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TLP

DAILY ANSWER WRITING FOR
UPSC MAINS - 2025

GS 2

COMPILATION

Topics Covered

- Polity
- Governance
- International Relations
- Social Justice



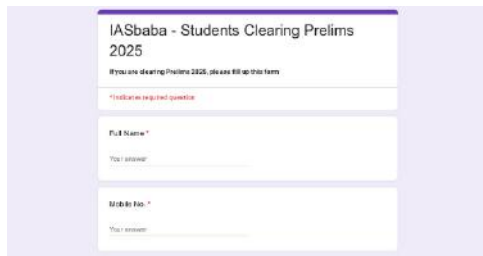
"Hi Everyone,

Hope you're all doing well and staying on track. If you're writing Mains this year, please fill in the form linked below.

Like in previous years, we'll be providing solid support throughout this Mains phase — 1:1 Mentorship, Theme-Based Classes, Quick & Detailed Answer Evaluation, Ethics and Essay guidance and high-quality Value Addition materials (QnA-style notes, data banks, keyword docs, etc.)

A separate Telegram group would be formed for this purpose.

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DAY-15

Q.1) “The Indian Constitution is not merely a legal text but a living, breathing document that evolves with societal needs.” Examine this statement with reference to the judicial interpretation of the ‘Right to Equality’ under Article 14. (150words, 10 marks)

Introduction

The Indian Constitution was not meant to be static—it was designed to adapt to **changing societal needs**. **Article 14**, the Right to Equality, reflects this evolving nature through progressive judicial interpretation, making the Constitution a truly living document.

Body**Indian Constitution Is a Living Document**

- 1. Flexible wording helps it grow:** The use of broad, open-ended terms allows for reinterpretation over time.
Example: Words like “liberty” and “equality” were given expansive meaning in ***Maneka Gandhi v. Union of India (1978)***.
- 2. Courts keep it updated:** The judiciary interprets the Constitution to respond to new challenges.
Example: In ***K.S. Puttaswamy v. Union of India (2017)***, the Supreme Court declared the Right to Privacy as a fundamental right.
- 3. Amendments allowed, but with limits:** The Constitution allows changes while safeguarding core values.
Example: ***Kesavananda Bharati v. State of Kerala (1973)*** established the Basic Structure doctrine.
- 4. PILs connect it with people:** Public Interest Litigations have brought social issues into constitutional discourse.
Example: In ***MC Mehta v. Union of India***, the court used PILs to enforce environmental rights.

Right to Equality

Article 14 guarantees equality before the law and equal protection of the laws. Courts have interpreted this to mean not just **formal equality**, but **substantive fairness**—recognising diverse needs and removing barriers that hinder real equality. This broader view has supported reservations, gender justice, and LGBTQ+ rights.

How Judiciary Interpreted Right to Equality Over Time

- 1. Laws must not be arbitrary:** Article 14 ensures that state actions must be fair, reasonable, and non-arbitrary.
Example: In ***E.P. Royappa v. State of Tamil Nadu (1974)***, the Court held that arbitrariness is antithetical to equality.
- 2. Different groups need different treatment:** The principle of reasonable classification allows positive discrimination for justice.

*Example: In **Indra Sawhney v. Union of India (1992)**, reservations for OBCs were upheld to achieve substantive equality.*

3. Same work means same pay: The right to equality includes equal pay for equal work, regardless of job status.

*Example: In **Randhir Singh v. Union of India (1982)**, the Court extended equal pay to temporary employees.*

4. Women must be treated fairly: Any law or policy that reinforces gender stereotypes violates equality.

*Example: In **Anuj Garg v. Hotel Association of India (2008)**, the Court struck down a law barring women from working in bars.*

5. LGBTQ+ community has equal rights: Sexual orientation is protected under equality, dignity, and non-discrimination.

*Example: In **Navtej Singh Johar v. Union of India (2018)**, Section 377 was read down to decriminalize consensual homosexual acts.*

6. Transgender persons are equal citizens: The right to self-identify gender is integral to dignity and equality.

*Example: In **NALSA v. Union of India (2014)**, the Court recognized the third gender and affirmed their constitutional rights.*

Conclusion

Through **Article 14**, the Constitution shows its **living spirit**—adapting and evolving to serve justice. Judicial interpretations have made the Right to Equality a powerful weapon against injustice in a changing society.

Q.2) Article 44 of the Constitution envisions a Uniform Civil Code (UCC) as part of the Directive Principles of State Policy. Do you think the implementation of UCC is necessary in present-day India to ensure equality and national integration? Analyse in light of recent legislative and judicial developments. (150 words, 10 marks)

Introduction

Article 44 of the Indian Constitution envisions a Uniform Civil Code to provide **equal civil laws** for all citizens, regardless of religion, as a means to promote **national unity and equality**. Recent debates have renewed interest in its feasibility and desirability.

Body

Arguments in Support of UCC

1. Promotes Gender Justice: UCC can remove discriminatory personal laws, especially against women.

Example: Triple talaq was struck down in **Shayara Bano v. Union of India (2017)** for violating women's rights under Article 14.

2. Upholds Secularism: It separates religion from personal law, aligning with India's secular ideals.

Example: Supreme Court in *Sarla Mudgal v. Union of India (1995)* urged for UCC to avoid misuse of religion in marriage and divorce.

3. **Makes Laws Simpler:** Uniform laws reduce legal confusion for citizens and courts. Example: A **common code** would ease adjudication in matters of marriage, divorce, inheritance, and adoption.
4. **Unifies the Nation:** A single civil code fosters civic unity and reduces communal divides. Example: **Goa's UCC**, in place since Portuguese rule, serves as a working example of legal uniformity in a diverse society.
5. **Backed by Legal Reforms:** Recent moves show increasing support for UCC implementation. Example: **Uttarakhand** passed the first state-level UCC in 2024; the **Law Commission (2023)** also advocated for wider reforms.

Criticism and Counterarguments

1. **May Violate Religious Freedom:** Critics argue UCC could infringe on **Article 25** (freedom of religion) and **Article 29** (cultural rights). Example: Communities fear losing their right to practice personal laws tied to religion.
2. **Threat to Cultural Diversity:** Uniformity may overlook India's vast cultural and traditional pluralism, sparking resistance. Example: **Diverse customs** in marriage, inheritance, and adoption may not be adequately addressed under a single code.
3. **Potential Political Misuse:** UCC could be used as a political tool to target minorities, leading to further polarization. Example: The communal nature of UCC debates during elections has raised questions about its true intent.
4. **Implementation Challenges:** Legal and federal complexities make nationwide implementation difficult, especially when personal laws fall under the **Concurrent List**. Example: **State-Centre disputes** could arise over legislative competence.
5. **Law Commission Observations:** The **21st Law Commission (2018)** stated that UCC is "**neither necessary nor desirable**" at this stage; reforms within communities are preferable.

Way Forward

1. **Gradual Reform in Personal Laws:** Step-by-step amendments to eliminate discrimination can help bridge gaps without abrupt imposition.
2. **Inclusive and Consultative Approach:** Broad engagement with religious and cultural groups is essential for consensus and peaceful implementation.
3. **Pilot UCC at State Level and Promote Awareness:** Encouraging states to experiment with UCC and building legal literacy can increase acceptability. Example: **Goa and Uttarakhand's UCC models** can guide other states, while awareness campaigns reduce misinformation.

Conclusion

While UCC is necessary for ensuring gender justice and national unity, its implementation must be gradual and inclusive, respecting India's pluralism. **As Dr. Ambedkar said, "We must begin by acknowledging the equal worth of all citizens."**

Q.3) 'Constitutional Morality' is rooted in the constitution itself and is founded on its essential facets. Explain the doctrine of Constitutional Morality' with the help of relevant judicial decisions. (150words, 10 marks)

Introduction

Constitutional morality refers to the commitment to uphold the core principles of the Constitution—**justice, liberty, equality, and fraternity**—beyond the literal interpretation of laws. It ensures governance guided by ethical reasoning and constitutional values.

Body

Constitutional morality is grounded in the core values of the Constitution.

- 1. Preamble:** It enshrines core ideals like justice, liberty, and equality that form the moral bedrock of the Constitution.
- 2. Fundamental Rights:** These ensure dignity and freedom through enforceable moral guarantees.
Example: **Articles 14, 19, and 21** uphold equality, liberty, and personal dignity Respectively.
- 3. Directive Principles:** They reflect moral goals for governance aimed at social justice and equity.
Example: **Articles 38, 39(b), and 41** promote welfare and fairness.
- 4. Rule of Law:** It ensures fairness and non-arbitrariness, forming a key ethical principle in governance.
Example: **Article 14** upholds equality before the law.
- 5. Duties of Authorities:** Constitutional posts imply accountability and restraint in public conduct.
Example: **Articles 75, 164, and 142** establish norms for responsible functioning.
- 6. Separation of Powers:** It prevents abuse by enforcing balance and institutional ethics.
Example: **Articles 50, 122, and 211** promote independent functioning.

Constitutional Morality Through Key Supreme Court Decisions

- 1. Ensures Decentralisation and Cooperative Federalism**
Example: **Lt. Governor of Delhi v. Union of India (2023)** – The Court said that states must have real powers and coordination with the Centre is essential.
- 2. Protects Individual Autonomy over Social Morality**
Example: **Navtej Singh Johar v. Union of India (2018)** – The Court decriminalised homosexuality, saying individual rights matter more than social norms.

3. Upholds Equality over Religious Practices

Example: ***Sabarimala Case (2018)*** – The Court allowed women into the temple, holding that equality is above religious customs.

4. Strengthens Democratic Federalism

Example: ***NCT of Delhi v. Union of India (2018)*** – The Court said elected governments must be respected and allowed to function.

5. Rejects Patriarchy and Upholds Gender Equality

Example: ***Joseph Shine v. Union of India (2018)*** – The Court struck down adultery law as it treated women unequally.

6. Aligns Personal Laws with Gender Justice

Example: ***Triple Talaq Case (2017)*** – The Court held that instant triple talaq was unconstitutional and unfair to women.

7. Expands Freedoms in the Digital Age

Example: ***Puttaswamy Case (2017)*** – The Court declared privacy a fundamental right in today's digital world.

Conclusion

Constitutional morality ensures the **spirit of the Constitution** prevails over mere majoritarian rule. It upholds liberty, dignity, and justice as guiding principles in a diverse and evolving democracy.

Q.4) The Indian Constitution does not provide for a strict separation of powers, but recent events show growing tensions among the three state organs. Is the institutional balance being disrupted? Critically examine. (250 words, 15 marks)

Introduction

Separation of powers means dividing duties among the legislature, executive, and judiciary to **avoid power concentration** and **ensure checks and balances**. The Indian Constitution follows this in spirit, aiming for balance over strict division.

Body

Constitutional Basis of the Doctrine

The Constitution does not lay down a strict separation of powers but adopts a **functional separation**—distinguishing roles while enabling **pragmatic overlaps** to ensure efficient governance and checks and balances.

Provisions enabling separation:

- **Article 50:** Separation of judiciary from executive in public services.
- **Articles 121 & 211:** Legislature barred from discussing judicial conduct.
- **Articles 122 & 212:** Courts barred from inquiring into legislative procedures.
- **Article 361:** Immunity for President and Governors from judicial proceedings.

Provisions enabling functional overlap:

- **Article 123:** Executive ordinance-making powers.
- **Article 124(4):** Legislature's role in removing judges.
- Judiciary often issues guidelines, filling legislative voids (e.g., Vishaka case).
- Delegated legislation empowers executive to make subordinate laws.

