the objective behind anti-defection law, "that the law seeks to recognise the practical need to place the proprieties of political and personal conduct above certain theoretical assumptions, which, in reality, have fallen into a morass of personal and political degradation".
- The Supreme Court further held that the objective of the Tenth Schedule is to curb the evil of political defections motivated by the lure of office or other similar considerations that endanger the foundations of our democracy.
- "The will of the people shall be the basis of the authority of government: this will, shall be expressed in periodic and genuine election which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures". This principle of will of people is undermined in post poll alliances.
- The importance of respecting the will of the people in forming the government is clearly one of the most basic forms of accountability that need to be shown by the people in power to maintain the core essence of democracy.
- But we are moving towards a system where there is a breach of people's trust, incessant greed for power, higher probability of factionalism among the political institutions is weakening people's trust in process, evident from the existence of political chaos in states like Maharashtra, Madhya Pradesh, and Karnataka etc.
- The behavior of voters in India is influenced by a number of factors and one of them is their expectation from the party whose ideologies impresses them the most, to fulfil the promises made by them.
- But after the results of the election, when the government is formed by the alliance of the parties who are rivals before the elections, it amounts to the breach of voters trust and a mockery of public mandate.

- Since pre-poll alliances represent themselves as a single unit with a shared agenda agreed upon by both parties, voters have the option to form informed choices.
- A common feature between a parliamentary democracy and a constitutional democracy is that both acknowledge that the government rests upon the consent of the governed, given by means of elections based on universal and equal suffrage.

The convenient post poll alliances will remain as one of the feature of Indian democracy, as India is diverse and vibrant nation. If no alliance gets the majority, political chaos can further widen.

Conclusion

The alliance governments are the natural consequence of our social structure. Political developments do not take place in vacuum. Our society needs political socialization. Political culture is the outcome of social culture and our social culture is of conflict, difference and warring fractions in the society. This will ultimately breed outcomes like alliance of convenience. We need people's movement to address this issue.

5. What are the recent trends of India's current account deficit (CAD)? Discuss. What are the key underlying factors causing this trend? Examine.

Approach

Candidates need to explain and define what is current account and current account deficit. Highlight the recent rising trends in the introduction. Also discuss the factors causing the high CAD recently. In the end suggest some measures.

Introduction

Recently the current account deficit (CAD) in India climbed to \$23 billion (2.7 percent of GDP) in the third quarter (Q3) of 2021-22, up from \$9.9 billion (1.3 percent of GDP) in the second quarter (Q2) of 2021-22 and \$2.2 billion (0.3 percent of GDP) in the third quarter (Q3) of 2020-21.

Body

Current account deficit:

- The current account is concerned with a country's short-term transactions, or the difference between savings and investments.

- These are also known as actual transactions because they have a real impact on income, output, and employment levels in the economy through the movement of goods and services.
- The current account tracks the inflows and outflows of goods, services, and investments into and out of a country. It keeps track of the country's transactions with other countries.
- If the value of goods and services imported exceeds the value of those exported, the country runs a deficit.
- A rising CAD indicates that a country has become uncompetitive, and investors may be unwilling to invest there.
- A current account deficit isn't always a bad thing. A current account deficit is irrelevant if it is driven by the private sector because it is caused by private sector agents engaging in mutually beneficial trade.

Recent trends as per the Economic Survey 2021 – 2022 – Current Account Balance:

- On the strength of a substantial increase in the merchandise trade deficit, India's current account balance turned into a deficit of US\$ 3.1 billion (0.2 percent of GDP) in H1: FY 22. (shown in Table).
- This current account deficit, however, was lower than the US\$ 22.6 billion deficit recorded in H1: FY 20. (pre-pandemic level).
- In terms of quarterly movement, the current account balance shifted from surplus to deficit in Q2: FY 22 from the previous quarter due to a widening of the trade deficit and an increase in net investment income outgo.

Factors causing the CAD to rise:

- High crude oil imports: The primary reason for India's Current Account Deficit (CAD) is crude oil and gold imports. In the wake of continued geopolitical tensions, the surge in oil prices is likely to be sustained, which would lead to deterioration in the current account deficit from a higher oil import bill.
- Analysis shows that a 10 per cent rise in oil prices would widen India's current account deficit by 30-35 bps of GDP.
- High Gold Imports: Another force driving down the foreign exchange is gold imports.
- Recovering domestic demand and the ongoing festive season are boosting Gold imports.
- The World Gold Council expects gold demand this year to surpass the 2020 levels and it expects the demand for gold to remain high given the rising wealth effects and incomes.
- Economic growth: If there is an increase in national income, people will tend to have more disposable income to consume goods. If domestic producers cannot meet the domestic demand, consumers will have to import goods from abroad.
- Saving rates – influencing the level of import spending, thus increasing the deficit.

- Higher inflation-If India's inflation rises faster than our main competitors then it will make UK exports less competitive and imports more competitive. However, inflation may also lead to a depreciation in the currency to offset this decline in competitiveness.
- Recession in other countries-If India's main trading partners experience negative economic growth, then they will buy less of our exports, worsening India's current account.

Wayforward:

- The extent of vulnerability to funding risks will be cushioned by the large forex reserves, which along with forward book stand at \$681 billion.
- Morgan Stanley expects policy normalization with a reverse repo rate hike. However, if the RBI were to delay its normalization process, the risk of disruptive policy rate hikes would rise.
- A possibility of a modest fuel tax cut and reliance on the national rural employment program could be an automatic stabilizer.

Current Account Deficit could be reduced by boosting exports and curbing non-essential imports such as gold, mobiles, a

1. What are the merits of parliamentary form of government? Discuss. How does it differ from the presidential form of government? Explain.

Approach

Candidates are expected to write Parliamentary form of government explain how it works and also write some of its merits. Then before conclusion simply explain how its different from the presidential form of government candidates can also explain its limitations.

Introduction

India opted for parliamentary form of government based on Westminster model where executive is directly responsible to legislature where as in presidential system election is more about national leader elected on the basis of his/her charisma with limited accountability.

Body

Concept of parliamentary form of government:

- Parliamentary system is a form of government where executives hold the power with the majority support of the legislature (usually the people's elected house).

- Our Supreme Court says that; our constitution is modeled on the British Parliamentary system where the executive is deemed to have the primary responsibility for the formation of government policy and its transmission into law by retaining the confidence of the Lok Sabha.
- In India, the Council of Ministers is collectively responsible to the Lok Sabha. Collective responsibility means the council of ministers has joint responsibility for their actions towards Lok Sabha.
- Even if a decision has been taken by a single minister, under the principle of collective responsibility the whole council of ministers has responsibility for it.

Parliamentary System – Merits

- Better coordination between the executive and the legislature: Since the executive is a part of the legislature, and generally the majority of the legislature support the government, it is easier to pass laws and implement them.
- Prevents authoritarianism: Since the executive is responsible to the legislature, and can vote it out in a motion of no confidence, there is no authoritarianism. Also, unlike the presidential system, power is not concentrated in one hand.
- Responsible government: The members of the legislature can ask questions and discuss matters of public interest and put pressure on the government. The parliament can check the activities of the executive.
- Representing diverse groups: In this system, the parliament offers representation to diverse groups of the country. This is especially important for a country like India.
- Flexibility: There is flexibility in the system as the PM can be changed easily if needed. During the Second World War, the British PM Neville Chamberlain was replaced by Winston Churchill. This is unlike the presidential system where he/she can be replaced only after the entire term or in case of impeachment/incapacity.

In a presidential system, the head of the government leads an executive, that is distinct from the legislature. Here, the head of the government and the head of the state are one and the same.

Difference with parliamentary form:

- Executive: Single executive as the head of the state and the head of the government is the same. In Westminster model dual executive as leader of the state and leader of the government are different.
- Ministers: can be chosen from outside the legislature, and are usually industry experts. In parliamentary model they belong to the ruling party and are Members of Parliament. Generally, no outsider is allowed to become a minister.
- Accountability: Executive not accountable to Legislature
- Dissolution of the lower house: The President cannot dissolve the lower house.

- Separation of Powers: The principle of Separation of powers is strictly followed. In parliamentary model there is no clear-cut separation of power.

Issues with adopting the Presidential system in India:

- Authoritarianism- The president can assume dictatorial powers
- No accountability- The executive is not responsible to the directly elected legislature
- Conflicts- If the president belongs to one party and the legislature is controlled by another party, it can lead to conflict and paralysis.
- Ignorance of interests of minorities- In a diverse country like India, it can lead to a situation where the views of an individual can override the interests of different segments.
- Lack of autonomy- Bringing 'outside' talent in a presidential system without people being democratically elected would deter people from giving independent advice to the chief executive because they owe their appointment to him/her.

Conclusion

Some countries have used a combination of each of these approaches. Separation of powers, accountability, executives, and other factors distinguish these systems. Both of these systems have their own set of benefits and drawbacks. In India context given the vast number of parties and maturing stage of democracy it is preferable to continue with Parliamentary form due to its stability and other advantages.

2. The Rajya Sabha provides the much needed intellectual depth to parliamentary deliberations. Elucidate.

Approach

Candidate can elaborately explain the role of Rajya Sabha as a forum of intellectual deliberations. With the help of examples, importance of role of the upper house in parliamentary democracy can be highlighted.

Introduction

Rajya Sabha as the second chamber of the parliament intended to play certain roles as a permanent house, revisionary house (reconsidering bills passed by the Lok Sabha) and offers a degree of continuity in the underlying policies of laws passed by parliament. Also called the Council of the States, was constituted on April 3rd in year 1952 under Article 79 of the Constitution of India.

Body

Origin of Rajya sabha

- The origin of the second Chamber can be traced to the Montague-Chelmsford Report of 1918. The Government of India Act, 1919 provided for the creation of a 'Council of State' as a second chamber of the then legislature with a restricted franchise which actually came into existence in 1921.
- The Rajya Sabha has some special powers as required to adopt a resolution allowing Parliament to legislate on subjects in the State List and creating All India Services (Art 312), besides approving proclamations of Emergency and President's Rule when the Lok Sabha is dissolved.

Need of the Rajya Sabha as a forum of intellectual parliamentary deliberations

- Rajya sabha has been playing a pivotal role in India's much cherished parliamentary democracy, keeping the bicameral structure alive, setting new records and creating history since its inception.
- Rajya Sabha has been more like an eclectic mix of minds from different streams of life as parties could afford to nominate writers, actors, economists or even poets or political leaders in the house.
- It helps in a deeper review of laws, it provides a wider platform for more talent and expertise as it complements the first chamber in securing greater executive accountability.
- The Upper House had cleared bills to penalise untouchability (1954), prohibit dowry (1959), set up All India Institute of Medical Sciences (1956), and give all Indian children the right to education (2009).
- It had also passed the Women's Reservation bill [also called the Constitution (108th Amendment) Bill] (2010) though the Lok Sabha didn't take it up.
- It ensures continuity and also brings about a fusion of new and old in the House. This type of arrangement is designed to secure the representation of past as well as current opinion and help in maintaining continuity in public policy.
- The Rajya Sabha has remained a vanguard for political and social values, a melting pot of culture and diversity and over all, a relentless flag-bearer of sovereign, socialist, secular, democratic republic called India.
- Eminent members like Gopalaswami Ayyangar vehemently supported the idea of the upper house as another house to deliberate the bills and policies of the government. Rajya Sabha has made an immense contribution in correcting the directions of constitutional amendments, government legislations and articulated its views on matters of national importance
- At the same time, Rajya Sabha, despite being a weaker house, has tried to act as a check on the bills originating in the Lok Sabha. Lok Sabha, by its very nature, is a house with a brute majority of the ruling coalition. This would mean uninterrupted passage of the bills in the Lok Sabha. Rajya Sabha, with its varied composition, sobers the voices of majoritarianism, should they escape the notice of the lower house.
- An important function of the Rajya Sabha is to take time and let any heated matters settle down. For instance, there may be various matters which catch

the public fancy and are a matter of media frenzy. Any legislation at such time might be prone to errors due to swayed emotions. Therefore, sometimes it is beneficial to let the issue cool down and discuss all the dimensions of an issue so that the principle of natural justice is upheld in the legislations.