Therefore, India follows a **separation of functions**, not of personnel or absolute powers, emphasizing **coordination** over isolation.

Growing Tensions Among Organs

Executive vs Legislature

1. **Misuse of Money Bill:** Aadhaar Act (2016) bypassed Rajya Sabha—later questioned in *Rojer Mathew Case 2020*.
2. **Ordinance overreach:** Excessive ordinance use during COVID diluted legislative scrutiny.

Legislature vs Judiciary

1. **Post-verdict legislation:** Laws passed to nullify court decisions (e.g., NJAC Act after SC Collegium verdict).
2. **Judicial overreach:** Courts entering policy domain (e.g., Pegasus spyware case directions).

Judiciary vs Executive

1. **Stalled judicial appointments:** Delay in Collegium recommendations, leading to ~30% vacancies.
2. **Surveillance allegations:** Alleged claims of Pegasus targeting judges may compromise judicial independence.

Is the Balance Being Disrupted?

1. **Lack of accountability:** Overlap is blurring responsibility in some cases. (e.g., judicial cancellations in 2G, Coal cases).
2. **Erosion of faith:** Repeated encroachments reduce public confidence in institutions.
3. **Power accumulation:** Executive actions often unchecked, tilting balance (e.g., use of ordinances).
4. **Hindered governance:** Prolonged stand-offs (e.g., appointment delays) affect service delivery.

Why Balance Still Endures

1. **Judicial review as check:** SC struck down Section 66A in *Shreya Singhal (2015)*, protecting free speech.
2. **Legislative oversight continues:** Parliamentary Committees examine key policies (e.g., **Data Protection Bill**).
3. **Cooperation aids governance:** Executive and courts collaborated in COVID response (vaccine policy, oxygen supply).
4. **Rule of law upheld:** SC upheld electoral disqualification in *Lily Thomas v. Union of India 2013*.

Way Forward

1. **Limit ordinance and Money Bill misuse:** Adopt stricter norms, as suggested by **Sarkaria Commission** and **Punchhi Commission**.
2. **Judicial appointment reforms:** Establish a transparent Memorandum of Procedure.
3. **Institutional dialogue:** Create formal platforms for executive-judiciary-legislature communication.

Conclusion

Institutional balance is vital to democratic health. It must be protected through reforms, restraint, and mutual respect. ***"Power is safest in a system where it is checked by power."*** – **Montesquieu**

Q.5) The Basic Structure doctrine acts as both a limitation on parliamentary sovereignty and a guarantor of constitutional continuity. Critically examine the relevance of this doctrine in contemporary India with reference to recent constitutional amendments and judicial pronouncements. (250 words, 15 marks)

Introduction

The Basic Structure doctrine, propounded in the ***Kesavananda Bharati (1973)*** case, protects core constitutional values like **rule of law and judicial review** from amendment, ensuring a balance between constitutional flexibility and preserving its essential identity.

Body

As a Check on Unrestrained Power

1. **Restrains unlimited amending power:** Parliament cannot destroy foundational values. Example: ***Minerva Mills (1980)*** – Struck down 42nd Amendment for violating basic structure.
2. **Preserves judicial review:** Even constitutional amendments can be reviewed by courts. Example: ***Waman Rao (1981)*** – Reaffirmed judicial review as part of basic structure.
3. **Checks majoritarianism:** Prevents brute majorities from overriding constitutional morality. Example: ***NJAC Case (2015)*** – NJAC struck down to protect judicial independence.
4. **Guards against constitutional subversion:** Shields democratic institutions from dismantling. Example: ***Post-Emergency phase*** – Doctrine invoked to uphold democracy.

As a Guarantor of Constitutional Continuity

1. **Upholds the spirit of the Constitution** – Preserves its soul beyond the text. Example: ***J.R. Coelho (2007)*** – Ninth Schedule laws subject to basic structure.
2. **Promotes constitutional resilience** – Protects essential principles from damage. Example: ***NJAC Case (2015)*** – Secured judiciary's independence.
3. **Maintains balance among organs** – Stops power concentration in any one organ. Example: ***S.R. Bommai (1994)*** – Reaffirmed federalism and democratic governance.
4. **Guides constitutional interpretation** – Serves as a reference point for courts. Example: ***NJAC Case*** – Called the "North Star" by Justice **R.F. Nariman**.

Relevance in Contemporary India: Judicial Pronouncements & Amendments

1. **NJAC struck down to protect judiciary:** Judicial appointments were kept within the judiciary to preserve separation of powers.

Example: In ***Supreme Court Advocates-on-Record Association v. Union of India (2015)***, the 99th Amendment and NJAC Act were invalidated.

2. Article 370 abrogation raised federal concerns: The special status of Jammu & Kashmir raised concerns regarding basic structure principles like democracy and federalism.

Example: In ***In Re Article 370 (2023)***, the Court upheld the abrogation, but federal implications were hotly debated.

3. Electoral bonds violated transparency: Opaque funding was held unconstitutional for undermining electoral transparency.

Example: In ***ADR v. Union of India (2024)***, the Court struck down the scheme for hurting free and fair elections.

4. Delhi Ordinance case upheld state powers: Central overreach on services was struck down to preserve federal balance.

Example: In ***Government of NCT of Delhi v. Union of India (2023)***, the Supreme Court upheld the elected government's control over administrative services.

5. Pepsi Foods case upheld fairness in taxation: Arbitrary taxation actions were invalidated under the principle of fairness and judicial review.

Example: In ***CIT v. M/s Pepsi Foods Ltd. (2020)***, rule of law was upheld as part of basic structure.

6. SEBC Amendment reinforced state autonomy: The constitutional power of states in maintaining their own OBC list was preserved.

Example: In the ***105th Constitutional Amendment case (2021)***, federal structure was reaffirmed.

Limitations of the Doctrine

1. Lacks textual basis: The Constitution does not explicitly mention the term "basic structure," leading to criticism of judicial creativity.

2. Subjective application: The scope of the doctrine is not clearly defined, leaving it open to varying judicial interpretation.

3. Tensions with Parliament: Frequent invocation may undermine legislative supremacy and lead to institutional conflict.

Conclusion

The doctrine is rightly called the ***"North Star of constitutional interpretation"***—a guiding light that must be handled with care to preserve constitutional identity without inviting judicial overreach or legislative excess.

DAY-16

Q.1) Tensions between State Governments and Governors in states like Tamil Nadu and Punjab have raised concerns about Centre–State relations. How do such confrontations affect federalism, and what steps can be taken to address them? (150 words, 10 marks)

Introduction

The Governor, as per **Articles 153–162** of the Constitution, acts as the constitutional head of a state. However, recent confrontations—like delays in bill assent in Tamil Nadu and Punjab—raise concerns over misuse of this office, affecting federal balance.

Body**Impact of confrontation on Federalism**

1. Erodes legislative dignity and trust: Withholding of bills passed by elected legislatures undermines democratic legitimacy.

Example: **Tamil Nadu (2023)** saw **10 bills** returned, prompting a state legislative resolution.

2. Interrupts state policy and assembly business: Delay in convening or summoning sessions hampers governance and accountability.

Example: **Punjab (2023)** faced constitutional deadlock over summoned sessions.

3. Partisan use of discretionary powers: Political affiliations of Governors damage perceptions of neutrality.

Example: Allegations in **West Bengal, Tamil Nadu, and Kerala** cited on political bias.

4. Endangers constitutional morality: Judicial interpretation emphasizes adherence to aid-and-advice principle.

Example: **Nabam Rebia v. Deputy Speaker (2016)** invalidated arbitrary gubernatorial decisions.

Reforms to Restore Federal Balance

1. Merit-based and consultative appointments: Governor selection should involve input from Chief Ministers.

Example: **Sarkaria (1988) and Punchhi (2010)** recommend transparent selection and fixed tenure.

2. Legislate time-bound assent: Constitutional amendments should fix deadlines for Governor assent to bills.

Example: **Tamil Nadu judgment (2025)** prescribed time limits under **Articles 200–201**.

3. Clarify discretionary powers: Codify circumstances for reservation, dissolution, and President's Rule.

Example: Sarkaria and Punchhi Commissions called for clearer protocols.

4. Strengthen institutional dialogue and oversight: Empower the Inter-State Council and enable judicial review of abuses.

Example: **Government of NCT of Delhi v. Union of India (2023)** reaffirmed federal autonomy.

Conclusion

To preserve the dignity of federalism, Governors must act as neutral constitutional heads rather than political agents. As **B.R. Ambedkar** noted, *"The Governor is not an agent of the Centre, but the constitutional head of the State."*

Q.2) India's fiscal federalism is facing growing strain due to limited revenue autonomy of States and rising dependence on the Union. Analyse the challenges in this context and suggest measures to strengthen fiscal devolution. (150 words, 10 marks)

Introduction

Fiscal federalism refers to the division of financial powers and responsibilities between the Centre and States. **Articles 268–293** outline this framework. However, falling transfers and growing revenue dependence are eroding fiscal federal balance and state autonomy.

Body

Strain on Fiscal Federalism: Emerging Trends

- 1. Declining share in gross tax revenue:** States' fiscal space is weakening as their share of national taxes reduces.
Example: In **2023–24**, states got **30%** of taxes compared to **35%** in **2015–16**.
- 2. Shrinking grants-in-aid:** Decline in direct transfers curtails state capacity to fund development.
Example: Central grants fell from **₹1.95 lakh crore** in 2021–22 to **₹1.65 lakh crore** in 2023–24.
- 3. Erosion of state tax autonomy:** GST regime curtailed states' independent revenue-raising powers.
Example: Since GST began in **2017**, states lost control over VAT and key cesses.

Challenges in India's Fiscal Federalism

- 1. Vertical fiscal imbalance:** States spend more than they earn, deepening dependence on the Union.
Example: States incur **58%** of public spending but get only **40%** of total revenue (**2023–24**).
- 2. Rising cess and surcharge centralisation:** Centre retains more funds outside the divisible pool.
Example: Cess and surcharge rose from **₹85,638 crore** in **2011–12** to **₹3.63 lakh crore** in **2023–24**.
- 3. CSS-driven public spending centralisation:** Union controls most schemes while states bear execution costs.
Example: Only **₹4.25 lakh crore** of **₹19.4 lakh crore** CSS funds devolved to states (**2023–24**).
- 4. Conditionality and interstate inequality:** Poorer states struggle to match CSS funds, widening gaps.
Example: Wealthier states access CSS better, worsening fiscal imbalance.

5. **GST compensation shortfall:** End of compensation left states exposed to revenue shocks. Example: Compensation cess ended in **June 2022** without a replacement mechanism.

Measures to Strengthen Fiscal Devolution

1. **Enhance state revenue powers:** Empower states to raise more funds by expanding their tax base.
Example: **Kerala** and others seek inclusion of petroleum and alcohol in GST for greater control.
2. **Revamp fiscal transfers:** Ensure timely and predictable devolution with a higher tax share.
Example: Demands for fixed GST payout timelines and revisiting the **41%** share are rising ahead of the **16th Finance Commission**.
3. **Rationalize CSS structure:** Cut down schemes and give states more untied funds for flexibility.
Example: **Punchhi Commission (2010)** urged collaborative restructuring to enhance state discretion.
4. **Strengthen GST Council mechanisms:** Improve decision-making through fairer representation and expert support.
Example: 2023 reform talks proposed a permanent secretariat and arbitration body within the Council.
5. **Reinstate Finance Commission's centrality:** Shift from ad hoc transfers to rule-based funding via the FC.
Example: Use of **NITI schemes** like Aspirational Districts sidestepped FC guidelines, causing

Conclusion

Empowering states fiscally is vital to protect India's federal character. The **16th Finance Commission** must uphold this by ensuring fair, timely, and adequate devolution of resources to sustain cooperative federalism in both letter and spirit.

Q.3) The division of powers under the Seventh Schedule is increasingly seen as misaligned with contemporary governance needs. Critically examine the case for its reform and suggest measures to strengthen cooperative federalism. (150 words, 10 marks)

Introduction

The **Seventh Schedule** of the Constitution, under **Article 246**, allocates legislative subjects among the Union, State, and Concurrent Lists. However, emerging socio-economic complexities have exposed the inadequacies of this static division, necessitating urgent reform.

Body

Understanding the Seventh Schedule

- **Three-tier division of powers:** The Constitution divides powers into Union (**97**), State (**66**), and Concurrent (**47**) Lists.

- **Union law overrides in conflicts:** Under **Article 254**, Union law overrides State law on concurrent subjects in case of conflict.
- **Parliament can make state laws: Articles 249, 250, and 356** allow Parliament to legislate on State List matters, weakening federal balance.
- **No regular list updates:** Since 1950, subject distribution hasn't been revised much, except for shifting 'Education' to the Concurrent List in **1976**.

Why It Is Misaligned with Contemporary Governance

1. **Excessive central control:** Centre's deep intervention in State matters erodes federal spirit. Example: During **COVID-19**, Centre used the Disaster Management Act, 2005 to impose lockdowns, bypassing States.
2. **Blurred roles and overlap:** Overlapping functions cause ambiguity in responsibilities. Example: The **2012 Enrica Lexie case** saw unclear jurisdiction between Union and States on maritime security.
3. **Outdated subject division:** The Schedule hasn't kept pace with tech and social changes. Example: Issues like **Pegasus** spyware expose legislative gaps on digital surveillance.
4. **States lack control on new issues:** States struggle to handle emerging areas like migration and gig economy. Example: In **2020**, States lacked clarity to frame **migrant worker policies** during the crisis.

Measures to Strengthen Cooperative Federalism

1. **Review subject distribution:** A permanent body should reassess the Schedule to reflect changing needs. Example: **Sarkaria and Punchhi** Commissions suggested a review every 10 years.
2. **Expand Concurrent List:** Include joint-action subjects to reduce Centre-State friction. Example: Add climate change, digital governance, and health crises.
3. **Revive federal institutions:** Strengthen regular dialogue via Inter-State and Zonal Councils. Example: Biannual meetings on water sharing and tech regulation.
4. **Link funds to functions:** States need matching finances for devolved responsibilities. Example: Finance Commissions should provide more untied, purpose-linked grants.
5. **Co-legislate new issues:** Centre and States should jointly frame laws on emerging sectors. Example: Draft model laws for fintech and cybersecurity through NITI Aayog.

Conclusion

A dynamic and inclusive **Seventh Schedule** is pivotal to India's evolving federal democracy. Reforming it in line with changing realities and cooperative frameworks will strengthen the true spirit of federalism envisioned in the Constitution.

Q.4) Some States argue that increasing centralisation in legislative and administrative matters is weakening the federal spirit of the Constitution. Do you agree with this view? Substantiate your answer with recent examples and suggest measures to address these concerns. (250 words, 15 marks)

Introduction

India is often called a “**quasi-federal**” state with a strong central tilt, as noted by **K.C. Wheare**. While this has helped maintain unity, growing centralisation now raises concerns about its fit with the Constitution’s federal vision.

Body

Increasing Centralisation: A Growing Concern

- 1. Central laws on State subjects:** Parliament is legislating on matters typically reserved for States.
Example: The **2020 farm laws** were seen as interference in State-controlled agriculture.
- 2. Governor's political role:** The office is often seen interfering in State governance.
Example: Governors in **Tamil Nadu and West Bengal** delayed Bills and appointments.
- 3. Fiscal squeeze on States:** States’ financial autonomy has shrunk post-GST and Planning Commission abolition.
Example: During **COVID-19**, States lacked GST control and faced compensation delays.
- 4. CSS-driven policy control:** Centrally Sponsored Schemes restrict State-level flexibility.
Example: Uniform rules under **PM Awas Yojana** and PMGSY limit State discretion.
- 5. Agency overreach:** Central agencies act in States without their full consent.
Example: Many States withdrew **CBI** consent over concerns of misuse.

Impact on Federal Spirit

Undermines constitutional federal balance and functional autonomy of States.

- Weakens cooperative mechanisms, leading to friction and reduced trust.
- Encourages judicial interventions and politicisation of Centre–State relations.
- Reduces States’ policy space in sensitive areas like law and order, education, and welfare.

However, despite these concerns, India’s federal system has shown resilience. Key national initiatives highlight effective Centre–State coordination within a cooperative framework.

Illustrations of Cooperative Federalism in Action

- 1. Consensus-building in taxation policy:** The GST Council enables structured Centre–State fiscal coordination.
Example: Both Centre and States jointly decide **GST rates** and structure through consensus.
- 2. Crisis-time coordination:** Pandemic response highlighted effective Centre–State collaboration.
Example: **COVID-19** lockdowns and vaccine rollouts were coordinated via regular consultations.

3. **Joint service delivery schemes:** Some CSS models foster equal partnership with States. Example: **Jal Jeevan Mission** merges central funds with State-driven implementation for water access.

Measures to Address the Concerns

1. **Strengthen Inter-State Council:** Institutionalise Centre–State dialogue as per **Punchhi Commission**.
Example: Regular meetings with clear agendas to resolve legislative and administrative disputes.
2. **Reform Governor's Role:** Ensure neutrality and accountability in gubernatorial functions. Example: In *B.P. Singhal (2010)*, SC stressed non-partisan Governor conduct and fixed norms for removal.
3. **Redesign CSS Framework:** Follow **NITI Aayog** Sub-Group recommendations to increase flexibility.
Example: Permit States to modify schemes and use **25–30% funds** as untied.
4. **Empower State Finance Commissions:** Reduce fiscal dependency by strengthening decentralised planning.
Example: Ensure timely setup and action on recommendations as urged by **2nd ARC**.
5. **Redefine roles in Concurrent List:** Prevent overlap and conflicts through clearer demarcation.
Example: Consult States before passing laws on concurrent subjects, as **Punchhi Commission** advised.

Conclusion

Upholding federalism is key to India's democratic strength. As the **Punchhi Commission** noted, cooperative federalism needs ongoing dialogue and trust-based reforms between Centre and States.

Q.5) Panchayati Raj Institutions (PRIs) were constitutionally mandated to usher in grassroots democracy. However, their functioning often resembles "grass without roots". Critically examine the challenges faced by PRIs and suggest measures to strengthen their autonomy and capacity. (250 words, 15 marks)

Introduction

The **73rd and 74th Amendments**, following the **L.M. Singhvi Committee**, accorded constitutional status to PRIs. Yet, without adequate transfer of powers, funds, and functionaries, PRIs remain "grass without roots", undermining grassroots democracy.

Body**PRI: Constituted to Usher Grassroots Democracy**

1. **Constitutionalisation of Local Bodies:** Establishment of three-tier Panchayati Raj system empowered by the Eleventh Schedule.
Example: Mandatory Gram Panchayat, Panchayat Samiti and Zilla Parishad elections.
2. **Democratic Deepening:** Universal adult franchise and direct elections deepen participatory democracy.
Example: Regular gram sabhas foster public engagement and local accountability.
3. **Inclusive Representation:** Reservation for women, SCs/STs ensures social justice.
Example: One-third reservation for women has facilitated their emergence as leaders.
4. **Decentralised Planning and Development:** PRIs plan and implement local development priorities.
Example: Gram sabha-based village development plans outline local needs.

Key Challenges Faced by Panchayati Raj Institutions

1. **Incomplete Functional Devolution:** States have selectively withheld transfer of key subjects.
Example: The Ministry of Panchayati Raj's Devolution Index shows major inter-state disparities in actual devolution.
2. **Fiscal Dependence:** Absence of independent revenue sources makes PRIs grant-dependent.
Example: **Sumit Bose Committee** recommended greater fiscal autonomy by rationalising CSSs to increase states' and PRIs' flexibility in spending.
3. **Human Resource Constraints:** Lack of administrative and technical staff limits PRI capacity.
Example: **Punchhi Commission** flagged the lack of support staff as a major barrier to PRI efficiency.
4. **Elite Capture and Politicisation:** Local elites often dominate decision-making, marginalising weaker sections. Prevalence of '**Panchayat Pati**' Syndrome.
Example: The **2nd ARC** noted that political interference and local elite dominance erode democratic decentralisation.
5. **Weak Gram Sabha Functioning:** Gram Sabhas are often perfunctory, reducing grassroots oversight.
Example: The 2nd ARC highlighted the lack of awareness and poor mobilisation in Gram Sabha meetings.

Measures to Strengthen PRIs

1. **Enforce 3Fs Devolution:** Legislate clear transfer of Functions, Funds, Functionaries.
Example: **NCRWC** and **Punchhi commissions** recommend strict activity mapping.
2. **Fiscal Empowerment:** Empower PRIs to raise local revenues; streamline finance commission grants.
Example: **15th FC's untied grant** framework enhances fiscal autonomy.
3. **Capacity Building and Training:** Establish robust training via SIRDs and digital literacy initiatives.
Example: Use of **eGramSwaraj** to train elected representatives in budgeting and planning.

4. **Strengthen Gram Sabhas:** Empower Gram Sabhas as primary units of participatory planning.
Example: Tamil Nadu's Gram Sabha Makkal Plan institutionalises bottom-up budget formulation.
5. **Administrative Accountability:** Specify administrative hierarchies to reinforce elected PRIs.
Example: Karnataka's state law defines clear roles for BDOs and elected functionaries.

Conclusion

Article 40 and the Gandhian vision of **Gram Swaraj** demand empowered self-governance at the grassroots. By strengthening PRIs through genuine devolution and local empowerment, we can root the "*grass without roots*" into a thriving democratic ecosystem.

DAY-17

Q.1) How effective is the Indian Parliament in holding the executive accountable within the framework of constitutional checks and balances? (150 words, 10 marks)

Introduction

The Constitution (**Art. 75**) provides a parliamentary system where the executive stays accountable to the legislature. Parliament ensures essential checks and balances. As **B.R. Ambedkar** said, "The daily assessment of responsibility is the very essence of parliamentary government."

Body

Parliament's Control Over the Executive

1. **Question Hour & Zero Hour:** Mechanisms to seek immediate answers from ministers on pressing issues.
Example: In **2021**, MPs questioned the government on vaccine shortages and border security lapses with China.
2. **Financial Powers (Art. 112–117):** Parliament approves and monitors government spending through the budget process.
Example: In **2020**, Parliament scrutinised supplementary pandemic-related expenditure through the Budget process.
3. **Standing & Departmental Committees:** Ensure detailed examination of policies and spending across subjects.
Example: The **PAC report** on 2G spectrum allocation exposed serious lapses in oversight.
4. **Motions and Debates:** Tools like no-confidence motions help challenge executive decisions and actions.
Example: The **Morarji Desai** government resigned in **1979** after losing majority support.
5. **Legislative Control:** Law making provides a platform to question and alter executive proposals.