- Rajya Sabha has focussed more on the larger issues plaguing India, rather than the hot topics. One important factor contributing to this tendency is the permanent nature of the house. Since Rajya Sabha members do not have to worry about the general elections in the country and they have a fixed tenure of six years, therefore, the nature of debates is richer.
- President nominates twelve members of Rajya Sabha from eminent walks of life and having special knowledge or practical experience in art, literature, science and social service under Article 80 of the Constitution of India. This adds quality to the debate in the house and provides a lustre to the Upper House.
- Rajya Sabha is a smaller house as compared to the Lok Sabha, with less than half the members of Lok Sabha. This leads to the allocation of a longer duration of time to the members of smaller parties to put forward their point of view. Therefore, it strengthens the democracy by providing a voice to the minority political parties of the house.
- As the house with no provision of dissolution, Rajya Sabha provides continuity to the legislative process in the country. This is important as being a democratic country, India frequently sees a change in the guard in the Lok Sabha. This is important to hold the government accountable to the people.

Conclusion

Rajya sabha has acted as an intellectual forum for important policy issues and matters. Upper house is not always driven by the politics of majority, important delicate issues that are at the heart of our society are often deliberated in rajya sabha, for example, transgender rights bill. From its inception, upper house has always acted as a guardian of multicultural, diverse, intellectual deliberations hence acts as a forum of egalitarian society.

3. Do you think anti defections provisions have failed to achieve their core purpose? Critically examine .

Approach

In this question candidates are need to write about what are anti defections provisions given in constitution of India. In second part of answer their opinions about does this anti defections provisions failed to achieve their purpose. Give both positives and negatives of this provisions.

Introduction

In The anti-defection law punishes individual Members of Parliament (MPs) / MLAs for leaving one party for another. Parliament added it to the Constitution as the Tenth Schedule in 1985. Its purpose was to bring stability to governments by discouraging legislators from changing parties. Recent political developments in Maharashtra raised concerns about anti defection law and its provisions .

Body

- The anti-defection provisions added to the Constitution as the Tenth Schedule in 1985. Its purpose was to bring stability to governments by discouraging legislators from changing parties.
- The Tenth Schedule - popularly known as the Anti-Defection Act - was included in the Constitution via the 52nd Amendment Act, 1985 and sets the provisions for disqualification of elected members on the grounds of defection to another political party.
- It was a response to the toppling of multiple state governments by party-hopping MLAs after the general elections of 1967.
- However, it allows a group of MP/MLAs to join (i.e. merge with) another political party without inviting the penalty for defection. And it does not penalise political parties for encouraging or accepting defecting legislators.
- As per the 1985 Act, a 'defection' by one-third of the elected members of a political party was considered a 'merger'.
- But the 91st Constitutional Amendment Act, 2003, changed this and now at least two-thirds of the members of a party have to be in favour of a "merger" for it to have validity in the eyes of the law.
- The members disqualified under the law can stand for elections from any political party for a seat in the same House.
- The decision on questions as to disqualification on ground of defection are referred to the Chairman or the Speaker of such House, which is subject to 'Judicial review'.
- However, the law does not provide a time-frame within which the presiding officer has to decide a defection case.

Grounds of Disqualification:

- If an elected member voluntarily gives up his membership of a political party.
- If he votes or abstains from voting in such House contrary to any direction issued by his political party or anyone authorised to do so, without obtaining prior permission.
- As a pre-condition for his disqualification, his abstention from voting should not be condoned by his party or the authorised person within 15 days of such incident.
- If any independently elected member joins any political party.
- If any nominated member joins any political party after the expiry of six months.

Related Issues:

- Undermining Representative & Parliamentary Democracy:
- After enactment of the Anti-defection law, the MP or MLA has to follow the party's direction blindly and has no freedom to vote their judgment.
- Due to Anti-Defection law, the chain of accountability has been broken by making legislators accountable primarily to the political party.

Controversial Role of Speaker:

- In many instances, the Speaker (usually from the ruling party) has delayed deciding on the disqualification.
- No Recognition of Split:
- Due to the 91st amendment, the anti-defection law created an exception for anti-defection rulings.
- However, the amendment does not recognise a 'split' in a legislature party and instead recognises a 'merger'.
- Subversion of Electoral Mandates:
- Defection is the subversion of electoral mandates by legislators who get elected on the ticket of one party but then find it convenient to shift to another, due to the lure of ministerial berths or financial gains.
- Affects the Normal Functioning of Government:
- The infamous "Aaya Ram, Gaya Ram" slogan was coined against the background of continuous defections by the legislators in the 1960s. The defection leads to instability in the government and affects the administration.
- Promote Horse-Trading:
- Defection also promotes horse-trading of legislators which clearly go against the mandate of a democratic setup.

Suggestions:

- The Election Commission has suggested it should be the deciding authority in defection cases.
- Others have argued that the President and Governors should hear defection petitions.
- The Supreme Court has suggested that Parliament should set up an independent tribunal headed by a retired judge of the higher judiciary to decide defection cases swiftly and impartially.
- Some commentators have said the law has failed and recommended its removal. Former Vice President Hamid Ansari has suggested that it applies only to save governments in no-confidence motions.

Way Forward

- If government stability is an issue due to people defecting from their parties, the answer is for parties to strengthen their internal part of democracy.

- There is an ardent need for legislation that governs political parties in India. Such a law should bring political parties under RTI, strengthen intra-party democracy, etc.
- Chairman/Speaker of the house, being the final authority in terms of defection, affects the doctrine of separation of powers. In this context, transferring this power to higher judiciary or to Election Commission may curb the menace of defection.

Conclusion-

Though political instability caused by frequent and unholy changes of allegiance on the part of our country's legislators has been greatly reduced due to the 10th Schedule of the Indian Constitution, there is still a need for a more rationalized version of the 10th Schedule of the Indian Constitution to help establish a truly representative democracy. In order to shield the detrimental effect of the anti-defection law on representative democracy, the scope of the law can be restricted to only those laws, where the defeat of government can lead to loss of confidence.

4. How do rising oil prices affect the economy? Explain. What measures has the government taken to address fuel inflation? Discuss

Approach

Candidates are expected to write rising oil prices with stating reasons for it. And explain how the world and India is dependent on oil. Further explain how rising fuel prices impact our economy and also suggest some measures to tackle such situation.

Introduction

Crude oil prices soared and touched almost \$140 per barrel mark, which was around \$70 a barrel in December. The most immediate trigger for the spike is the decision by USA to ban the purchase of Russian oil in response to the invasion of Ukraine. Russia is the world's second-largest oil producer and, as such, if its oil is kept out of the market because of sanctions, it will not only lead to prices spiking, but also mean they will stay that way for long.

Body

- Oil and its derivatives continue to power the majority of global transportation and are used in developing countries for cooking and heating.
- As this world is still so reliant on crude oil, its price is heavily influenced by the rate of economic growth, which has an impact on demand expectations.

- As we rely on petroleum products for transportation, chemicals, and manufacturing, changes in the price of oil can affect the rate of economic growth.

Impact of rising oil prices affecting the economy:

- **Current Account Deficit:** The increase in oil prices will increase the country's import bill, and further disturb its current account deficit (excess of imports of goods and services over exports). India imports more than 84% of its total oil demand and increase in oil prices is going to increase our import bill further widening the Current Account Deficit.
- **Inflation:** The increase in crude prices could also further increase inflationary pressures that have been building up over the past few months. Higher petro & diesel prices will further increase inflation and raise the general price level (due to increase in transportation costs). A 10% increase in crude oil prices raises wholesale inflation by 0.9% and retail inflation by 0.5%.
- **Fiscal Health:** If oil prices continue to increase, the government shall be forced to cut taxes on petroleum and diesel which may cause loss of revenue and deteriorate its fiscal balance. The growth slowdown in the last two years has already resulted in a precarious fiscal situation because of tax revenue shortfalls.
- **Economic Recovery:** Although the rising prices have impacted the world, India is particularly at a disadvantage as any increase in global prices can affect its import bill, stoke inflation and increase its trade deficit, which in turn will slow its economic recovery.
- **Currently, the biggest concern in India's GDP growth story is the weak consumer demand.** Higher prices will further weaken the demand & hurt our economic recovery prospects. Analysts have been revising their forecasts for India down for growth (7.9% to 7.7%) and up for inflation (5.8% to 6.3%).
- **Stagflation:** Typically, rising inflation happens when an economy is booming people are earning lots of money, demanding lots of goods and services and as a result, prices keep going up. When the demand is down by the reverse logic, prices tend to stagnate (or even fall).
- **But stagflation is a condition where an economy experiences the worst of both worlds the growth rate is largely stagnant (along with rising unemployment) and inflation is not only high but persistently so.**
- **Natural Gas Price:** The increase in gas prices has put upward pressure on the price of both Compressed Natural Gas (CNG) used as a transport fuel and Piped Natural Gas (PNG) used as a cooking fuel.
- **Effect the households:** The expenditure on fuel consumption will increase, food/vegetables in the market will cost more, transportation expenditure will increase etc.
- **Depreciation of Indian Rupee:** With an average increase of 1.2 percent in oil prices, the value of the rupee will fall by around 0.9 percent.

Measures to control and reduce the fuel inflation and its impact on general public:

- Reduce the taxes: Assocham recently has stated that the reduction in taxes is the only way to control the prices. Having said so, the taxes on petrol and diesel have been the golden goose for the government (centre and state).
- Reduce the dependence: The rising level of oil imports, hikes in international oil prices and the consequent impact on the import bill so India has to reduce his dependency on oil import.
- Migration to Electric Mobility: Transport sector accounts for around 70% of the total diesel sales in the country, it is an appropriate sphere for a transition from traditional fuels to electric motors.
- Biofuel Blending: Increasing the blending proportion of domestically available biofuels in cooking gas and transportation fuel is another way to reduce India's reliance on imported crude oil.
- Bring it under GST: In the near- to medium-term, it is imperative to explore how fuels can eventually be covered under the goods and services tax (GST), which is essential not only to reduce any undue burden on users but also to prevent leakages and achieve efficiency.
- To begin with, natural gas and aviation turbine fuels (ATFs) may be considered for inclusion, which might not cause substantial revenue loss for states but will foster confidence that other petroleum products will be brought under GST sooner rather than later.

Conclusion

In brief, the right option now is to use the current situation as an opportunity to push for initiatives that are in the best interest of the country. Reducing the country's reliance on oil imports would bode well for energy security, and make our financial markets less volatile in the event of untoward developments in the oil market. And savings from reduced oil imports could in turn be used to finance infrastructure projects, which are crucial for India's long-term growth prospects.

5. How does face recognition technology work? What are its key applications? Discuss.

Approach

Question is straight forward. In the first part, working of face recognition technology can be given followed by the application of technology. In the next part, concerns associated with the technology can be given with a way forward.

Introduction

Facial recognition is a biometric technology that uses distinctive features on the face to identify and distinguish an individual. From the first cameras that could recognise

faces in the mid-1960s up to now, facial recognition has evolved in many ways from looking at 3D contours of a face to recognising skin patterns. With machine learning, the technology has become capable of sorting out types of faces.

Body

How does face recognition work?

- The facial recognition system works primarily by capturing the face & its features through the camera and then using various kinds of software to reconstruct those features.
- The captured face along with its features is stored into a database, which can be integrated with any kind of software that may be used for security purposes, banking services, etc.
- The computer learns what a face is by training an algorithm, usually a deep neural network, on a vast number of photos that have faces in known positions. Each time the algorithm is presented with an image, it estimates where the face is. The network will be rubbish at first, but if this is done multiple times, the algorithm improves and eventually masters the art of spotting a face.
- Next up is the recognition part. This is done in various ways, but it's common to use a second neural network. It is fed a series of face pictures and learns – over many rounds – how best to tell one from another. Some algorithms explicitly map the face, measuring the distances between the eyes, nose and mouth and so on.
- In live deployments, the software goes to work on video footage in real time. The computer scans frames of video usually captured at crowd pinch points, such as entrances to football stadiums. It first detects the faces in a frame, then churns out vectors for each one.
- The face vectors are then checked against those for people on a watchlist. Any matches that clear a preset threshold are then ranked and displayed.