Example: The rollback of **farm laws in 2021** followed intense debate inside and outside Parliament.

Challenges in Effective Oversight

1. **Disruptions:** Recurrent walkouts and sloganeering cut into valuable discussion time and weaken Parliament's ability to hold the executive to account. Example: **PRS data (2023)** showed that over **30%** of Lok Sabha's time was lost due to disruptions.
2. **Majoritarianism:** When the ruling party enjoys a brute majority, debate and dissent are often overridden by sheer numbers. Example: The **RTI Amendment Bill (2019)** was passed with minimal scrutiny despite widespread concern.
3. **Ordinance Route (Art. 123):** The executive bypasses legislative scrutiny by issuing ordinances, weakening democratic accountability. Example: The three agriculture ordinances were introduced without prior parliamentary debate in **2020**.
4. **Decline in Bill Referrals:** Fewer bills are being sent to committees, reducing expert-driven scrutiny and bipartisan engagement. Example: Only ~**12%** of bills in the **17th Lok Sabha** were referred to committees.

Recommendations to Revive Parliamentary Oversight

1. **Fixed Parliamentary Calendar:** Sessions should be scheduled annually in advance to reduce executive discretion, as recommended by the **NCRWC**.
2. **Independent Summoning Mechanism:** The **Punchhi Commission** proposed reducing executive monopoly over summoning to strengthen parliamentary autonomy.
3. **Mandatory Committee Review:** The Rajya Sabha Secretariat has argued that important bills must be compulsorily referred to standing committees.
4. **Limit Scope of ADL:** The **170th Law Commission** recommended restricting Anti-Defection Law to no-confidence and money bills to allow debate.
5. **Neutral Speaker Role:** The **NCRWC** advised transferring disqualification powers from the Speaker to an independent tribunal for impartiality.

Conclusion

Parliament is central to ensuring executive accountability, but it needs reforms to strengthen its role. As **Paul Appleby** said, "Accountability is the cornerstone of responsible government." A strong Parliament safeguards both Constitution and citizens.

Q.2) Indian secularism is based on the principle of principled distance, whereas French secularism emphasizes strict separation of religion and state. In this context, compare the two models and evaluate their implications for constitutional democracy. (150 words, 10 marks)

Introduction

Secularism means the state maintains **neutrality** towards religions to ensure equality and freedom. Indian secularism allows engagement with religions for reform, while French secularism, or *laïcité*, enforces a strict separation to protect individual liberty.

Body

Comparison of Indian and French Secularism

- 1. State–Religion Engagement:** Indian secularism allows state intervention; French secularism mandates complete separation. Example: India reformed religious practices like untouchability; France avoids any legal interference.
- 2. Approach to Religious Freedom:** Indian model permits public faith expression; French model restricts it. Example: **Hijab** allowed in Indian schools; banned in French public spaces.
- 3. Treatment of Minorities:** Indian secularism accommodates group rights; French model emphasizes uniform citizenship. Example: India protects minority institutions; France applies one law to all.
- 4. Legal Constitutional Basis:** Indian secularism is constitutionally embedded; French secularism is based on legislation. Example: Indian Constitution (**Articles 25–28**); French **1905 Law on Separation**.
- 5. Cultural Context:** Indian secularism arose in a multi-faith society; French secularism responded to Church dominance. Example: India seeks religious harmony; France asserts state neutrality.

Implications for Constitutional Democracy

- 1. Pluralism vs. Homogeneity:** Indian secularism promotes diversity; French secularism aims for assimilation. Example: India supports religious processions; France restricts overt religious expressions.
- 2. Social Cohesion:** Indian flexibility helps mediate tensions; French rigidity sometimes fuels unrest. Example: France witnessed protests over **Abaya ban in 2024**.
- 3. Judicial Role:** Indian judiciary balances rights and reform; French courts largely uphold secular uniformity. Example: Indian SC upheld **Triple Talaq** ban for equality; French courts upheld religious symbol bans.
- 4. Political Use:** Indian secularism is subject to electoral debates; French secularism shapes national identity discourse. Example: In India, secularism linked with minority welfare; in France, tied to citizenship debates.
- 5. Democratic Challenge:** India struggles with politicisation of religion; France faces backlash for perceived exclusion.

Example: Indian parties use religion for vote banks; France sees alienation among Muslim youth.

Conclusion

Both models aim to uphold democracy, but India promotes religious coexistence while France ensures strict neutrality. Their success depends on balancing liberty, equality, and social harmony within their constitutions.

Q.3) Compare the Fundamental Rights in the Indian Constitution with the Bill of Rights in the US Constitution. What do these frameworks reflect about the nature of democracy in both countries? (150 words, 10 marks)

Introduction

Fundamental Rights, enshrined in **Articles 12–35** of the Indian Constitution, and the US Bill of Rights (first ten amendments) guarantee essential freedoms to individuals. Comparing them reveals how each nation conceptualizes democracy, liberty, and the role of the state.

Body

Comparison of Fundamental Rights and Bill of Rights

Factor	Indian Constitution	US Constitution
Philosophical Basis	Rooted in liberal and socialist ideals; influenced by the Directive Principles (Part IV).	Based on natural rights and Enlightenment philosophy.
Scope of Rights	Covers civil, political, and socio-economic rights (e.g., Article 21A – Right to Education).	Focused mainly on civil and political rights.
Nature of Rights	Subject to reasonable restrictions (Articles 19(2)–(6)) for public order, morality, etc.	Mostly absolute; restrictions require strict scrutiny by courts.
Enforceability	Enforceable under Article 32 (Right to Constitutional Remedies); some rights suspended during emergencies (Art. 359).	Fully enforceable; very limited scope for suspension, even in emergencies.
Amendability	Can be amended but not to violate the basic structure (Kesavananda Bharati case).	Very rigid; requires 2/3rd majority in Congress and ratification by 3/4 states.
Application	Applies to the state and, in some cases, private actors (e.g., Article 15(2)).	Applies only against the state.
Judicial Interpretation	Expansive and evolving (e.g., Right to Privacy, 2017 verdict under Article 21).	Tends to follow originalist or textualist interpretations.

Implications for Democratic Nature

US Model – Individual-Centric Democracy:

- Emphasizes personal liberty, limited government, and judicial supremacy.
- Protects civil liberties through strong constitutional safeguards and activism.
Example: Strong free speech protections upheld even in controversial contexts.

Indian Model – Balancing Liberty and Social Justice:

- Aims to create a just social order through affirmative action and welfare provisions.
- Prioritizes community rights and state-led reforms alongside individual freedoms.
Example: Reservation policies and the right to education empower the disadvantaged.

Conclusion

Both models aim to uphold democracy, but India promotes religious coexistence while France ensures strict neutrality. Their success depends on balancing liberty, equality, and social harmony within their constitutions.

Q.4) "Judicial independence is vital not just in form but in substance to preserve the constitutional balance." In this light, critically evaluate the constitutional safeguards and emerging challenges to judicial autonomy in India. Suggest measures to enhance its credibility and effectiveness. (15 marks, 250 words)

Introduction

Judicial independence, enshrined in **Articles 50 and 124–147**, is central to India's separation of powers. It is not just a constitutional feature but a living principle—though one that continues to face persistent institutional and political challenges.

Body**Judicial Autonomy: Constitutional and Functional Safeguards**

- 1. Security of Tenure & Service (Art. 124–125):** Judges of the higher judiciary enjoy protection from arbitrary removal or demotion.
Example: The impeachment process, as seen in **Justice Ramaswami's case**, is rigorous and rare.
- 2. Financial Autonomy:** Salaries and expenses are charged on the Consolidated Fund and are not subject to executive discretion.
Example: Parliament cannot reduce judges' salaries to exert pressure (**Art. 125**).
- 3. Contempt Power & Judicial Review (Art. 129 & 32/226):** The judiciary can enforce compliance and strike down unconstitutional acts.
Example: In *Kesavananda Bharati v. State of Kerala*, it protected the basic structure doctrine.
- 4. Collegium System:** Judicial appointments are managed by the judiciary itself to insulate from executive influence.
Example: The **2015 NJAC** verdict reaffirmed judicial primacy in appointments.

Challenges to Judicial Independence

1. **Opaque Collegium Process:** Lack of transparency in appointments has raised questions of credibility and internal bias.
Example: **Justice Kaul's judgment** called for public disclosure of reasons in collegium resolutions.
 2. **Executive Non-Compliance:** Delay or selective clearance of names recommended by the collegium undermines judicial autonomy.
Example: Centre delayed appointing judges despite reiterated recommendations in **2023**.
 3. **Lack of Uniform Recusal Standards:** Absence of codified norms results in ad hoc recusal practices.
Example: A SC judge faced criticism for hearing a matter previously dealt with.
 4. **Political Pressures & Media Trials:** Politicisation and media commentary erode judicial neutrality and public trust.
Example: Public statements by political leaders questioning court verdicts.
 5. **Allegations of Corruption:** Emerging integrity issues risk eroding public confidence.
Example: In **2025**, a **Delhi High Court judge** faced allegations after cash was found at their residence.
 6. **Post-Retirement Appointments:** Anticipation of government posts after retirement can give rise to conflicts of interest.
Example: A **former CJI** accepted a Rajya Sabha nomination shortly after demitting office.
 7. **NJAC Judgement & Pending MOP:** Supreme Court struck down NJAC fearing judicial primacy erosion, while the revised Memorandum of Procedure remains pending.
- ### Recommendations to Strengthen Autonomy
1. **Transparent Appointment Norms:** Introduce public criteria and maintain written collegium resolutions to ensure accountability. (Second Administrative Reforms Commission)
 2. **Independent Appointments Commission:** Establish a balanced panel including members from the judiciary, executive, and civil society. (Punchhi Commission)
 3. **Time-bound Appointments:** Impose deadlines on the executive to act on recommendations and avoid delays. (Law Commission of India)
 4. **Infrastructure Authority:** Create a separate body to manage court infrastructure and budget allocation efficiently. (NITI Aayog)
 5. **Ethical Code of Conduct:** Adopt a collegium-backed ethical charter to uphold judicial integrity.
 6. **Finalize Revised MOP:** Institutionalize a clear Memorandum of Procedure to minimize informal lobbying and standardize appointments.

Conclusion

Though the judiciary has resisted many encroachments, protecting its independence requires transparency and accountability. As **Justice Chandrachud** said, "Independence is not a privilege but a responsibility to the people."

Q.5) Alternative Dispute Resolution (ADR) mechanisms offer a viable alternative to traditional litigation in India. In light of the Mediation Act, 2023, examine the potential of ADR in strengthening access to justice. Also highlight key challenges in its implementation. (15 marks, 250 words)

Introduction

Alternative Dispute Resolution (ADR) includes mediation, arbitration, conciliation, negotiation, and Lok Adalats. With rising pendency, the **Mediation Act, 2023** strengthens court-annexed ADR to ensure faster, inclusive, and less adversarial justice.

Body

Major Types of ADR in India

Mediation: A neutral mediator facilitates voluntary settlement between parties.

Arbitration: A binding decision by an arbitrator substitutes formal court judgment.

Conciliation: A conciliator proposes solutions, which parties may voluntarily adopt.

Negotiation: Parties engage directly to find a mutually agreeable resolution.

Key Provisions of the Mediation Act, 2023

- Mandates *pre-litigation mediation* for civil and commercial disputes.
- Establishes the **Mediation Council of India** to regulate the profession.
- Provides *enforceability of mediated settlements* as if they were court decrees.

Transformative Potential of ADR

1. Statutory Backing via the Mediation Act: The Act enforces pre-litigation mediation, sets up a Mediation Council, and introduces a **180-day resolution limit**.
Example: Court-annexed community mediation gains legal credibility and structure.

2. Eases Judicial Burden: ADR diverts routine and compoundable cases from courts, reducing pendency.
Example: Over 1.27 crore cases were settled by Lok Adalats in 2023.

3. Improves Access to Justice: Cost-effective, informal, and less intimidating than courts, ADR empowers vulnerable groups.
Example: Gram Nyayalayas use trained mediators to resolve local disputes.

4. Fosters Consensus and Reconciliation: Unlike adversarial litigation, ADR promotes healing and constructive dialogue.
Example: Family court mediations help resolve child custody and divorce disputes.

5. Maintains Judicial Oversight: Courts retain supervisory powers under Section 89 CPC, ensuring ADR aligns with legal standards.
Example: High Court mediation centres function under judicial scrutiny.

Challenges in ADR Implementation

1. Lack of Legal Literacy and Awareness: A large section of the population remains unaware of ADR mechanisms or doubts their legitimacy.
Example: Participation in mediation remains low in rural and semi-urban areas.

2. Inadequate Institutional Framework: The absence of a robust, uniform ADR infrastructure across states hampers effectiveness.
Example: Many district courts lack functional mediation centres.

3. **Poor Quality Control and Accreditation:** Unregulated mediator training leads to inconsistent outcomes and diminished public trust.
Example: Mediator certification and capacity vary significantly between states.
4. **Delayed Enforcement of Settlements (pre-Mediation Act):** Before 2023, ADR lacked a clear statutory mechanism for direct enforceability.
Example: Mediated agreements often required judicial approval for execution.
5. **Restricted Scope of Applicability:** Certain high-stakes, criminal, or constitutional issues remain outside the ambit of ADR.
Example: Matters involving sexual offences or constitutional validity are excluded.

Recommendations

1. **Strengthen Institutional Capacity:** Following the **Sri Krishna Committee's** call for efficiency in arbitration, training programs and a national ADR grid must be implemented.
2. **Expand Digital Infrastructure for ODR:** **NITI Aayog's** push for Online Dispute Resolution should translate into tech-enabled platforms for rural and small-value disputes.
Example: AI-assisted ODR portals can speed up resolution of contractual conflicts.
3. **Ensure Global Alignment:** India should ratify the Singapore Convention on Mediation to boost cross-border enforceability and build on the **Arbitration and Conciliation Act, 1996**.

Conclusion

The Mediation Act anchors ADR in law, promoting a participatory and less adversarial justice model. Its success depends on awareness, digital tools, and global alignment to complement, not compete with, the courts.

DAY-18

Q.1) In the backdrop of frequent disruptions and declining deliberative standards in Parliament, assess the relevance of Parliamentary Committees in strengthening legislative scrutiny and governance. Also suggest ways to revitalise their functioning. (150 words, 10 marks)

Introduction

Article 118 allows Parliament to set its own procedural rules, including forming Parliamentary Committees. These "**mini-Parliaments**" ensure laws are examined, the government is held accountable, and work continues despite frequent disruptions in Parliament.

Body

Parliamentary Disruptions

- As former Vice President **M. Venkaiah Naidu** noted, "Disruptions hurt the image of Parliament and dilute its primary role of deliberation and law making."
- Over **65 hours** were lost to disruptions in the **2023 Winter Session**. This shows the rising need for Parliamentary Committees to ensure continued scrutiny and governance.

Relevance of PSCs in Strengthening Governance

1. **Detailed Legislative Scrutiny:** PCs examine bills clause-by-clause, improving quality. Example: The DRSC on Health gave critical inputs on the **Surrogacy Bill**.
2. **Executive Accountability:** Ensure post-legislative oversight and curb bureaucratic overreach. Example: The **PAC** flagged irregularities in **COVID-19 fund** allocation.
3. **Bipartisan Deliberation:** Cut across party lines to facilitate consensus in a non-disruptive setting. Example: The JPC on **Data Protection Bill** included inputs from multiple parties despite political tension.
4. **Continuity & Expertise:** PCs work year-round and consult domain experts. Example: DRSC on IT held consultations with cyber-law specialists.

Challenges Hindering Effective Functioning

1. **Limited Tenure & Frequent Reconstitution:** One-year terms limit continuity and institutional memory.
2. **Declining Referrals:** Fewer bills are sent to committees, reducing scrutiny. Example: **Less than 30% of bills** were referred in the **17th Lok Sabha**.
3. **Recommendatory Nature:** Suggestions are non-binding; often ignored by ministries.
4. **Partisan Interference:** Political loyalty overshadows objective scrutiny in some cases. Example: In the Pegasus inquiry demand, partisan deadlock prevented even committee formation.
5. **Inadequate Research Support:** Committees often lack expert backing and data.
6. **Weak Follow-up Mechanism:** **Action Taken Reports** are delayed or left incomplete.

Recommendations

1. **Mandatory Referrals:** Major bills must undergo committee review before floor debate, as recommended by the **2nd ARC**.
2. **Enhance Institutional Capacity:** Boost research staff and expert access for committee members, following suggestions of the **NCRWC**.
3. **Ensure Continuity:** Extend committee tenure beyond one year for sustained oversight.
4. **Strengthen Follow-up:** Mandate timely Action Taken Reports and ministry accountability, as flagged by the **Punchhi Commission**.
5. **Incorporate International Best Practice:** For example, the **UK Parliament's** Select Committees have dedicated independent secretariats and longer terms, aiding sustained and expert-led review.

Conclusion

Revitalising Parliamentary Committees is essential to restore credibility, deliberation, and governance quality in Parliament. Strengthening their autonomy and effectiveness will help Parliament reclaim its role as the cornerstone of Indian democracy.

Q.2) State legislatures in India often function irregularly and suffer from poor legislative performance. Identify key challenges and suggest ways to strengthen them. (150 words, 10 marks)

Introduction

State Legislatures, under **Part VI (Articles 168–212)**, are key to decentralised governance. As **Granville Austin** noted, they are vital “institutions of cooperative federalism.” Weak performance undermines both federal balance and governance quality.

Body

Constitutional Provisions Pertaining to State Legislatures:

- **Article 168:** Composition of State Legislatures
- **Article 174:** Governor's power to summon and prorogue House
- **Article 200:** Assent to Bills
- **Article 208:** Rules of Procedure

Irregularity and Performance Facts:

A PRS report shows state assemblies met for an average of just 29 days annually (2016–21), with low bill scrutiny and declining question hour engagement.

Key Challenges

1. **Legislative Inefficiency: Delays and disruptions weaken legislative productivity.**
Example: In many states, sessions last fewer than **30 days** per year.
2. **Political Instability: Frequent government changes disrupt legislative continuity.**
Example: **Maharashtra and Bihar** have seen multiple leadership shifts recently.
3. **Representation Gaps: Marginalised communities often remain underrepresented.**
Example: Few tribal or women MLAs in Jharkhand and Uttar Pradesh.
4. **Interference from Centre: Overlap in powers fuels federal tensions.**
Example: **NCT of Delhi** conflict between elected govt and Lt. Governor.
5. **Governor's Delay on Bills: Executive-legislature friction undermines governance.**
Example: **Tamil Nadu's 2024** petition against delay in governor's assent.

Recommendations

1. **Ensure Regular Sessions: Mandate minimum sittings and reduce disruptions.** NCRWC recommended a calendar-based legislative agenda.
2. **Empower Committees: DRSC-like bodies at state level for scrutiny.** 2nd ARC called for stronger committee system in states.
3. **Revamp Legislative Councils: Strengthen debate, include expert members.** Punchhi Commission suggested reforms in LC structure.
4. **Limit Governor's Discretion: Specify time frame for bill assent.** Sarkaria Commission and SC have supported this reform.
5. **Capacity Building: Train MLAs, enhance research and data support.** PRS Legislative Research assists some states like Odisha.

Judicial Pronouncements & Observations

- **S.R. Bommai (1994):** Federalism is part of the Constitution's basic structure; states are not mere agents of the Centre and enjoy autonomous status.
- **2024 TN Governor Case:** SC held that governors must act swiftly on bills.

Conclusion

Empowering state legislatures is essential for deepening Indian federalism and enhancing grassroots governance. Structural reforms, robust deliberation, and institutional support will revitalise these vital democratic spaces.

Q.3) The mounting pendency of cases in Indian courts poses a serious challenge to access to justice. Examine the underlying causes and suggest comprehensive measures to address the issue. (150 words, 10 marks)

Introduction

Justice delayed is justice denied. Indian judiciary, under **Articles 124–147 (Supreme Court)** and **214–237 (High Courts)** of Part V and VI, ensures rule of law. But growing pendency endangers this ideal and erodes public trust.

Body**Constitutional Provisions Related to Judiciary:**

- **Article 32 & 226:** Right to constitutional remedies
- **Article 136:** Special Leave Petition
- **Article 50:** Separation of judiciary from executive
- **Article 233–237:** Appointment and service of district judges

Judicial Pendency:

As of 2024, over **5 crore cases** are pending across Indian courts, with **77,000+ in SC**, **60 lakh in HCs**, and **4.3 crore in lower courts (NJDG data)**. Many await trial for over a decade.

Key Challenges

1. **Judicial Vacancies:** Shortage of judges continues to delay case resolution across courts.
Example: Over **30% HC judge posts** remain vacant in 2024.
2. **Procedural Delays:** Outdated legal procedures often lead to repeated adjournments.
Example: Frequent case deferments in civil matters prolong litigation.
3. **Infrastructure Deficit:** Lack of proper courtrooms, staff, and facilities hampers judicial work.
Example: Many district courts function without proper technology or record rooms.
4. **Frivolous Litigation:** Unnecessary and baseless petitions increase the burden on courts.
Example: Delhi HC flagged rising **PIL misuse** in **2023**.
5. **Ineffective Case Management:** Poor scheduling systems slow down case progression.
Example: Courts lack AI tools for dynamic case listing

6. **Delay in Judicial Appointments:** Prolonged vacancies due to appointment delays worsen pendency.

Example: SC Collegium recommendations pending for over **6 months in 2024**.

Recommendations

1. **Fill Vacancies Promptly:** Speed up judge appointments through better coordination.
Example: **2nd ARC** urged timeline-based appointment process.
2. **Reform Procedures:** Limit adjournments and promote digital filing systems.
Example: CPC amendments can limit delay tactics.
3. **Upgrade Infrastructure:** Enhance court facilities and expand e-court services.
Example: Phase III of **e-Courts Mission Mode Project** is ongoing.
4. **Regulate PILs and Appeals:** Penalise frivolous and repetitive filings.
Example: **Law Commission** recommended filters for PILs.
5. **Strengthen ADR Systems:** Promote mediation, arbitration, and Lok Adalats.
Example: **Mediation Bill, 2023** aims to institutionalise mediation culture.

Judicial Pronouncements & Observations

- **Hussainara Khatoon (1979):** SC held speedy trial is a fundamental right under Article 21.
- **Imtiyaz Ahmad (2012):** SC directed data-based judicial resource planning to reduce pendency.

Conclusion

A robust judiciary is central to constitutional democracy. By adopting structural reforms, technology, and efficient case management, India can ensure timely, accessible, and affordable justice for all.