What are the key applications of the technology?

- Law Enforcement can use facial recognition technologies as one part of AI-driven surveillance systems. Facial recognition has already proven effective in identifying criminals in America. In Colorado, investigators correctly identified suspects in a shooting and road-rage incident; in Pennsylvania, a rapist was rightfully identified.
- For instance, the NCRB's Crime and Criminal Tracking Network & Systems (CCTNS) managing crime data for police, use automated facial recognition to identify criminals, missing people, and unidentified dead bodies, as well as for "crime prevention".
- In India, where there are just 144 constables per 1 lakh citizens, this can act as a force multiplier. It neither requires too much manpower nor regular up-

gradation. Hence, this technology coupled with the present manpower in place can act as a game-changer.

- Immigration checkpoints use facial recognition to enforce smarter border control. The facial recognition has an ability to recognize and thwart border crossings from known criminals and persons of interests, through facial recognition.
- Ride-sharing companies can use facial recognition to ensure the right passengers are picked up by the right drivers.
- IoT benefits from facial recognition by allowing enhanced security measures and automatic access control at home.
- It is increasingly being used for everything from unlocking mobile phones to validating the identity, from auto-tagging of digital photos to finding missing persons, and from targeted advertising to law enforcement.

What are the concerns associated with the technology?

- **Infringement of Privacy:** The privacy of users' data is at stake with the technology. In absence of regulations it would expose data to cyber criminals. Companies are not regulated, thus they may sell facial data which can be misused for political purposes.
- **State surveillance:** The most significant risk with the use of the technology is state surveillance. China's reported use of facial recognition technologies for surveillance in Xinjiang is such an example. This raises concerns as it might be misused for political purposes.
- **Inaccuracy:** Facial recognition technology is inaccurate. Evidence shows that the technology is not flawless. For example, the technology has been proven in multiple studies to be inaccurate at identifying people of colour, especially black women.
- **Predatory marketing:** Software which analyses facial expressions could potentially be put to use by some companies to prey on vulnerable customers. This could be done by segmenting extreme emotions such as distress and tailoring their products and services to these individuals.
- **Stalking:** Tools like reverse image searches can provide stalkers with more data about their victims. This is unsafe especially for women, who can be tracked and stalked and maybe assaulted by misusing information obtained.
- **Identity fraud:** Criminals who have collected enough personal information on an individual could commit identity fraud. This could have a significant effect on your personal life, including on finances.
- Facial recognition is just one form of identification. Even if it is controlled or forbidden to use on the public, all the other forms of digital identification, when accompanied by comprehensive behaviour collection and secretive data analysis, are a threat to the autonomy of each individual.

Way forward

- There is a need to subject all government surveillance — and government use of private surveillance technologies — to the rule of law.
- Parliament should also make a “data protection” statute that regulates the sale and transfer in commerce of behavioural information about individuals.
- With a billion population, India has the second highest internet user base in the world. India has 450 million internet users and expected to increase up to 730 million by 2020.
- The need for legislation also got attention particularly after the landmark judgement of Supreme Court (SC) in Justice K.S Puttaswamy vs Union of India case that maintained the right to privacy as an inherent part of the fundamental right.

Conclusion

Facial recognition is just one form of identification. Even if it is controlled or forbidden to use on the public, all the other forms of digital identification, when accompanied by comprehensive behaviour collection and secretive data analysis, are a threat to the autonomy of each individual. There is a need to regulate the industry on behaviour collection, and subject government surveillance to the rule of law.

1. Reforms in the process of appointing senior judges are long due. Do you agree? If yes, what reforms would you suggest? Discuss.

Approach

Candidate can briefly explain the evolution of doctrine of judicial primacy followed by the criticism against the existing collegium system. In the second part, necessary reforms can be stated along with the conclusion.

Introduction

The Doctrine of Judicial primacy which is a judicial innovation, is a doctrine of judicial appointment. The SC interpreted the word consultation used in articles 124 and 217 as concurrence and the court then held that executive is bound by the advice of the CJI in making appointments to the higher judiciary in the second judge case (1993) which later evolved into the collegium system.

Body

Evolution of judicial primacy in appointment of senior judges

- The Supreme Court in October 2015, struck down the 99th constitutional amendment of the National Judicial Appointments Commission (NJAC) as null

and void since it impedes into the tenet of Judicial Primacy which it said was a part of the basic structure of the constitution

- The court in its judgement asserted that Judicial primacy is non-negotiable in order to maintain the Independence of the judiciary which is an inalienable part of the Basic structure thus by extension even the Doctrine of Judicial primacy is a part of basic structure.
- The proponents of the primacy doctrine also assert that it is a must in order to maintain a clear cut separation of powers enshrined in Article 50 of the constitution.
- Many Constitutional experts however said that the concept of primacy as a part of basic structure is misplaced. Even Dr.BR Ambedkar opined that primacy of CJI in appointments is a dangerous proposition.
- In no constitution of the world is there any provision of judges having a decisive voice in appointing judges of superior courts. No such feature is found in any democratic country. It is not found in the appointments of judges in the US, UK, Australia, Canada, New Zealand and South Africa.

Why there is criticism against collegium?

- Unconstitutional and autocratic: 'Collegium' is nowhere mentioned in the Constitution and has been evolved by the judiciary itself for retaining the power to select judges by itself.
- Undemocratic: Selection of judges by collegium is undemocratic since judges are not elected by the people and are not accountable to the people or to anyone else.
- Non-transparency and opaque: (No official procedure for selection + lack of a written manual for functioning + selective publication of records of meetings+ no eligibility criteria of judges) = bring opacity in collegium's functioning.
- Article 124 merely states that the President will appoint every judge of the Supreme Court, and this includes the Chief Justice, and each of these judges shall hold office until they attain the age of 65 years.
- Promotes nepotism: Sons and nephews of previous judges or senior lawyers tend to be popular choices for judicial roles. Thus it encourages mediocrity in the judiciary by excluding talented ones.
- Inefficient: Collegium has not been able to prevent the increasing cases of vacancies of judges and cases in courts.
- Against established conventions: The convention of 'seniority' has long been held as the procedure for appointments but 'supersession' ignores and abdicates this convention, creating space for subjectivity and individual bias in appointments.
- No reforms were made after the fourth judges case: After striking down the NJAC, the court did nothing to amend the NJAC Act or add safeguards to it that would have made it constitutionally valid. Instead, the court reverted to the old Collegium-based appointments mechanism.

What can be done?

- The subjectivity and the inconsistency of the collegium system highlight the need to relook at the process of appointment of judges:
- The NJAC needs to be amended to make sure that the judiciary retains independence in its decisions and re-introduced in some form or the other.
- Filling up of vacancies is a continuous and collaborative process involving the executive and the judiciary, and there cannot be a time frame for it.
- However, it is time to think of a permanent, independent body to institutionalise the process with adequate safeguards to preserve the judiciary's independence guaranteeing judicial primacy but not judicial exclusivity.
- A written manual should be released by the Supreme Court which should be followed during appointments and records of all meetings should be in the public domain in order to ensure transparency and a rule-based process.
- India needs to restore the credibility of the higher judiciary by making the process of appointing judges transparent and democratic. Apart from reforming the collegium system, the quality of judges can also be improved through the implementation of All India Judicial Services (AIJS).

Conclusion

There have been cases where the nearest relative of Supreme Court judges has been appointed as a high court judge, ignoring merit. The instances of nepotism and judicial exclusivity make appointments in higher judiciary questionable, void of transparency. The accountability of judiciary must not be compromised. The democratic setup of our polity demands reform in appointments in higher judiciary.

2. Breaking pre-poll alliance to form government is a betrayal of electoral mandate. Do you agree? What are the legal provisions in this regard? Analyse.

Approach

Candidate can start the answer with highlighting recent case of breaking pre-poll alliance. And explain what is the pre-poll alliance also highlight how the breaking the pre-poll alliance in the democracy affects the public interest and mandate. Also try to write the legal provisions involved in such situations in the end suggest some measures.

Introduction

The perils of electoral politics can be seen recently in the Maharashtra state assembly elections, where a pre-poll alliance had won the mandate, but due to disagreements

over power-sharing, a new post-poll coalition is forming the government which in later days was short of proving majority in assembly.

Body

Prepoll alliance:

- Pre-poll alliances function as a single consolidated unit.
- Political parties generally do not contest elections against each other. Also, their cadres and volunteers work for the coalition and not just their individual parties.
- A pre-poll alliance, unlike a coalition (which is a temporary post-poll arrangement), is an express agreement between two or more political parties involving seat sharing before the commencement of elections.
- It is an understanding whereby the alliance members share the total number of contestable seats amongst themselves and set up candidates in such a manner that no two alliance members set up candidates from the same constituency.

Post-poll alliance (if it is different from the pre-poll alliance), leads to the betrayal of voters and demise of principles of democracy. Let us analyse how it's a betrayal of electoral mandate and how it demeans the aspirations of the people of the State:

- Democracy cannot be restricted to mere casting of vote and formation of government; it is also about the trust among the voters of an electorate that the mandate given by them will be reflected in the government formed after elections.
- The situation where none of the parties can secure a majority in elections, such political manoeuvring by political parties becomes imminent.
- A political party functions of shared beliefs and with any of its member voting independently of party's policies will dent the party's image as well as undermine public confidence. The case of post-poll alliances are equally unethical as various ideologies and objective come together.
- A pre-poll understanding offers a common podium to the parties in order to attract the electorate based on joint manifesto. Therefore, Post-poll alliances have been subject to debate of immorality, as parties fought against each other now come together.
- It has now become a feature of Indian politics where these political institutions cover the ill-wills, corruption and greed for power in the name of post poll alliances to break the pre poll alliance.
- After the results of the election, when the government is formed by the alliance of the parties who are rivals before the elections, it amounts to the breach of voter's trust and a mockery of public mandate.
- As per Justice Ramana breaking pre poll alliance will reduce the people- who are the crux of the democracy- to the mere recipient of the immoral practice of formation of alliance between the parties who fought the elections against each other.

- This situation in future will affect the stability and institutionalization of parties and party systems and it can impact on the efficiency and legitimacy of political parties and political systems as a whole.

Role of the Governor in the government formation and different legal provisions:

- The hung assembly also raises a serious question regarding the role of the Governor in government formation and the manner in which it should be exercised.
- Constitutionally, it is the Governor's discretion to select a Chief Minister and give him a chance to prove majority on the floor of the house.
- Supreme Court, in SR Bommai case 1994, has given direction what the governor should do in such a situation, Governor has to invite the leader of the party commanding majority in the House or the single largest party/group to form the Government. However, the words "largest party/group" is again ambiguous. The "group" may include a Post-poll alliance or Pre-poll alliance.

Suggestions from different commission to check and limit such post-poll 'alliances of convenience', wherein, even parties with diametrically opposite election manifestos and promises come together to share power:

- The Law Commission of India, in its 170th report on 'Reform of the electoral laws, had opined that a 'pre-election front/coalition' of political parties should be treated as a 'political party' for the purposes of the anti-defection law.
- The political parties and individual candidates should be mandated to disclose a list of 'probable post-poll alliances' under a legal framework drafted by Election Commission
- It is high time that the Sarkaria Commission (1983) report, which discusses the role of Governor in case of the hung assembly must be implemented.
- It recommended, in case of a hung assembly, the Governor should select a Chief Minister from among the following parties or group of parties by sounding them, in turn, in the order of preference indicated below:
- An alliance of parties that were formed prior to the elections.
- The largest single party staking a claim to form a government with the support of others, including "independents."
- A post-electoral coalition of parties, with all the partners in the coalition joining the Government.
- A post-electoral alliance of parties, with some of the parties in the alliance forming a government and the remaining parties, including "independents" supporting the Government from outside.