Q.4) "Rajya Sabha is not a secondary chamber, but a complementary one." In light of this statement, evaluate the role and contemporary relevance of the Rajya Sabha in Indian polity. (250 words, 15 marks)

Introduction

Article 79 establishes a bicameral Parliament consisting of the President, Lok Sabha, and Rajya Sabha. As the Upper House, Rajya Sabha plays a vital role in federal balance, scrutiny, and continuity.

Body

Constitutional Provisions Pertaining to Rajya Sabha

- **Article 80:** Composition and election of members.
- **Article 84:** Qualification for membership in Parliament.
- **Article 249:** Power to legislate on State subjects in national interest.

- **Article 312:** Creation of All India Services with Rajya Sabha approval.
- **Article 108:** Role in resolving legislative deadlock via joint sitting.

Why Rajya Sabha is a Complementary Chamber

1. **Federal Balance:** Represents States and Union Territories, ensuring federal character.
Example: Resolution under **Article 249** to empower Parliament on state subjects.
2. **Expertise and Continuity:** Being a permanent house, it retains experienced voices for sober deliberation.
Example: Legal experts and economists contribute during crucial bill debates (e.g., **GST Bill**)
3. **Checks and Deliberation:** Slows hasty legislation and facilitates deeper scrutiny.
Example: Amendments suggested in the **Forest Conservation (Amendment) Bill, 2023**.
4. **All-India Services Creation:** Has sole power to authorize new All India Services under **Article 312**.
Example: Rajya Sabha enabled creation of Indian Forest Service.
5. **Platform for Non-Majoritarian Voices:** Offers space to regional, minority, and intellectual perspectives.
Example: Nominated members like **Sudha Murthy** enriched debates.

Contemporary Relevance

1. **Legislative Refinement:** Reviews and suggests amendments, often leading to better laws.
Example: Changes in **Consumer Protection Bill** post RS review.
2. **Guard Against Populism:** Provides institutional stability against sudden electoral swings.
Example: Stalled controversial bills for wider consultation (e.g., **Farm Laws** debate).
3. **Voice of the States:** Raises issues of regional concern neglected by national politics.
Example: North-Eastern MPs pressing infrastructure and autonomy concerns.
4. **National Interest Overlaps:** Enables central legislation on state matters when needed.
Example: **Article 249** resolutions for counter-terror and economic matters.
5. **Forum for Intellectual Debate:** Focuses more on issue-based discussion than party politics.
Example: Debates on climate change, digital economy led by domain experts.

Issues and Concerns

1. **Ruling Party Dominance:** Weakens the chamber's reviewing role when the same party controls both houses.
Example: Key bills passed with minimal Rajya Sabha debate since 2019
2. **Low Productivity:** Disruptions and walkouts often reduce meaningful discussion.
Example: **Only 23% productivity** in Winter Session 2023.
3. **Lack of Regional Assertiveness:** Many members toe the party line, diluting federal voice.
Example: Limited pushback on central schemes affecting state finances.
4. **Nominated Member Concerns:** Critics argue the selection often reflects political patronage.
Example: Appointment of actors/sports figures without legislative interest or expertise.

Judicial Observation

- **Kuldip Nayar v. Union of India (2006)**: SC upheld indirect election as valid and essential to federalism.
- **Rajasthan Assembly Case (2024)**: SC reiterated bicameralism strengthens democracy by enabling checks and debate.

Way Forward

1. **Promote Greater Deliberation**: *Rajya Sabha should adopt the NCRWC (2001) recommendation to function more as a forum for states and expert deliberation, rather than mirroring Lok Sabha politics.*
2. **Reform of Nominated Members' Criteria**: *P.V. Rajamannar Committee suggested that nominations must reflect domain expertise, not political loyalty, ensuring quality debate.*
3. **Synchronize Sessions & Committees**: *M.N. Venkatachaliah Commission advocated synchronised legislative calendar and active committee referrals to improve productivity and scrutiny.*

Conclusion

Rajya Sabha enriches India's democracy through deliberation, federalism, and policy depth. Strengthening its autonomy ensures it remains a vital national institution, not just a procedural formality.

Q.5) The anti-defection law was introduced to ensure political stability, but it has often been criticised for stifling legitimate dissent and weakening democracy. Critically analyse this paradox and discuss possible reforms to uphold both stability and democratic debate. (250 words, 15 marks)

Introduction

The Anti-Defection Law was enacted through the **52nd Constitutional Amendment (1985)**, inserting the **Tenth Schedule** to curb political defections. While it aimed to foster stability in governments, concerns remain about its impact on intra-party democracy and dissent.

Body

Anti-Defection Law is Important for Political Stability

1. **Curbing Opportunistic Shifts: Prevents frequent government collapses due to floor-crossing.**
Example: Defections in **Haryana and Andhra Pradesh in the 1970s** led to political instability, prompting the need for legislation.
2. **Discouraging Horse-Trading: Ensures ethical political conduct and stable governance.**
Example: The **2008 trust vote** in Lok Sabha saw allegations of cash-for-votes; the law acts as a deterrent.

3. Promoting Party Discipline: Reinforces collective responsibility in the parliamentary system.

Example: Helps in smooth passage of budgets and confidence motions, especially in coalition setups.

4. Safeguarding Electoral Mandate: Ensures that elected representatives don't betray the voters' trust by switching parties.

Example: Mass defections in **Karnataka and Madhya Pradesh** undermined public mandate, inviting criticism.

Issues with the Law

1. Stifling Dissent: Disallows even principled disagreement within parties.

Example: In **Maharashtra (2022)**, the rebel Shiv Sena MLAs were accused under the law despite claiming to represent the 'real party'.

2. Speaker's Bias: Final arbiter of disqualification is the Speaker, often partisan.

Example: Delay in disqualification of defectors in **Manipur and Maharashtra** raised questions of impartiality.

3. Lack of Timely Resolution: No legal deadline for Speaker's decision, enabling manipulation.

Example: In **Karnataka (2019)**, disqualified MLAs were reinstated after delayed judgments.

4. Bypassing Disqualification: Mass defections escape penalty by merging two-thirds of a party.

Example: The **Goa 2019 defection** of 10 Congress MLAs to BJP was protected under merger clause.

Judicial Pronouncements

- **Kihoto Hollohan (1992)**: Upheld the Speaker's role but allowed judicial review, balancing authority and fairness.
- **Keisham Meghachandra Case (2020)**: Directed Speakers to decide disqualification within a "reasonable time," ideally within three months.

Reforms Needed

1. **Independent Tribunal: Transferring adjudication to an external body like the Election Commission.** It was recommended by the **Law Commission (170th Report)** to ensure neutrality in adjudication.
2. **Allow Dissent on Specific Issues: Protecting votes not related to no-confidence or money bills.** **Dinesh Goswami Committee** suggested limiting the law's scope to preserve democratic debate.
3. **Time-Bound Decisions: Setting statutory deadlines for disqualification cases.** **NCRWC and Election Commission** both suggested timelines to prevent manipulation.

Conclusion

While the anti-defection law protects political stability, reforms are essential to balance it with democratic values. Strengthening institutions and narrowing the law's scope can uphold both governance and dissent.

DAY-19

Q.1) In recent years, social media platforms have emerged as powerful informal pressure groups, shaping political discourse and influencing policy decisions in India. Examine their role and compare them with traditional formal pressure groups. (150 words, 10 marks)

Introduction

Pressure groups are **organized entities** influencing policy without contesting elections. Social media, as an informal pressure group, represents a decentralized "**third sector**" force that mobilizes public opinion and builds **social capital** to impact governance.

Body**Definitions**

- **Formal Pressure Groups:** Structured organizations like unions or lobbies that influence government decisions.
Example: **Bharatiya Kisan Union** during the farm laws protest.
- **Informal Pressure Groups:** Unstructured collectives that influence discourse through social movements or digital platforms.
Example: Social media on **Manipur violence** brought national attention to the issue.

Role of social media as an informal pressure group

1. **Agenda setting:** Social media brings overlooked issues into public debate.
Example: **Goa forest campaign** led to public hearings.
2. **Mobilization:** It gathers public support rapidly across regions.
Example: **Student protests online** got exams postponed during **COVID**.
3. **Accountability tool:** Posts often force swift action from authorities.
Example: Complaint about broken roads led to repair by officials.
4. **Empowering voices:** It amplifies the concerns of ignored groups.
Example: Women shared harassment stories, prompting internal probes during **Me Too movement**.
5. **Policy pressure:** Public outrage online can reshape official drafts.
Example: Digital rules were softened after online criticism.

Comparison with traditional formal pressure groups

1. **Structure:** Social media is loose and spontaneous, unlike formal, organized groups.
2. **Reach:** It includes diverse voices, while formal groups focus on specific interests.
3. **Methods:** Social media uses campaigns; formal groups prefer negotiation and petitions.
4. **Impact style:** Social media uses fast pressure; formal groups work through dialogue.

III-effects of social media as a pressure group

1. **Spreads misinformation quickly and triggers mass panic.**
Example: **Vaccine rumours** online caused fear during COVID.

2. Leads to short-lived outrage without long-term change.

Example: **Hathras** outrage faded with no major outcome.

3. Encourages mob justice and deepens polarisation.

Example: Election-time hate campaigns increased social divide.

In this regard, **IT Rules 2021** aim to regulate platforms, ensure responsibility, and offer grievance redressal.

Conclusion

Social media, if guided by ethical norms and digital literacy, can complement traditional pressure groups in **strengthening democracy** and **policy responsiveness**.

Q.2) Discuss the grounds for disqualification of elected representatives under the Representation of People Act, 1951. Do you think these provisions are sufficient to ensure political accountability? (150 words, 10 marks)

Introduction

The Representation of the People Act, 1951 lays down the legal framework for **free and fair elections** in India. It includes provisions to disqualify elected representatives to uphold integrity and accountability in public office.

Body

Grounds for Disqualification under the Act

- 1. Conviction for certain offences:** Includes crimes like corruption, terrorism, and serious financial fraud (**Section 8**).
Example: **Lalu Prasad Yadav** was disqualified after conviction in the fodder scam.
- 2. Corrupt practices in elections:** Includes bribery, undue influence, or booth capturing (**Section 123**).
Example: A candidate found guilty of bribing voters can face disqualification.
- 3. Failure to lodge election expenses:** Not submitting account details within prescribed time (**Section 10A**).
- 4. Holding office of profit:** Occupying positions that may lead to a conflict of interest (**Section 9A**).
Example: **Jaya Bachchan** was disqualified for holding an office of profit.
- 5. False declarations:** Hiding criminal background or submitting misleading details in affidavits.

Concerns about Sufficiency of Provisions

- 1. Delayed judicial process:** Cases often take years, allowing convicted leaders to continue in office.
- 2. Inadequate ethical coverage:** Hate speech, communal rhetoric, or abuse of position often go unpunished.

3. **Ambiguity in discretionary powers:** Decisions on disqualification and deregistration of parties lack clarity.
4. **Misuse of government machinery:** Ruling parties exploit public funds and vehicles during elections with little consequence.
5. **False disclosures remain unchecked:** Candidates often provide incomplete affidavits with no automatic consequence.

Recommendations

1. **Implement Law Commission's 255th Report:** Enable faster trials and stringent action on false affidavits.
2. **Disqualify candidates with serious charges:** Those framed by a court at least six months before elections.
3. **Grant financial and staffing autonomy to ECI:** For independent and efficient functioning.
4. **Implement SC's suggestion for lifetime bans:** Prevent convicted politicians from contesting elections again.

Relevant Supreme Court Cases

- **Lily Thomas v. Union of India (2013):** SC struck down the provision allowing convicted MPs/MLAs to continue in office if they filed an appeal.
- **Public Interest Foundation v. Union of India (2018):** SC urged Parliament to frame laws barring candidates facing serious criminal charges.

Conclusion

Elections are the **lifeblood of democracy**, and strengthening the **Representation of the People Act, 1951** through timely reforms is vital to uphold electoral integrity and ensure true political accountability in India.

Q.3) "Farmers' protests have brought renewed attention to agrarian pressure groups in India. Analyze the effectiveness of their methods in influencing public policy and political narratives." (150 words, 10 marks)

Introduction

Pressure groups are **organized interest-based collectives** that seek to influence policy without contesting elections. Agrarian groups like the **Samyukta Kisan Morcha** exemplify this, using mass protests to bring farmers' issues into political and legislative focus.

Body

Farmers' Protests

- The **2020–21 farm law protests** mobilised lakhs of farmers across states, triggering a national debate.

- The protests lasted over a year, involved over **500 farmers' unions**, and ultimately led to the repeal of the three contentious farm laws.

Methods Used by Agrarian Pressure Groups

1. **Mass Mobilisation and Protests:** Persistent protests across state capitals and national highways amplified demands.
Example: **2020–21 Delhi border blockade** led to prolonged government negotiations.
2. **Narrative Building Through Media:** Use of local radio, community WhatsApp groups, and farmer YouTube channels countered mainstream media narratives.
3. **Electoral Signalling:** Boycotts and campaigns influenced voting patterns, particularly in Haryana and Western UP.
4. **Cross-Regional Coordination:** Platforms like All India Kisan Sangharsh Coordination Committee (**AIKSCC**) enabled collective bargaining across states.
5. **Engagement with Civil Society:** Collaborations with artists, lawyers, and academicians brought credibility and widened public engagement.

Effectiveness of These Methods

1. **Policy Impact:** Contributed to repeal of three central farm laws—one of the rare rollbacks of major legislation.
Example: The government withdrew the laws after over a year of protest.
2. **Narrative Domination:** Shifted focus to Minimum Support Price (MSP) and farmer distress on national platforms.
Example: **MSP demands** featured in multiple state election campaigns post-2021.
3. **Political Recalibration:** Parties including Congress and AAP reoriented manifestos around agrarian guarantees.
4. **Democratic Participation:** Revitalised peaceful protest culture as a legitimate democratic instrument in rural politics.

Concerns and Limitations

1. **Fragmented Leadership:** Divergent demands between large farmers and marginal groups reduce cohesion.
Example: Differences between Punjab unions and other state bodies created friction.
2. **Urban-Rural Disconnect:** Limited empathy or sustained support from urban middle classes and mainstream media.
3. **Symbolic Outcomes:** Repeal of laws did not translate into lasting structural reforms in agriculture.
4. **Politicisation Risk:** Association with regional political movements raises questions on neutrality and agenda.
Example: Accusations of political backing during **Punjab elections** affected perception.

Conclusion

Despite limitations, agrarian pressure groups significantly shape public discourse and policy. Their active role strengthens **participatory democracy** by ensuring rural voices remain integral to national decision-making.

Q.4) The Representation of the People Act, 1951 has served India's democracy for over seven decades, but growing political and legal complexities demand its reform. Critically examine the major challenges associated with the Act and suggest a roadmap for its overhaul." (250 words, 15 marks)

Introduction

The Representation of the People Act, 1951 provides the statutory foundation for **free and fair elections** in India. Yet, evolving political practices and legal loopholes necessitate reforms to sustain the credibility of India's electoral democracy.

Body

Key Provisions of the RPA, 1951

1. **Disqualification on Conviction:** Bars candidates convicted under offences like corruption, terrorism, and rape from contesting elections under **Section 8**.
2. **Mandatory Disclosure:** Requires candidates to file affidavits detailing criminal antecedents, assets, liabilities, and educational qualifications under **Section 33A**.
3. **Spending Limits:** Imposes ceilings on electoral expenditure to ensure fairness, as mandated under **Section 77**.
4. **Definition of Corrupt Practices:** Outlines specific offences such as bribery and communal appeals as corrupt electoral practices under **Section 123**.
5. **Party Registration:** Enables the Election Commission to register and monitor political parties as provided under **Section 29A**.

Key Challenges and Gaps in the RPA, 1951

1. **Criminalisation of Politics:** Candidates with serious charges can still contest elections.
Example: **43% of 2019 Lok Sabha MPs** declared criminal cases (ADR).
2. **Weak Disclosure Enforcement:** No strict penalty for false or misleading affidavits.
3. **Expenditure Loopholes:** Actual campaign costs often exceed declared limits.
Example: Lavish roadshows and digital ads are run without accounting under **Section 77**.
4. **Limited EC Powers:** ECI cannot deregister parties violating norms.
Example: Repeated MCC violations saw only warnings issued, not de-registration.
5. **Identity-Based Appeals:** Caste and religion still drive electoral campaigns.
Example: Caste-based rhetoric was visible in **2022 UP state elections**.
6. **MCC Not Legally Binding:** Violations carry no statutory consequence.
Example: Pre-poll promises like **freebies** continue despite EC censure.

7. **Opaque Political Funding:** Lack of transparency in donations undermines accountability. Example: **Electoral Bonds** enabled anonymous high-value donations to parties.

Impacts of These Challenges

1. **Voter Distrust:** Credibility of electoral process is weakened.
2. **Unlevel Playing Field:** Honest candidates face unfair disadvantages.
3. **Judicial Overload:** Courts struggle with pending election-related cases.
4. **Democratic Dilution:** Faith in electoral democracy suffers systemic damage.

Suggested Reforms

1. **Pre-Conviction Disqualification:** Bar candidates with serious charges at the framing of charge stage, as also recommended by the Law Commission.
2. **Legal Status to MCC:** Codify Model Code to enable enforceability, as proposed by the **Goswami Committee**.
3. **Strengthen ECI Autonomy:** Empower the EC with more regulatory authority, in line with **NCRWC** suggestions.
4. **Time-Bound Adjudication:** Establish **fast-track courts** for swift disposal of electoral offences.
5. **Transparent Funding Mechanism:** Mandate real-time disclosure of political donations to curb opacity.

Relevant Supreme Court Judgments

- **Association for Democratic Reforms (2023):** Held electoral bonds unconstitutional for violating citizens' right to information on political funding.
- **Public Interest Foundation (2018):** Urged Parliament to curb criminalisation of politics through stricter candidate disqualification norms.

Conclusion

Despite limitations, the RPA anchors India's democratic process. Reforming it in tune with judicial insights and institutional recommendations will ensure cleaner elections and strengthen trust in electoral democracy.

Q.5) "The Model Code of Conduct (MCC) plays a vital role in ensuring free and fair elections, yet it lacks statutory backing. Critically examine whether the MCC should be given legal status, highlighting its advantages and potential pitfalls." (250 words, 15 marks)

Introduction

Rooted in **Kerala's 1960 elections** and backed by **Article 324**, the MCC guides electoral conduct. However, its non-statutory nature raises concerns over enforceability, prompting debate on whether it should gain legal status.

Body

Key Provisions of MCC

1. **Political Decency:** Bans personal attacks and divisive appeals during campaigning
2. **Avoidance of Public Fund Misuse:** Restricts use of government resources for electoral advantage.
3. **Neutrality of Bureaucracy:** Prohibits ministers from using official machinery for campaigning.
4. **Regulated Campaign Practices:** Controls public rallies, advertisements, and slogans to avoid disruptions.
5. **Polling Booth Ethics:** Prohibits canvassing near polling stations and the misuse of loudspeakers.

MCC's Vital Role in Free and Fair Elections

1. **Creates a Level Playing Field:** Prevents misuse of incumbency by regulating conduct of ruling parties.
Example: Lok Sabha election in Vellore (2019) was cancelled due to cash-for-votes scandal.
2. **Guides Political Behaviour:** Offers ethical benchmarks and pushes parties to self-regulate.
Example: Candidate nominations were dropped following MCC violations on communal speech.
3. **Quick Disciplinary Action:** Allows ECI to take immediate steps like bans and advisories.
Example: ECI banned leaders from campaigning in 2014 for hate speeches.
4. **Public Trust in Process:** Enhances credibility of elections by curbing excesses in real-time.
Example: Strict enforcement in Northeast assembly polls improved voter turnout and safety.

Why Legal Status Should Be Given

1. **Improves Enforceability:** Statutory backing enables defined punitive measures for violations.
Standing Committee on Law and Justice has recommended making MCC legally binding.
2. **Reduces Discretionary Use:** Legal codification standardises enforcement across regions and parties.
Law Commission's 255th Report suggested integrating MCC with electoral laws.
3. **Addresses Emerging Threats:** Legal backing is essential to tackle misinformation on digital platforms.
Recent ECI directives on social media conduct show current MCC lacks digital teeth.
4. **Graded Penalties Framework:** Legal status could enable tiered punishments, improving deterrence.
Example: Bans on campaigning, followed by disqualification for repeated violations.

Arguments Against Legalisation

1. **Flexibility Would Be Lost:** ECI observes that the legal rigidity may hinder its ability to respond adaptively.
Current system allows swift, situation-specific decisions during polls.
2. **Delays in Enforcement:** Court proceedings may outlast election cycles, diluting their relevance.
3. **Consensus-Based Strength:** Moral adherence by all stakeholders ensures better compliance than coercion.

*Example: MCC's voluntary acceptance makes it **politically and morally binding** without legal confrontation.*

4. **Already Covered by Existing Laws:** Provisions overlap with IPC, RPA, IT Act, reducing need for duplication.

*Example: **Section 123(4) of RPA** punishes publication of false statements during elections.*

Judicial Observations

- **Harbans Singh Jalal v. Union of India (1997):** Upheld ECI's authority to enforce MCC throughout election period.
- **ECI v. State of Haryana (1998):** Affirmed binding nature of ECI's directions under **Article 324** during elections.

Way Forward

1. **Graded Penalties:** Introduce a tiered system of punitive measures with increasing severity for repeat violations.
2. **Time-Bound Enforcement:** Ensure swift action, ideally within **72 hours**, with standard operating procedures.
3. **MCC Modernisation:** Update the code to tackle challenges from **AI, digital misinformation, and deep fakes**.

Conclusion

While MCC significantly contributes to ethical elections, **its legalisation must be balanced** with retaining its **moral and flexible nature** to ensure both accountability and timely electoral interventions.

DAY-20

Q.1) "Examine the key features of the Chief Election Commissioner and other Election Commissioners Act, 2023. What are the concerns associated with it? Suggest reforms to enhance the autonomy of the Election Commission of India." (150 words, 10 marks)

Introduction

The Chief Election Commissioner and other Election Commissioners Act, 2023 replaces parts of the **1991 law**, setting **new rules for appointments**. However, it has sparked debate over its impact on the Election Commission's autonomy.

Body

Key Provisions of the 2023 Act

1. **Selection Committee:** PM (Chair), a Union Cabinet Minister, and Leader of Opposition in Lok Sabha (or largest opposition party).
2. **Search Committee:** Headed by Cabinet Secretary, includes two secretaries with election expertise; proposes a panel of five names.