Conclusion

To curb this menace, there is a need to expand the Tenth Schedule's ambit to prevent post-poll alliances who were contesting against each other earlier. The Election Commission must classify parties basis on their ideology and objectives and only in selective case post-poll alliances must be permitted, where parties share a common set of belief. This will ensure that the voter's importance remains intact in a democracy.

Q-3

In recent years CAG reports have created important debates over matters of financial propriety and efficiency, in this regard examine the significance of office of CAG for effective governance.

Approach -

In this question candidates need to write about how over the years CAG as an institution creates debates regarding propriety and efficiency. In second part of answer write down how office of CAG can play important role for effective governance.

Introduction --

The Constitution of India (Article 148) provides for an independent office of the Comptroller and Auditor General of India (CAG). She/he is the head of the Indian Audit and Accounts Department. CAG is guardian of the public purse and controls the entire financial system of the country at both the levels—the Centre and the state.

Body -

CAG was considered as one of the most important office under the Constitution of India by Dr BR Ambedkar. It has been assigned the responsibility to hold executive accountable to the parliament and people in the field of financial administration.

- The policy decision is important when considering both revenue accounts and expense accounts. For ex. in case of 2G scam, resources (in this case spectrum) were allocated inefficiently and it led to a large loss to the public exchequer. Similarly, in case of Agusta scandal, helicopters were purchased at more than justifiable prices.
- Not questioning these policy decisions will not only lead to an increase in corruption but will also increase the exploitation of public money. Losses also result in government having to cut down expenses on other welfare schemes which might be important.
- In the current changing scenario where most of the projects are implemented through public private partnership model the importance of widening CAG's role is even more required.
- In these projects, public funds might not be used, which may prevent it from coming under the purview of a mere auditing role. However the cost of these projects will be ultimately borne by the public (for ex in the form of tolls). It thus becomes important to question policy decisions involved with these projects and should be part of CAG's role.
- With rising environmental concerns, it has become important to ensure that along with financial resources, natural resources are not exploited. A bad quality of air (as seen in Delhi recently), water takes away the right to a healthy life from the people and also impacts them financially by an increase in health expenses.

- This further strengthened the need of questioning policy decisions. The policy decision is important when considering both revenue accounts and expense accounts. For ex. in case of 2G scam, resources (in this case spectrum) were allocated inefficiently and it led to a large loss to the public exchequer.
- In case of Agusta scandal, helicopters were purchased at more than justifiable prices. Not questioning these policy decisions will not only lead to an increase in corruption but will also increase the exploitation of public money. Losses also results in government having to cut down expenses on other welfare schemes which might be important.
- In the current changing scenario where most of the projects are implemented through public private partnership model the importance of widening in CAG role is even more required. In these projects, public funds might not be used, which may prevent it to come under the purview of a mere auditing role.
- However the cost of these projects will be ultimately borne by the public (for ex in the form of tolls). It thus becomes important to question policy decisions involved with these projects and should be part of CAG's role.
- With rising environmental concerns, it has become important to ensure that along with financial resources, natural resources are not exploited. A bad quality of air (as seen in Delhi recently), water takes away the right to a healthy life from the people and also impacts them financially by an increase in health expenses. This further strengthened the need of questioning policy decisions.
- Besides the historic task of keeping a close watch on the Central and State governments, CAG are now auditing several public-private partnerships (PPP) projects.
- No criterion or procedure has been prescribed either in the Constitution or in the statute for the appointment of CAG.
- This goes against the international best practices prevalent across the world.
- The CAG has the authority to inspect any Government office and to call for any accounts. However, in practice, the supply of records is often denied.
- The work of audit of accounts of the Union and of the States is actually done by the officers and staff of the IA&AD. However, no statutory recognition has been given to the work of IA&AD in India as against National Audit Office of the UK.
- CAG of India only performed the role of an Auditor General and not of a Comptroller but in Britain it has the power of both Comptroller as well as Auditor General.
- In India the CAG audits the accounts after the expenditure is committed i.e. ex post facto. In UK no money can be drawn from the public exchequer without the approval of the CAG.
- In India, CAG is not a member of the parliament while in Britain; CAG is a member of house of the Commons.
- Abound to Her/his duty to uphold the Constitution of India and laws of Parliament in the field of financial administration

CAG plays following roles and performs important functions to fulfil her/his accountability as mentioned below:

- CAG audits the accounts related to all expenditure from the Consolidated Fund of India, Consolidated Fund of each state and UT's having a legislative assembly.

- She/he audits all expenditure from the Contingency Fund of India and the Public Account of India as well as the Contingency Fund and Public Account of each state.
- She/he audits all trading, manufacturing, profit and loss accounts, balance sheets and other subsidiary accounts kept by any department of the Central Government and the state governments.
- She/he audits the receipts and expenditure of all bodies and authorities substantially financed from the Central or State revenues.
- She/he audits the accounts of any other authority when requested by the President or Governor e.g. Local bodies.
- CAG also acts as a guide, friend and philosopher of the Public Accounts Committee of the Parliament.
- Keystone in the arch of Constitutional measures of accountability:
- CAG audit reports are handed over to the PACs i.e. Public Accounts Committee at the centre and at the state.
- Three CAG reports i.e. audit report on appropriation accounts, audit report on finance accounts and audit report on public sector undertakings are examined by PAC.
- At the central/state level, these reports are submitted by CAG to president/governor, who makes them to be laid in parliament/legislature. Here CAG stands different from other measures of accountability as the CAG reports are submitted to the executive.
- CAG also assists the committee in its deliberations by preparing a list of the most urgent matters which deserve the attention of the PAC. Here, CAG plays his role by bringing the most important matters to the attention of PAC.
- She/he also helps in making the actions of the committee clear to the witnesses and in making the action of the government clear to the committee.
- CAG position is sometimes one of interpreter and translator, explaining the officials' views to the politicians and vice-versa which in turn ensure accountability of the government.
- The responsibility of the CAG does not end here. He has to watch whether the corrective action suggested by her/him has been taken or not. In cases whether it has not been taken, She/he reports the matter to the PAC which will take up the matter. It ensures accountability not just with respect to auditing matters but also with respect to implementation.
- Hence, CAG stands as a keystone in the arch of constitutional measure of accountability where CAG not only represents the structure of accountability but also holds together the structure of accountability.

Conclusion:

In view of the nature of work of CAG, Dr. B.R. Ambedkar said that the CAG shall be the most important Office under the Constitution of India. Hence, It becomes imperative to maintain the independent nature of office of the CAG which in turn will ensure that CAG will remain as a keystone in the arch of constitutional measure of accountability.

4. What are the tools available with the RBI to check the depreciation of the Indian Rupee vis a vis US Dollars? Explain.

Approach

Student can provide the context of historic fall of rupee in international market against the dollar. Reasons behind the fall can be given in brief, followed by the tools available with RBI to check depreciation. In the end, impact of weak rupee on domestic market can be explained along with the conclusion.

Introduction

Recently Indian rupee recorded a historic low of 79.72 against the US dollar and it has declined nearly 6 per cent since January of 2022. Foreign exchange reserves fell by \$8.06 billion to \$580.02 billion during the first week of July in the wake of the appreciation of the dollar and capital outflows from India, triggered by the rise in inflation and rate hikes by the US.

Body

Reasons behind the fall of Rupee?

- Global disruptions caused by the Russia-Ukraine war is making our imports costly, thus widening the current account deficit.
- Rising inflation depreciates domestic currency since inflation can be equated with a decrease in money's buying power.
- As a result, countries experiencing high inflation tend to also see their currencies weaken relative to other currencies.
- Increasing crude oil prices are further widening our trade deficit thus leading to decrease in the value of rupee.
- The US Federal Reserve recently increased the interest rates, and the return on dollar assets increased compared with those of emerging markets such as India.
- It has led to outflow of dollars from India to the US.

What are the tools available with RBI to check the depreciation?

- As a matter of policy, the RBI has usually tried to slow down or smoothen (rather than reverse or prevent) the fall in exchange value of the Rupee against the US Dollar.
- The aim of the RBI's policy is to allow the Rupee to find its natural value in the market but without undue volatility or causing unnecessary panic among investors.
- State-run banks are usually instructed by the RBI to sell Dollars in order to offer some support to the Rupee. By selling Dollars in the open market in exchange for Rupees, the RBI can improve demand for the Rupee and cushion its fall.

- Masala Bonds - Indian borrowers will be encouraged to issue rupee-denominated 'masala bonds' to facilitate the inflow of dollars and de-risk the economy from fluctuations in the exchange rate.
- The RBI is also seen raising benchmark interest rates to defend the Rupee by preventing any rapid outflow of capital from India as done by it in May 2022.
- The RBI has been trying to rein in domestic consumer price inflation, which hit a 95 month high of 7.8% in April, by raising rates and tightening liquidity.
- As interest rates rise across the globe, the threat of global recession also rises as economies readjust to tighter monetary conditions.
- Steps taken by RBI to tighten the monetary policy to counter rising inflation has also led to depreciation.

Impact of rupee depreciation

- Depreciation in rupee is a double-edged sword for the Reserve Bank of India.
- Weaker rupee should theoretically give a boost to India's exports, but in an environment of uncertainty and weak global demand, a fall in the external value of rupee may not translate into higher exports.
- It poses risk of imported inflation, and may make it difficult for the central bank to maintain interest rates at a record low for longer.
- India meets more than two-thirds of its domestic oil requirements through imports.
- India is also one of the top importers of edible oils. A weaker currency will further escalate imported edible oil prices and lead to a higher food inflation.

Conclusion

As the U.S. Federal Reserve raises rates to tackle historically high inflation in the country, other countries and emerging markets in particular will be forced to raise their own interest rates to avoid disruptive capital outflows and to protect their currencies. Analysts believe that, over the long run, the rupee may likely to continue to depreciate against the dollar given the significant differences in long run inflation between India and the U.S. RBI needs to be more vigilant and proactive to maintain the competitive edge of rupee and control inflation.

5. What are CAATSA sanctions? How will a CAATSA waiver benefit India? Explain.

Approach

Candidate can start with the explaining what is the CAATSA and its sanction and how CAATSA waiver will help India. Candidates must give strategic and security context with viewpoint of relationship between Indo Russia and USA.

Introduction

Recently, the United States (US) House of Representatives has approved an amendment to the National Defence Authorization Act (NDAA), proposing India-specific waiver under the Countering America's Adversaries Through Sanctions Act (CAATSA). It will allow India to freely purchase Russia's S-400 missile system without the fear of American sanctions.

Body

CAATSA:

- CAATSA is a law that came into effect in the US in 2017, and was meant to punish countries having deep engagements with Russia, North Korea, and Iran using economic sanctions.
- It was passed in 2017 in response to Russia's annexation of Crimea (2014) and its alleged meddling in the 2016 US presidential elections.
- The Act empowers the US President to impose at least five of the 12 listed sanctions on persons engaged in
- A "significant transaction" with the Russian defence and intelligence sectors.
- Its goal is to prevent revenue from flowing to the Russian Government.
- Includes sanctions against countries that engage in significant transactions with Russia's defence and intelligence sectors.
- Prohibition of Banking transactions: The first of these, which is likely to have an impact on India-Russia relations, is the "Prohibition of Banking transactions". This would mean difficulties for India in making payments in US Dollars to Russia for the purchase of the S-400 systems. It will also affect India's purchase of spare parts, components, raw materials and other assistance.
- In 2020, Turkey was sanctioned for its purchase of the S-400 system
- Export Sanction: The sanction will have greater consequences for India-US relations. This is the "export sanction" which has the potential to completely derail the India-US Strategic and Defence partnership, as it will deny the license for, and export of, any items controlled by the US.

Sanction also includes:

- Prohibition on loans to the sanctioned person.
- Prohibition of Export-Import bank assistance for exports to sanctioned persons.
- Prohibition on procurement by United States Government to procure goods or services from the sanctioned person.
- Denial of visas to persons closely associated with the sanctioned person.

Waiver to India:

- India, which has major defence cooperation with Moscow faced uncertainty over timely deliveries in the near future in addition to the lingering threat of U.S. sanctions under CAATSA over the S-400 deal.
- The US President was given the authority in 2018 to waive CAATSA sanctions on a case-by-case basis.

- The amendment urges the US administration to use its authority to provide India with a Countering America's Adversaries Through Sanctions Act (CAATSA) waiver to help deter aggressors like China.
- At a time when the US is projecting India as a vital partner in its Indo-Pacific strategy, CAATSA has an adverse effect on Indo-US relations and damages the US's reputation as a trustworthy partner.
- The US administration has favoured relief for nations like India, pointing to the "strategic opportunity" that India affords as well as the chance "to promote trade in arms with India."

Benefits to India due to recent waiver:

- In pursuing her strategic autonomy, India has managed to convince the administration in the U.S. that she should be permitted to continue as it is.
- The NDAA amendment also urged the US to take more steps to assist India's pivot away from its reliance on Russia-made arms.
- From India's point of view, China is also buying the system. In 2015, China signed an agreement with Russia to purchase six battalions of the system. Its delivery began in January 2018.
- China's acquisition of the S-400 system has been viewed as a "game changer" in the region. However, its effectiveness against India is limited.
- India's acquisition is crucial to counter attacks in a two-front war, including even high-end F-35 US fighter aircraft.
- The CAATSA waiver will make it easier for India to buy Russian defence products.
- The S-400 Triumf is a mobile, surface-to-air missile system (SAM) designed by Russia. It is the most dangerous operationally deployed modern long-range SAM (MLR SAM) in the world, considered much ahead of the US-developed Terminal High Altitude Area Defense system (THAAD).
- The makers of the S-400 system, Almaz-Antey Air and Space Defence Corporation JSC, are included in the sanction list of CAATSA.
- Indian purchases include 1135.6 frigates, Ka-226T helicopters, and joint ventures with Indo Russian Aviation Ltd, Multi-Role Transport Aircraft Ltd, and Brahmos Aerospace in addition to S-400s.
- Additionally, it would have an impact on the purchasing of accessories, parts, raw materials, and other help.
- The majority of India's military hardware, such as the nuclear submarine INS Chakra, the conventional Kilo-class submarine, the supersonic Brahmos cruise missile, the MiG and Sukhoi fighters, the Mi helicopters, and the Vikramaditya aircraft carrier, is of Soviet or Russian provenance.

Conclusion

India needs to be ready to deal with US sanctions in a more efficient and viable manner in the present and in the future. Further, enhancing India's strategic autonomy needs to be refocused upon in light of changing global geopolitical scenario to safeguard India's national interests.

1. Examine the importance of financial market regulation for a developing economy like India. How are financial markets regulated? Explain.

Approach

In the context of financial crisis of 2008, rising number of economic offenders, importance of financial regulation for a country like India can be highlighted. In the next part, regulatory bodies and their sphere of regulation can be given in brief with the conclusion.

Introduction

Financial regulation refers to the rules and laws firms operating in the financial industry, such as banks, credit unions, insurance companies, financial brokers and asset managers must follow. However financial regulation is more than just having rules in place - it's also about the ongoing oversight and enforcement of these rules.

Body

Why financial market regulation is important?

- All of us depend on the financial system in one way or another. For example, savers rely on banks to have their money available when they need it. Businesses need to be able to borrow to maintain and develop their business.
- Poorly regulated financial institutions have the potential to undermine the stability of the financial system, harm consumers and can damage the prospects for the economy. Ex- SBI lending disproportionate money to defunct airline owner.
- That's why strong financial regulation is important - to put rules in place to stop things from going wrong, and to safeguard the wider financial system and protect consumers if they do go wrong.
- Effective government oversight prevents companies from taking excessive risks. Some have concluded, for example, that tighter regulations would have stopped Lehman Brothers from engaging in risky behavior, a change that could have prevented or curbed the 2008 financial crisis.
- Without regulation, a free market creates asset bubbles. That occurs when speculators bid up the prices of stocks, houses, and gold. When the bubbles burst, they create crises and recessions.
- Regulations protect social concerns. Without them, businesses will ignore damage to the environment. They will also ignore unprofitable areas such as rural areas and unprofitable areas like agriculture.
- Regulators have been empowered to set the policy agenda, outline regulations, punish non-compliance and garner resources to manage their affairs. e.g. Prompt Corrective Action plan of RBI

- **Control Fraud:** Market regulators put systems in place to prevent fraud as financial customers aren't always sophisticated enough to do so themselves. e.g. Time to time guidelines given by RBI to ensure fairness in Banking Sector.
- **Promote Fairness:** Regulators aim to reduce profits that insiders could extract from the markets. Laws against insider trading, for instance, help to level the playing field. e.g. In India, SEBI under the "SEBI (Insider Trading) Regulation, 1992" intends to curb and prevent the menace of insider trading in securities.
- **Set Mutually Beneficial Standards:** Regulators help analysts to easily compare companies by requiring compliance with accounting standards set by them. e.g. In India it is done by The Institute of Chartered Accountants of India (ICAI). So, here ICAI ensures fairness and equity by maintaining transparency for every player in market.
- **Prevent Excessive Risk:** Regulators require financial firms to maintain minimum levels of capital so that the firms honour their commitments and ensure firm's owners have some "skin in the game."
- **Ensure Liabilities are Funded:** Regulators watch over insurance companies and pension funds to ensure adequate reserves are maintained to cover liabilities because managers of these entities tend to underestimate long-term liabilities especially when there is an incentive not to do so.

Financial market regulation in India

India has product-wise regulators

- Reserve Bank of India (RBI) regulates credit products, savings and remittances
- The Securities and Exchange Board of India (SEBI) regulates investment products
- The Insurance Regulatory and Development Authority (IRDA) regulates insurance products
- The Pension Fund Regulatory and Development Authority (PFRDA) regulates pension products
- NABARD supervises regional rural banks as well as state and district cooperative banks
- NHB regulates housing finance companies
- SIDBI regulates the state finance corporations (SFCs)
- The state governments regulate the cooperative banking institutions in their respective states.

Conclusion

The regulators in the Indian Financial Market ensure that the market participants behave in a responsible manner so that the financial system continues to work as an important source of finance and credit for corporate, government, and the public at large. But, over the period of time new challenges have emerged. Hence, to tackle these challenges regulatory bodies need to be empowered to ensure fairness and equity in different markets.

2. What is the mandate of the Competition Commission of India (CCI)? Explain the significance of CCI for protecting the interests of consumers.

Approach

Candidate can start the answer with highlighting basic information on the CCI and its mandate and then simply write how CCI acts in the consumers and public interest provide some studies and any recent judgement or decisions by CCI.

Introduction

Competition Commission of India (CCI) is a statutory body of the Government of India responsible for enforcing the Competition Act, 2002. The Monopolies and Restrictive Trade Practices Act, 1969 (MRTP Act) was repealed and replaced by the Competition Act, 2002, on the recommendations of the Raghavan committee.

Body

Mandate of the CCI:

- To eliminate practices having adverse effects on competition, protect the interests of consumers and ensure freedom of trade in the markets of India.
- To give opinion on competition issues on a reference received from a statutory authority
- To undertake competition advocacy, create public awareness and impart training on competition issues.
- Consumer Welfare: To make the markets work for the benefit and welfare of consumers.
- Ensure fair and healthy competition in economic activities in the country for faster and inclusive growth and development of the economy.
- Implement competition policies with an aim to effectuate the most efficient utilization of economic resources.
- Effectively carry out competition advocacy and spread the information on benefits of competition among all stakeholders to establish and nurture competition culture in the Indian economy.

Competition Act, 2002 has been amended by the Competition (Amendment) Act, 2007. It follows the philosophy of modern competition laws:

- The Act prohibits anti-competitive agreements, abuse of dominant position by enterprises.
- The Act regulates combinations (acquisition, acquiring of control and Merger and acquisition), which causes or likely to cause an appreciable adverse effect on competition within India.

- In accordance with the provisions of the Amendment Act, the Competition Commission of India and the Competition Appellate Tribunal have been established.
- The government replaced the Competition Appellate Tribunal (COMPAT) with the National Company Law Appellate Tribunal (NCLAT) in 2017.

Significance of the CCI for protecting the interest of the consumers:

- Competition Act is a breed of anti-trust laws which are globally prevalent to protect the consumers at macro level, instead of micro level and also to protect the small and medium businesses from the abuse of dominant position of large enterprises or entities. Every government works towards protecting and safeguarding their consumers.
- At micro level, one has easy remedy. A person approaches the Tribunal under Consumer Protection Act 2019 this protection or safeguard is at micro level.
- At macro level, business enterprises go to an extent that in the beginning it is difficult to assess the loss or the damage, but by the time one realizes, the damage is already caused.
- This is where, the Competition Act, 2002 comes to the rescue of the consumers by protecting them at macro level from the monopoly of big business enterprises, thereby favouring competition.
- The main aim of Competition Policy is to promote consumer welfare, and this can be achieved by setting minimum specifications and standards for safety for both goods as well as services. Moreover, all this can be achieved by establishing mechanisms to redress the grievances of consumers.
- CCI performs advocacy and advisory functions apart from being a regulator of market in India. Key to consumer welfare is fair competition, which can be achieved through the purposes of the Competition Act, 2020 for protecting and promoting fair competition in the markets in India.

Recent Judgements and observations of CCI in favour of consumer and public interest:

- Cement companies: CCI imposed a fine of ₹63.07 billion (US\$910 million) on 11 cement companies for cartelisation in June 2012.
- BCCI: CCI imposed a penalty of ₹522 million (US\$7.6 million) on the BCCI in 2013 for misusing its dominant position.
- Telecoms: CCI ordered a probe into the functioning of Cellular Operators Association of India (COAI) following a complaint filed by Reliance Jio against the cartelization by its rivals Bharti Airtel, Vodafone India and Idea cellular.
- Google: The commission ordered an antitrust probe against Google for abusing its dominant position with Android to block market rivals.
- The Competition Commission of India (CCI) froze its approval given in November 2019 to Amazon's investment in a Future Group unit on the grounds that the Amazon had suppressed the scope and full details of its investment while seeking regulatory approval.

- Recently, CCI found that three beer companies United Breweries Ltd (UBL), Carlsberg India Pvt Ltd (CIPL) and Anheuser Busch InBev India (AB InBev) had colluded to fix beer prices for a full decade between 2009 and 2018. As a result, the CCI slapped a penalty of Rs 873 crore on the companies as well as the All-India Brewers Association (AIBA) and 11 individuals for cartelisation in the sale and supply of beer in 10 states and Union Territories.
- A study by the CCI has said that the Data privacy can take the form of non-price competition and abuse of dominance can lower privacy protection.
- The study also made observations about other non-price factors such as quality of service (QoS), data speeds and bundled offerings, which are likely to be the new drivers of competitive rivalry between service providers in telecom sector in addition to just price.

Conclusion

With the advent of Web 3.0, AI, IoT, Blockchain and other technological developments, and emergence of issues like data protection and privacy, platform neutrality, deep discounting, killer acquisitions, etc, the need for a robust competition law, attuned to meet the needs of present-day techno-legal world, is important for India, which enables a true level playing field for the digital market players. CCI should take note that these markets are being fairly, effectively, and transparently used for the benefit of consumers.

3 Identify key interventions being implemented by government to improve the quality and availability of household water

Approach

A simple straightforward question where candidates need to write about government of India's initiatives to improve quality and availability of household water give some examples of schemes in second part of answer .

Introduction

The Prime Minister recently released the operational guidelines for Jal Jeevan Mission (JJM). It is a Central government's initiative to provide Functional Household Tap Connections (FHTC), to every rural household i.e., 'Har Ghar Nal Se Jal' by 2024. Out of 17.87 crore rural households in the country, about 81.67% households are yet to have tap connections for water.

Body

- The Jal Jivan Mission will be implemented through institutional mechanism at four levels- National, State, District, and Gram Panchayat, in which a major role will be played by women and the Paani Samitis or the user group.

- The total project is estimated to cost about ₹3.60 lakh Crore. The fund sharing pattern between the Centre and states is 90:10 for Himalayan and North-Eastern States, 50:50 for other states, and 100% for Union Territories.

Background of Jal Jeevan Mission

- The Central assistance to states for rural water supply began in 1972 with the launch of Accelerated Rural Water Supply Programme.
- It was renamed as National Rural Drinking Water Programme (NRDWP) in 2009, which is a centrally sponsored scheme with the aim to “enable all households to have access to and use safe & adequate drinking water within premises to the extent possible”.

Jal Jeevan Mission

- JJM will focus on integrated demand and supply-side management of water at the local level, including creation of local infrastructure for source sustainability like rainwater harvesting, groundwater recharge and management of household wastewater for reuse would be undertaken in convergence with other government programmes/schemes.
- The following kinds of works/schemes are to be taken up under JJM:
- In-village water supply (Piped Water Supply) infrastructure for tap water connection to every household;
- Reliable drinking water source development/augmentation of existing sources;
- Transfer of water (multi-village scheme- where quantity & quality issues persist in the local water sources);
- Technological intervention for water treatment to make water potable (where water quality is an issue, but quantity is sufficient);
- Retrofitting of completed and ongoing piped water supply schemes to provide FHTC and raise the service level (at the rate of 55 litres per capita per day);
- Grey-water (any domestic wastewater produced, excluding sewage) management;
- Capacity building of various stakeholders and support activities to facilitate the implementation.

The salient features of the recently released guidelines are as follows:

- For the implementation of JJM, following institutional arrangement has been proposed:
- National Jal Jeevan Mission (NJJM) at the Central level;
- State Water and Sanitation Mission (SWSM) at State level;
- District Water and Sanitation Mission (DWSM) at District level; and
- Gram Panchayat and/or its sub-committees viz. Village Water Sanitation Committee (VWSC)/ Paani Samiti at Village level.
- Time-bound completion of schemes taken up under NRDWP has been proposed by providing FHTC to every rural household.
- The fund released by Central Government to the State Governments is to be deposited in one Single Nodal Account (SNA) that will be maintained by SWSM.

- The physical and financial progress of the mission will be monitored through Integrated Management Information System (IMIS) and fund utilization through Public Finance Management System (PFMS).
- Imbibing the spirit of the 73rd Amendment of the Constitution of India, Gram Panchayats or its sub-committees will play a crucial role in planning, designing, execution, operations and maintenance of the in-village infrastructure.
- Every village will prepare a Village Action Plan (VAP) which will have three components: i.) Water source & its maintenance ii.) Water supply and iii.) Greywater management.
- VAP will be aggregated at the district level to formulate the District Action Plan which will be aggregated at the state level to formulate the State Action Plan.
- State action plan will give a holistic view covering projects like regional grids, bulk water supply and distribution projects to address the needs of water-stressed areas ensuring drinking water security in the state.
- JJM envisages a structural change in the provision of drinking water supply services from present 'department-based construction or infrastructure development' to 'utility-based approach centered on service delivery' so as to enable the institutions to function as utilities focusing on services.
- Ascertaining the availability and the quality using sensors based Internet of Things (IoT) technologies.
- For targeted delivery and monitoring of specific outcomes, every functional tap connection is to be linked with the Aadhar number of the head of the household subject to statutory provisions.
- Every asset created under JJM will be geo-tagged and 3-D contour mapping for slopes will be done. States will carry out Third-party inspection for all infrastructures created under the JJM before making any payment to instil accountability.
- Functionality assessment of the schemes implemented under JJM will be done by the Department/NJJM, based on which the fund will be made available to States/UTs based on their performance.

Operationalization of the Scheme

Background:

- Water being a subject mentioned in the State List, the guidelines were formed by the Centre in close consultation with the state governments.
- The government realized the fact that 'One size fits all' approach is not practically feasible in India and hence the key principles laid out have been made flexible.

Objectives:

- The programme aims to raise the current coverage of tap water in rural households from 18-19% to 100% in the next 5 years by 2024.
- It was proposed to achieve this goal by 2030, coinciding with the United Nations Sustainable Development Goals. But through Jal Jeevan Mission (JJM), it is set to be achieved by 2024.

- Mandatory source sustainability measures like rainwater harvesting, groundwater recharge and other water conservation measures along with greywater management (including reuse) are proposed to be undertaken under it.
- Funds: Convergence with MGNREGA funds and grants under Finance Commission, State Finance Commission, District Mineral Development Fund (DMDF), MPLADS, MLALADS, or donations, etc. has been proposed so as to assess and pool the fund available for drinking water supply.
- This helps in preventing the creation of parallel water supply infrastructure deviating from the approved plan.
- 'Rashtriya Jal Jeevan Kosh' will mobilize and accept donations/contributions received from various sources to fund JJM.

Implementation:

- At ground level, apart from the government there are two major players responsible for the implementation of the scheme:
- **Role of Women:** As observed in Swachh Bharat Mission, women here also will play a vital role from being beneficiaries to getting empowered and playing leadership. As per the guidelines, there has to be at least 50% representation of women in the Paani Samiti.
- **Paani Samiti/User Group:** It is a statutory committee of the Gram Panchayat. There was a dire need of community participation, ownership and contribution in all decisions pertaining to water supply systems. Therefore, community-led partnership along with States/ UTs to achieve the objectives of JJM will help in bringing long term sustainability in the sector.
- **Integration:** Earlier, water was institutionally fragmented into different ministries, but the creation of the Ministry of Jal Shakti integrated both aspects related to water resource management & sustainability and service delivery of drinking water & sanitation. However, much more can be achieved by the integration of different ministries like Environment Ministry, Ministry of Skill Development, etc.
- **Complementary Schemes:** Similar schemes viz., Atal Bhujal Yojana (for sustainable management of groundwater with community participation) will play a crucial role, as groundwater is an important component in JJM. Hence, it is an end-to-end integrated solution.

Conclusion

The stress on water will increase with the rise in population, in that case, managing the demand for water, will become difficult. The Union Government on its part has created a Jal Shakti Ministry as a separate full-fledged ministry to address the water emergency in the country, but a lot more needs to be done. The Government needs to holistically handle the supply as well as the demand side of water management and everybody in the society, i.e. government, citizens, NGOs, civil societies, etc. need to integrate and come together to tackle water crisis in the country.

4. Discuss the major trends in India's population by comparing different demographic indicators. Do you think government intervention is required for population control? Critically examine.

Approach

Candidate is expected to highlight the major trends in India's population. In the next part, need of the government intervention for population control can be examined while giving global examples of population control.

Introduction

According to a recent analysis by the Lancet, India's population is forecasted to peak around 1.6 billion in 2048 from 1.38 billion in 2017. It will be followed by a 32% decline to around 1.09 billion in 2100. India is also expected to surpass China's workforce population in the mid-2020s, where the working-age population is estimated to decline from 950 million in 2017 to 357 million in 2100.

Body

Major trends in India's population

- According to recent study, India in 2100 will be the world's most populous country. The number of working-age adults aged 20-64 in India is projected to fall from around 762 million in 2017 to around 578 million in 2100.
- However, India has been forecasted to have the largest working-age population in the world by 2100. From 2017 to 2100, India is projected to rise up the rankings of countries with the largest total Gross Domestic Product (GDP) globally from 7th to 3rd, in terms of nominal GDP.
- The country's Total Fertility Rate (TFR) declined to below 2.1 in 2019 (data taken from the Global Burden of Disease Study 2017) and is projected to have a continued steep fertility decline until about 2040, reaching a TFR of 1.29 in 2100.
- India is also forecasted to have the second-largest net immigration in 2100, with an estimated half a million more people immigrating to India in 2100 than emigrating out.
- Given the trends of countries like the USA banning work visas and India being a developing country, has the potential to offer a huge manufacturing market to immigrants who want to work here.
- India is on the right side of demographic transition that provides golden opportunity for its rapid socio-economic development, if policymakers align the developmental policies with this shift.
- This demographic transition or shift also brings complex challenges with it. If the increased workforce is not sufficiently skilled, educated and provided gainful employment, India would be facing demographic disaster instead.

- To reap the benefits of the shift, proper investment in human capital is needed by focussing on education, skill development and healthcare facilities.

Government intervention for population control

- At present, India hosts 16% of the world's population with only 2.45% of the global surface area and 4% water resources.
- The ecosystem assessments also pointed out that the human population's role in driving other species into extinction and precipitating a resource crunch.
- A very high level of population growth can create imbalances, which make the job of the state more difficult, but the way the issue is being approached is problematic and will have unintended consequences.
- The approach is anti-poor, as they tend to have more children than middle-class people. Further, it is an anti-democratic practice that impairs a citizen's right to choice and his/her sexual and reproductive rights.
- India's TFR is about to reach the net replacement rate, or NRR, of about 2.1-2.2. So, India is not being threatened by a "population explosion". The National Family Health Survey (NFHS) and Census data show that in most states, and many urban areas, the total fertility rate (TFR) has already reached replacement levels (2.1).
- The population control measures might end up creating difficulties for tomorrow. Attempts to address the population issue through exclusionary policies will not improve the quality of life in states. So, this creates problems in the future.
- The stricter population control policy from other countries are not effective in the long run and also tends to skew the sex ratio. China, for instance, resulted in a significant gender imbalance because of preference for a male child.
- If the states want to ensure a lower and stable fertility rate, they first need to strengthen medical infrastructure and focus on socio-economic issues.
- The success of India's southern states in containing population growth indicates that economic growth, as well as attention to education, health, and empowerment of women, work far better to disincentivize larger families than punitive measures.
- The Cairo Consensus called for the promotion of reproductive rights, empowering women, universal education, maternal and infant health to untangle the knotty issue of poverty and high fertility.
- The consensus also demands an increase in the rate of modern contraceptive prevalence, male contraception. States instead of releasing population control measures can start to adhere to implementing the Cairo consensus.
- Population stabilisation is not only about controlling population growth, but also entails gender parity. So, states need to incentivize later marriages and childbirth, promoting women's labor force participation, etc.

Conclusion

As the Economic Survey, 2018-19, points out that India is set to witness a sharp slowdown in population growth in the next two decades. Further, population estimates also predict a generational divide between India's north and south, Fifteen years from now. So instead of population control policies at the state level, India needs a universal policy to utilize population in a better way.

5. The presidential election has increasingly become a platform for political posturing. What do you think? Critically comment.

Approach

Candidate can start with the recent presidential election and then explain how it's related to tokenism, symbolism and carried as a platform for political posturing messaging. As question demands to critically comment also provide alternative view and comment how its beyond political posturing.

Introduction

In the recently concluded Presidential election, Droupadi Murmu got elected as the 15th President of India. Her elevation to the position of the country's head of state is hailed as a historic moment. This is primarily because Murmu is India's first tribal and the youngest woman President.

Body

Presidential election has turned as a platform for political posturing:

- In 2017, when Ram Nath Kovind was elected as the President, he was only the second Dalit to reach the post. Both Presidential candidates were from the Dalit community it was high on political symbolism in view of opposition's intent to make an ideological statement. This makes one believe that present Presidential election is fought on ground on symbolism and political posturing process.
- Political decisions like these are to garner the support for the run up to the upcoming state elections to woo certain communities.
- The significance of an Adivasi woman on the side gets amplified and central government may try to make inroads into the tribal vote bank, the party seems to have won a moral high ground.
- With public institutions and services acting as rigged rigmaroles facing away from the poor, political patronage and posturing can be the only way the poor see any form of benefits from the State or its agents.
- Her nomination for the post of President of India by the BJP signifies the party's sustained efforts to incorporate tribal communities, both politically and culturally.

- Despite strict laws, caste and tribal motivated killings, social exclusion and discrimination against Dalits and tribals are a daily occurrence. Thus, a Dalit or tribal President is merely a political move unless the government takes staunch actions for Dalit and tribal empowerment and protection.

Election to president carries immense significance and hope of politics with inclusiveness and achieving social justice which is beyond political posturing:

- A tribal woman being elected to the highest office is not a symbolic gesture or an apolitical elevation. It is a realisation of the country's collective conscience that tribal communities deserve more than they have received from the Indian state.
- It is, indeed, historic in the discourse of India's social justice politics as India not only has never had a president from the tribal community before but the country has also hardly witnessed a rise of many prominent national political leaders from the marginalised Scheduled Tribe community.
- It will inspire many young women from marginalised communities, to dream big. Droupadi Murmu or Ramnath Kovind is not just a source of inspiration their life and struggle, determination and success in the face of great odds represent the hope and promise of New India.
- It represents the New India of prosperity, equality and socio-economic mobility, reflecting the true embodiment of samajik samarasta (social harmony). A tribal woman succeeding a Dalit to the highest constitutional post of the nation is a remarkable testimony to the deepening roots of Indian democracy.
- The central government has expanded its electoral base among all social groups and communities, with marginalised groups being accommodated with dignity and pride and not just for the sake of social engineering and tokenism.
- Due to the lack of women in positions of power at the local, state and national levels, girls and women don't have many role models. Should Murmu become the First Citizen, it would not only give hope to the marginalised, but also to the many women who are considered second-class citizens.
- A recognition of their historical role and an appreciation of their social and cultural values are equally important. India's huge tribal population now finds its role in the republican and democratic system of the nation recognised.
- And yet, posturing can't be ignored because it marks a major step forces other political parties to recalibrate their stand and shakes politics out of its slumber. It also pushes political analysts to search for a new lens to view the politics of India they believe is avowedly 'upper caste'.

Conclusion

The sanctity of the office of the president lies in remaining above the vagaries of partisan politics and offering larger stability as a 'symbol of national unity'. At a time when the Indian political landscape witnesses contentious political partisanship over a host of crucial issues, the clout and the goodwill of the new president will be crucial

in building political bridges for the larger purpose of public welfare and stable governance.

1. Identify and evaluate the key policies of the Indian government that aim at promoting socio-economic development in tribal communities.

Approach

Candidate can briefly outline the constitutional safeguards provided for the welfare of tribal in the beginning, followed by the welfare policies for their socio-economic development. In the end, challenges in the implementation of these welfare measures can be discussed along with the conclusion.

Introduction

The word 'tribe' was originally a Latin word *tribus*, meaning 'the poor', later used to specify the masses. Traditionally, Scheduled Tribes enjoyed total autonomy over the governance of their affairs. This system of autonomy was dismantled during the British Raj in India. Tribal communities in India were viewed with derision by the British and various legislations were brought to alienate them from their ancestral rights and further criminalized upon demanding their rights.

Body

Constitutional safeguards for the tribal community

- Article 15 prohibits discrimination on grounds of religion, race, caste, sex or place of birth. Similarly under Article 17 of the Indian constitution untouchability has been abolished.
- Article 46 promotes educational and economic interests of scheduled castes, scheduled tribes and other weaker sections.
- Under, Article 19 (5), special restrictions may be imposed by the State on freedom of movement and residence for the protection of the interests of any Scheduled Tribe.
- Article 330 and 332: It reserves seats for STs in Schedule areas, thus granting them representation to safeguard their rights and interests.
- The Fifth Schedule of the Constitution deals with the administration and control of Scheduled Areas as well as of Scheduled Tribes residing in any State other than the States of Assam, Meghalaya, Tripura and Mizoram.
- The Sixth Schedule of the Constitution provides for the administration of tribal areas in Assam, Meghalaya, Tripura and Mizoram to safeguard the rights of the tribal population in these states. The Sixth Schedule provides for autonomy in the administration.

Welfare policies for socio-economic development

- The Tribal Cooperative Marketing Development Federation of India (TRIFED) was established for the socio-economic development of tribal people in the country by promoting tribal products in the market, which is the source of livelihood for the maximum tribal population.
- Panchayats (Extension to the Scheduled Areas) Act, 1996: It was enacted in order to provide for the extension of the provisions of Part IX of the Constitution relating to the Panchayats to the Scheduled Areas.
- Recognition of Forest Rights Act, 2006: It recognises and vests forest rights and occupation on forest land to STs. The right to ownership to land farmed by tribals or forest dwellers is granted subject to a maximum of 4 hectares. Under the Act various rights including title rights, use rights, relief and development rights etc. are given.
- Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989: This Act was enacted in order to prevent the commission of offences of atrocities against the members of the Scheduled Castes and the Scheduled Tribes. The Act provides for Special Courts for the trial of such offences.
- Pradhan Mantri Van Dhan Yojana: The Ministry of Tribal Affairs launched it in 2018, under the Forest Rights Act of 2005. It aims to provide remunerative and fair prices to tribal gatherers of their Minor Forest Produces. It could be almost 3 times higher than what would be available to them from the middlemen.
- Adi Prashikshan Portal: It aims to act as a central repository for information on all training programmes conducted by Tribal institutions across the country under Adi Prashikshan-Training for Tribals initiative.
- Janjatiya Gaurav Divas: It is dedicated in the memory of brave tribal freedom fighters so that coming generations could know about their sacrifices for the country.
- Eklavya Model Residential Schools (EMRS): they are model residential schools for Scheduled Tribes across India. It aims to impart quality education to ST children in remote areas.

Challenges faced in the implementation of the welfare schemes

- Social barriers pertain in dealing with tribal social system. Cultural barriers are related to different cultural values which come in the way of adoption of innovation.
- Poor implementation of programmes is reason for lack of social development among tribes. Another arguments regarding poor development of the tribal populations is built around the issue of the traditional socio-cultural aspects of tribal life.
- Massive development displacement of tribes. Tribal areas have witnessed the development of industry, mining, infrastructure projects such as hydraulic projects such as dams and irrigation. It has been often loss of livelihood and involuntary migration of tribes.
- The Provisions of PESA 1996 and FRA 2006, enacted to redress the historical injustice to tribal and forest communities, have been significant initiatives that

have changed their legal status. However, policies and practices have been slow to absorb the changed circumstances recognised in the law.

- Of the nine States considered to be seriously affected by LWE, six are States with Scheduled districts. LWE primarily as a national security problem used address militarily. This approach is resulting in the further alienation of tribal communities, widen the trust deficit between the State and the tribal people creates hurdle in implementation.

Conclusion

High-Level Committee under Virginius Xaxa recommended measures for effective implementation of welfare schemes, which included, protecting the land and forest rights of tribal communities for their livelihood. The committee recognised the right to preservation of their language, culture and traditions, and to protect themselves against the loss of identity, must be recognised, protected, documented and allowed to thrive as a dynamic living culture.

2. Critically review the policy measures aimed at promoting regional integration in the Northeast.

Approach

Candidate can start the answer with highlighting basic information on NER and then explain several initiatives by government for regional integration also try to critically evaluate different initiatives and review the different factors why the region goes through alienation from rest of India.

Introduction

Northeast India is the eastern-most region of India. It is connected to East India via a narrow corridor (Siliguri corridor) squeezed between independent nations of Bhutan and Bangladesh. It comprises the contiguous Seven Sister States (Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, and Tripura), plus the Himalayan state of Sikkim.

Body

Measures to promote regional integration of North east:

Cultural initiatives:

- Recently, a cultural festival of the northeast as part of the celebrations of 75 years of Independence under the Azadi Ka Amrut Mahotsav programme concluded at the National Museum, Delhi.

- Tribes in North-East have their own culture. Popular festivals include Hornbill Festival of Nagaland, Pang Lhabsol of Sikkim, etc promoted by Gol.

Political initiative:

- North-Eastern Council was created by a separate Act of Parliament, the North-Eastern Council Act of 1971. Enabling the Centre and the States to co-operate and exchange ideas and experiences. Establishing a climate of co-operation amongst the States for successful and speedy execution of development projects.

Communication level:

- Government is also emphasizing on projects related to power transmission and distribution, mobile networks, 4G, and broadband connectivity.

Infrastructure Related Initiatives:

- Under Bharatmala Pariyojana (BMP), road stretches aggregating to about 5,301 km in NER have been approved for improvement. The North East has been kept as a priority area under RCS-UDAN (to make flying more affordable).
- Kaladan Multi-Modal Transit Project (Myanmar) and Bangladesh-China-India-Myanmar (BCIM) Corridor.
- To address the issue of connectivity in this region, the government has initiated a slew of infrastructural projects related to air, railways, roads, waterways, etc. The Union government has been pumping in huge money to develop several infrastructure projects.
- Under UDAN the regional connectivity scheme (RCS) it has been identified as a priority area. This has helped in enhancing inter and intra connectivity for the region. In this regard, new airports are being developed, and old airports are getting upgraded. Considering the hilly terrain, helicopter operations under UDAN scheme are also in focus.
- It was announced in Union Budget 2022-23. This will fund infrastructure in the spirit of PM Gati Shakti, and social development projects based on felt needs of the North-East.

From Tourism:

- Under the Swadesh Darshan Scheme of the Ministry of Tourism, projects worth Rs.1400.03 crore have been sanctioned for the NER in the last five years.

Market and labour mobility:

- Better access to the integrated market is linearly equated to peace, prosperity and development. It can also aid in further connectivity and labour mobility in the Border States like Arunachal Pradesh.

Intra-regional integration:

- The government has set 2024 as the deadline for connecting the remaining northeastern state capitals with the national capital by railway network.

Links with Southeast Asia:

- ASEAN engagement becoming a central pillar of India's foreign policy direction, North-East states play an important role as the physical bridge between India and Southeast Asia. The India's Act East Policy places the northeastern states on the territorial frontier of India's eastward engagement.

Despite initiatives of integration there is alienation and isolation due to several factors:

- Gaps at national level: The broad racial differences between India and its Northeast and the tenuous geographical link (the chicken neck Siliguri Corridor) contributed to a sense of alienation, a feeling of 'otherness' that subsequently gave rise to a political culture of violent separatism.
- ILP: Restrictions are imposed on the entry of outsiders to maintain the original identity of indigenous people of Mizoram, Nagaland and Arunachal Pradesh entry of outsiders are not allowed without ILP.
- Socio cultural: Due to its distinct socio-cultural background and particular historical evolution, the North-East region of India holds several fault lines in its regional integration.
- Sub-national aspirations: The region is populated by a number of different communities, with diverse cultures, languages and customs.
- Governance: Many projects in NER are languishing due to problems related to land acquisition and forest clearance, prevailing law and order situation and limited working season due to high rainfall.
- The region has also received little attention from either the national or the international media. Achievements by a separate ministry created by the Indian government for the integration of the region remain minimal.
- Tourism, which could have flourished in the scenic northeast, has suffered a lot due to instability in the region.
- National projects such as the extension of the rail lines have either been stalled or have moved with a tardy pace after militants attacked the construction sites and abducted workers.
- Militancy has also stalled the prospect of linking the economy of the northeast with the neighbouring Southeast Asian countries.
- Porous international borders and easy availability of arms. Difficult terrain and weak infrastructure facilitating insurgents involved in conflict.

Way Forward

- North East is very rich in culture and there is great talent among the youth of the region in music, dancing and painting etc. Government should use these cultural tools to integrate.
- There should be special drives for increasing the intake of North East youth in railways, nationalized banks, central para-military forces including Assam rifles, airlines, oil refineries and other big central public sector undertakings.
- Implementation of Bezbaruah committee and taking proactive steps towards safe social integration and mutual respect and understanding for migrant people and overall, NER people.
- Enhance communication and connectivity, infrastructure improvement for better integration of the region with the mainland.
- Greater cultural interaction with the rest of the country and socio-economic development that includes a holistic inclusive development.
- Decentralization with alertness, improving administrative efficiency, pro-people governance and coping up with regional aspirations.

3. What are quasi judicial bodies ?discuss their significance for governance .

Approach

A simple straightforward question where candidates need to write about quasi-judicial bodies, In second part of answer candidates need to write about significance of quasi-judicial bodies for governance.

Introduction

Quasi-judicial bodies are such institutions which have power of enforcement of law but are not courts. These bodies can inquire, investigate, summon & award legal penalties to any administrative agency. Generally, these bodies have limited judiciary power in specialized areas.

Body

A quasi-judicial body is an organisation which powers resembling to that of court of law of judge have been conferred in order to adjudicate and decide upon the situation and impose penalty upon the guilty or regulate the conduct of individual or entity.

Advantages of Quasi-Judicial Bodies:

- **Low Cost:** In the conventional judicial process, a large section of the population hesitate from approaching the Courts, thus defeating the purpose of justice. Tribunals on the other hand, have an overall low cost which encourages people to seek redressal for their grievances.
- **Simplicity:** Tribunals and other such bodies do not follow any lengthy or complex procedure for submitting application or evidence etc.

- **Expert Knowledge:** A tribunal comprises experts, who can easily understand the technicalities of a case, the necessary actions involved and their consequences.
- **Reduction of Workload:** Tribunals while taking up specific matters, majorly help by sharing the massive workload of the Judiciary. In a country which has 2.81 crore pending cases, it is important to take steps to decrease the burden of the Judiciary.

Role of quasi-judicial bodies in the governance-

- In the conventional judicial process, a large section of the populace for the fear of expenditure may hesitate from approaching the Courts, thus defeating the purpose of justice. Quasi-judicial bodies, on the other hand, have an overall low-cost which encourages people to seek redressal for their grievances.
- Tribunals and other such bodies do not follow any lengthy or complex procedure for submitting application or evidence etc.
- Quasi-judicial bodies while taking up specific matters, majorly help by sharing the massive workload of the Judiciary. Like the National Green Tribunal adjudicating the matters related to environment and pollution.
- Quasi-judicial bodies are accessible, free from technicalities, expeditious and proceed more rapidly and efficiently as manned by experts.
- Taking the example of the Election Commission of India - its quasi-judicial powers and functions sufficiently indicate that it has adjudicatory powers quite akin to the court system.

Quasi-judicial functions of the Election Commission are :

- The Commission has the power to disqualify a candidate who has failed to lodge an account of his election expenses within the time and in the manner prescribed by law.
- The Commission has also the power for removing or reducing the period of such disqualification as also other disqualifications under the law.
- The Commission acts as a court for settling disputes related to granting of recognition to political parties and allotment of election symbols to them.
- Quasi-judicial bodies mostly remain understaffed and burdened with the ever-increasing number of cases, because of which they find it difficult to perform their functions smoothly.
- The backbone of the problem lies in the fact that with half the manpower of the Judiciary, these bodies are expected to perform an almost equal amount of work. Despite such odds, Quasi-judicial bodies are a great help to the nation and have substantially decreased the burden of the Judiciary. They also enable efficient governance of the country by addressing the core issues.

Examples:

- National Human Rights Commission
- State Human Rights Commission (established at each state)

- Central Information Commission
- State Information Commission (established at each state)
- National Consumer Disputes Redressal Commission
- State Consumer Disputes Redressal Commission (established at each state)
- Competition Commission of India
- Appellate Tribunal for Electricity
- Railway Claims Tribunal
- Income Tax Appellate Tribunal
- Intellectual Property Appellate Tribunal
- Central Excise and Service Tax Appellate Tribunal
- Banking Ombudsman
- Income tax Ombudsman

Conclusion:

Quasi-Judicial bodies were meant to reduce burden on judiciary, but after SC verdict, appeals can be made against the decision of these bodies in High court. Also some of these bodies are just re-commendatory in nature with not real powers. Steps have to be taken to give them autonomy and real powers on par with Judiciary to make them effective.

4. The protracted COVID pandemic has necessitated the adoption of measures to promote mental health and well-being. Comment.

Approach

Student can briefly highlight the importance of mental well-being in the beginning. In the next part, effect of pandemic on mental-health can be assessed followed by the measures to improve mental well-being.

Introduction

According to a survey carried out by UNICEF, mental issues have been a major aftereffect of the pandemic especially among the children and youngsters. Psychological distress has been one of the most significant implications of the pandemic across the globe. The issue of mental health is witnessing a steep rise after the onset of pandemic.

Body

Importance of mental well being

- The wide ambit of mental health involves the well- being of emotional, psychological and social states of our minds.
- Mental health has a huge impact on the acts and behaviours of individuals, their way of thinking and feeling.

- A considerable variation of mental state happens from childhood till adolescence which are driven by biochemical signalling pathways.
- Presently people are stepping ahead with an emerging sense of awareness about mental health as every individual living in this fast moving life with irregularities in lifestyle, has been a victim of abnormal states of mind like depression, anxiety, mood disorders, disorders stemming from doses of steroid drugs, eating disorders, addiction and so on and so forth.
- The mental illnesses have triggered significantly during the pandemic. Isolation, uncertainty and emotional insecurity exploded on big scale.

Pandemic and mental well being

- The pandemic brought the enforcement of isolation to mitigate the spread of COVID-19.
- This made people detached from all sorts of engagement resulting in rising cases of depression, addiction and even domestic violence on women.
- A massive cost has to be incurred by mental health due to the shift of the entire social framework to the adoption of a “new normal” amidst the lockdown activity.
- The period of pandemic confined many in solitude compromising the very ethos of being a human who is often awarded with the recognition of a social animal.
- “The Lancet” reported that there has been an increase of 35% of depression and anxiety cases as an impact of the pandemic. In 2020, there were 76.2 million cases of anxiety disorders in the country along with 53.2 million more cases of major depressive disorders.

What can be done?

- Specific preventive strategies at the community level such as (i) implementing effective communication and (ii) providing adequate psychological services should be carried out in order to attenuate the psychological impact.
- Hospitals protocols linked to the early and effective management of health emergency need to be implemented while healthcare professionals need to be supplied by adequate protective facilities.
- Scientific community should provide appropriate information to attenuate the impact of anxiety, frustration, and all the negative emotions which represent important barriers to the correct management of social crisis and psychological consequences.
- It is necessary that the awareness programmes by the government, think tanks like the NITI Aayog and other agencies must reach the rural communities who are unaware about mental health.
- It is significant to have an estimate of cases of mental disorders in the rural areas that remain unattended.
- Digital platforms can be used to connect people with experts who can counsel the individuals and reverse mental disorders at an early stage.

- Key institutions in collaboration with the government must exert emphasis on recruiting more psychiatrists to address the patients.
- Moreover, it is often recommended and found in practice that organisations are mandating the presence of a counsellor or psychologist to address the issues related to mental health of the employees especially during the unusual hours created by the pandemic. Such initiatives must be replicated.

Conclusion

A healthy state of mind of the citizens will serve as the potential desire of strengthening the developmental steps that the nations take towards a sustainable future achieving the visionary goals and beautifying the future with happiness and prosperity. Covid pandemic compelled us to think more seriously about the mental well-being. Collective efforts of institutions and government along with the civil society can transform the health landscape.

5. Do a brief SWOT analysis of the electric vehicle sector in India.

Approach

Candidate can start with the recent increasing scope of EV in India and explain what is the EV and its basics also as question demands simply do SWOT analysis on different dimensions.

Introduction

India is the fifth largest car market in the world and has the potential to become one of the top three in the near future with about 40 crore customers in need of mobility solutions by the year 2030.

Body

Electric vehicle:

- An electric vehicle (EV) is one that operates on an electric motor, instead of an internal-combustion engine that generates power by burning a mix of fuel and gases.
- An electric vehicle may be powered through a collector system by electricity from off-vehicle sources, or may be self-contained with a battery, solar panels, fuel cells or an electric generator to convert fuel to electricity.

SWOT analysis of electric vehicle sector in India:

Strength:

The government of India has taken various measures to develop and promote the EV ecosystem in the country such as:

- The remodeled Faster Adoption and Manufacturing of Electric Vehicles (FAME II) scheme
- Production-Linked Incentive (PLI) scheme for Advanced Chemistry Cell (ACC) for the supplier side
- The recently launched PLI scheme for Auto and Automotive Components for manufacturers of electric vehicles.
- India is among a handful of countries that support the global EV30@30 campaign, which aims for at least 30% new vehicle sales to be electric by 2030.
- Positive growth rate towards achieving India's goals for Paris agreement and Net Zero Emissions by 2070, a transportation revolution is required in India which will lead to better "walkability", public transportation; railways, roads and better cars.

Weakness:

- As per government data, India imported more than \$1 billion worth of lithium-ion cells in 2021, even though there is negligible penetration of electric vehicles and battery storage in the power sector.
- In 2018, India was reported to have only 650 charging stations, which is quite less than the neighboring counterparts who already had over 5 million charging stations.
- Lack of charging stations makes it unsuitable for the consumers in covering long range.
- Lack of standardization is a curse to the Indian electric vehicle industry; it's damaging the present and future of the EV market. Every second electric scooter has its own different charging port, which affects the charging station infrastructure.
- Moreover, it takes up to 12 hours for a full charge of a vehicle at the owner's home using a private light-duty slow charger. Temperature can affect the performance of an EV battery at a large extent which makes EV's inappropriate for too cold (Uttarakhand, Meghalaya) or too hot regions like (Rajasthan, Kerala). The battery can give its ideal performance when it's in use under the temperature range of 15-40 degrees.
- Also, the cost of a basic electric car is much higher than the average price of a car running on conventional fuel.
- However, there is concern over the absence of a manufacturing base for batteries in India, leading to sole reliance on imports to meet rising demand.

Opportunity:

- With recent technology disruptions, battery storage has great opportunity in promoting sustainable development in the country, considering government initiatives to promote e-mobility and renewable power (450 GW energy capacity target by 2030).
- It is estimated that by 2020-30 India's cumulative demand for batteries would be approximately 900-1100 GWh.

- However, Indian electric vehicle market is in its nascent stage when compared with the other matured markets such as U.S, China and Europe among others, where India accounting to be a negligible participant having a share of 0.1%.
- The Indian automobile industry is one of the largest growing markets of the world, and contributes more than 15% in India's GDP which is expected to reach up to 25% by 2024.
- The current trajectory of adding ever more cars running on expensive imported fuel and cluttering up already overcrowded cities suffering from infrastructure bottlenecks and intense air pollution is unfeasible. The transition to electric mobility is a promising global strategy for decarbonising the transport sector.
- An EV charging infrastructure that draws power from local electricity supply can be set up at private residences, public utilities such as petrol and CNG pumps, and in the parking facilities of commercial establishments like malls, railway stations, and bus depot.

Threat:

- The past few months have seen a number of electric scooters going up in flames in India. These incidents led to the beginning of a series of investigations and raised questions on EV safety. An explosion of battery of an electric scooter left one dead and three three injured in Vijayawada.
- India is technologically deficient in the production of electronics that form the backbone of the EV industry, such as batteries, semiconductors, controllers, etc. India does not have any known reserves of lithium and cobalt which are required for battery production. Dependence on other countries for the import of lithium-ion batteries is an obstacle in becoming completely self-reliant in the battery manufacturing sector.
- Charging a heavier electric car could be a major problem for any electric car owner if he/she lacks proper setup (Powerful MCB, wire, and earthing) near their place.
- The EV revolution is necessary for the most populated and polluted parts of India but major chunk of electricity is generated through burning fossil fuels which are equivalent to spreading the pollution through the ICE vehicle smoke, even most of the charging stations are reportedly operating upon diesel-driven electricity generator.
- Servicing and spare parts are some of the most important parts for any vehicle, especially for vehicles facing Indian roads. Very low quality and upon which the companies are adding some very high-tech functionalities like onboard GPS, touch screen panels, extremely delicate sensors.

Conclusion

Though the concept of electric vehicles has been around for a long time, it has drawn a considerable amount of interest in the past decade amid a rising carbon footprint and other environmental impacts of fuel-based vehicles. EV's are inevitable and IC vehicle technology needs to completely vanish if not today then someday for sure. But what is more important is opting for EVs smartly and safely.