3. **Eligibility:** Persons of integrity with experience in election management holding or having held Secretary-rank posts.
4. **Term:** 6 years or until age 65, with no possibility of reappointment.
5. **Salary & Service Conditions:** Equivalent to Cabinet Secretary, replacing the earlier parity with Supreme Court judge salary.

Positive Outcomes

1. **Legislative Clarity:** Fills a statutory void highlighted in *Anoop Baranwal v. Union of India (2023)*, which mandated an impartial selection process for ECs until Parliament enacted a law.
2. **Search Mechanism:** Institutionalizes a Search Committee, enabling **preliminary vetting** and broader candidate outreach.
3. **Qualified Pool:** Specifies professional eligibility, enhancing relevance to electoral integrity.
4. **Opposition Participation:** Inclusion of **LoP** adds non-executive representation, absent in previous models.

Key Concerns & Remaining Issues

1. **Executive Dominance:** With two out of three Selection Committee members from the government, concerns of bias persist.
2. **Judicial Exclusion:** Omits Supreme Court-recommended inclusion of the CJI or a retired SC judge, diverging from the model laid down in *Anoop Baranwal*.
3. **Opaque Oversight:** Search Committee's panel can be overridden, limiting transparency.
4. **Downgraded Status:** Cabinet Secretary-level compensation—set by executive pay commission—undermines statutory insulation that judicial pay enjoys under **Article 125**.
5. **Removal Asymmetry:** CEC removable via impeachment; ECs by presidential recommendation—raising equality concerns under **Article 14**.

Suggested Reforms

1. **Balanced Composition:** Reintroduce CJI or retired SC judge on Selection Committee, following **Law Commission**, and Supreme Court recommendations.
2. **Parity in Removal:** Extend Supreme Court-level removal safeguards to ECs via constitutional amendment.
3. **Enhance Transparency:** Publicize selection criteria/process; require Selection Committee to justify deviations from Search Committee suggestions.
4. **Cool-off Period:** Prohibit post-retirement appointments for CEC/ECs to reduce conflict of interest.
5. **Independent Secretariat:** Establish insulated ECI secretariat with administrative and budgetary autonomy, per recommendations of the **Goswami Committee, 2nd ARC, and Law Commission 255th Report**.

6. **Best Practice – South Africa:** Emulate South Africa's Electoral Commission model, where appointments involve a **multi-stakeholder panel** including judicial, legislative, and civil society representatives, fostering broad consensus and legitimacy.

Conclusion

To uphold *free and fair elections* as enshrined in *Anoop Baranwal and PUCL (2003)*, ECI's independence must be safeguarded. The 2023 Act, though progressive, needs reform to secure true institutional autonomy.

Q.2) "The Lokpal was envisioned as an independent anti-corruption watchdog to ensure integrity in public office. Assess its performance over the last decade and identify key factors behind the limited effectiveness of this accountability institution." (150 words, 10 marks)

Introduction

Inspired by the **Swedish Ombudsman model**, India's **first ARC** recommended a central anti-corruption body—Lokpal. Enacted in **2013** after public protests, the Act aimed to institutionalize **accountability**. But the Lokpal's actual impact has remained minimal.

Body

Key Provisions of the 2013 Act

1. **Institution of Lokpal:** Chairperson and up to 8 members (50% judicial, 50% from SC/ST/OBC/minorities/women).
2. **Jurisdiction:** PM (with limitations), Ministers, MPs, Group A–D officers, and NGOs receiving over ₹1 crore foreign donations.
3. **Selection Committee:** PM (Chair), Speaker, LoP, CJI/nominee, and an eminent jurist.
4. **Prosecution Wing:** Empowered to file charges based on Lokpal's inquiry.
5. **Lokayuktas:** States to establish Lokayuktas within a year.

Notable Successes Since Enactment

1. **Institutional Setup:** Lokpal became operational in 2019 with appointments of Chairperson and members.
2. **Digital Complaint System:** Online portal was launched for public complaints, facilitating accessibility.
3. **Case Monitoring Framework:** Internal mechanisms for scrutiny, dismissal, and forwarding of complaints were formalized.

Criticism of Its Performance

1. **Delayed Constitution:** Lokpal appointed only in **2019**, six years post-enactment.

2. **Vacancies:** Chairperson post has been vacant since **May 2022**; several member seats remain unfilled, impairing functioning.
3. **Low Case Disposal:** Of over **8,700 complaints** received till **2023**, fewer than **5%** were fully disposed; pendency rate remains above **80%**.
4. **State Lokayuktas:** Many states still lack robust or independent Lokayuktas.

Reasons Behind Limited Effectiveness

1. **Executive Apathy:** Delays in appointments, funding, and operational independence reflect low political will.
2. **Opaque Appointments:** Selection Committee often not constituted promptly; eminent jurist seat regularly vacant.
3. **7-Year Limitation Clause:** Complaints older than seven years are barred unless exceptional circumstances—a statutory design flaw that curtails retrospective accountability.
4. **Judicial Delays:** Preliminary inquiries and prosecutions face court backlog, reducing deterrence.

Suggested Reforms

1. **Timely Appointments:** Enforce strict timelines for filling all vacancies to prevent paralysis, as emphasized by the Supreme Court.
2. **Independent Investigation Wing:** As recommended by the **2nd ARC**, create a separate investigative cadre under Lokpal's control.
3. **Amend Jurisdiction Clauses:** Broaden scope to include PM, MPs, and judiciary with necessary safeguards, as proposed by the **Law Commission of India**.
4. **Audit & Transparency:** Publish annual performance audits and public reports, a key recommendation of the **NCRWC 2000**.
5. **Empower State Lokayuktas:** Mandate uniform standards and autonomy for state Lokayuktas through a model law, as proposed by the **2nd ARC**.

Judicial Observation

In ***Common Cause v. Union of India (2018)***, the Supreme Court observed that delays in Lokpal appointments defeat the very object of the Act and weaken anti-corruption efforts.

Conclusion

Despite its promise, the Lokpal has underperformed due to institutional design flaws and political indifference. Revitalizing it is essential to **uphold probity** in public life and fulfill citizens' faith in **democratic accountability**.

Q.3) The NHRC is often described as a 'toothless tiger' due to its limited enforcement powers. Critically examine the structural and functional issues hampering its effectiveness and suggest reforms. (150 words, 10 marks)

Introduction

The National Human Rights Commission (NHRC) was established under the **Protection of Human Rights Act, 1993** to safeguard fundamental freedoms. However, former Chairperson **HL Dattu** termed it a **"toothless tiger,"** highlighting its limited capacity to enforce rights effectively despite a broad mandate.

Body

Mandate and Powers of NHRC

- 1. Investigating Violations:** Inquires into human rights violations or negligence by public servants, suo motu or on petitions.
- 2. Prison Visits:** Visits prisons and detention centres to assess conditions and recommend improvements.
- 3. Legal Review:** Reviews constitutional safeguards and suggests better implementation mechanisms.
- 4. Spreading Awareness:** Promotes awareness, literacy, and research in the field of human rights.

Structural and Functional Issues

- 1. Non-Binding Recommendations:** NHRC's recommendations are advisory in nature, leading to poor compliance and limited deterrence.
- 2. Opaque and Delayed Appointments:** GANHRI deferred NHRC's accreditation citing lack of transparency and diversity in appointments.
- 3. Limited Investigative Autonomy:** Without an independent investigation wing, it relies on state agencies, compromising impartiality.
- 4. Resource and Capacity Deficit:** Shortage of staff and funds restricts outreach, pendency reduction, and proactive interventions.
- 5. Restricted Jurisdiction:** Cannot investigate armed forces' actions directly and is bound by a one-year complaint window.
- 6. Perceived Political Influence:** Dominated by retired judges and bureaucrats appointed by the government, affecting its independence.

Achievements and Interventions

- 1. Notable Actions:** Suo motu action in extra-judicial killings in **Manipur** and police excesses in UP.
- 2. Prison Reforms:** Exposed custodial torture and overcrowding; pushed for systemic jail reforms.

3. **COVID-19 Response:** Monitored human rights violations affecting **migrants** and vulnerable groups during the pandemic.

Suggested Reforms

1. **Make Recommendations Binding:** Empower NHRC with enforceable authority in serious cases like custodial deaths, as supported by **GANHRI's 2023 review**.
2. **Give It Investigation Powers:** Permit independent investigation of armed forces and non-state actors, in line with the **Second Administrative Reforms Commission's** recommendations.
3. **Improve Member Selection:** Introduce a transparent and pluralistic appointment process, incorporating civil society voices—echoing **GANHRI's accreditation** concerns.
4. **Ensure Timely Action:** Impose deadlines for completing investigations and make government compliance time-bound to improve efficacy.
5. **Increase Independence:** Allocate an independent budget and conduct regular audits, as recommended by the **ADR report** and in keeping with Paris Principles.

Judicial Observation

In ***DK Basu v. State of West Bengal (1997)***, the Supreme Court affirmed NHRC's critical role in combating custodial violence and safeguarding procedural rights.

Conclusion

To align with the **UN-endorsed Paris Principles**, NHRC must evolve through structural reforms. Strengthening its autonomy and enforcement power is essential to shift it from symbolic oversight to substantive rights protection.

Q.4) The National Commission for Women (NCW) works to protect women's rights, but its impact remains limited. What challenges does it face in performing its role effectively? Would giving it constitutional status make it more powerful and credible? (250 words, 15marks)

Introduction

The National Commission for Women (NCW), a statutory body formed under the **1990 Act**, serves as India's **primary watchdog for women's rights**. Despite growing gender issues, its impact has remained marginal due to structural and institutional limitations.

Body

Mandate and Powers of NCW

1. **Safeguarding Legal Rights:** Examines constitutional and legal safeguards for women.
2. **Complaint Redressal:** Inquires into complaints and takes suo motu notice of violations.
3. **Law and Policy Review:** Recommends changes to discriminatory or ineffective laws.
4. **Awareness and Research:** Promotes legal awareness and conducts studies.
5. **Advisory Role to Government:** Offers policy advice on women's welfare and development.

Achievements and Interventions

1. **Suo Motu Cognizance:** Took independent notice of high-profile crimes (e.g., **Hathras, Unnao**), and more recently, incidents in **Manipur**, highlighting the need for proactive intervention.
2. **Legal Strengthening:** Played a significant role in strengthening the **Domestic Violence Act, 2005** and **Dowry Prohibition Act, 1961**, making them more stringent and effective.
3. **Workplace Safety:** Monitored the enforcement of the **Sexual Harassment at Workplace Act, 2013**, aiding in workplace redressal mechanisms.
4. **Support Services:** Provided legal and psychological counselling to **victims of violence** and harassment, helping survivors seek justice.
5. **Gender Profiling:** Prepared Gender Profiles for all states and Union Territories (except Lakshadweep) to assess the socio-economic status of women.
6. **Awareness Campaigns:** Conducted workshops and campaigns on **child marriage, female foeticide**, and violence against women.

Challenges Faced by NCW

1. **Statutory Limitations:** Lacks binding powers—recommendations are often ignored or diluted in execution.
2. **Political Interference:** Alleged partisanship reduces public trust and institutional independence, as seen in its delayed and tepid response to the **Manipur sexual violence** case.
3. **Limited Resources:** Inadequate budget and human capital undermine outreach, particularly in violence-prone or remote areas.

4. **No Penal Powers:** Cannot penalize violators or enforce compliance; relies on other agencies to act on findings.
5. **Insensitive Handling of Cases:** The **2009 Mangalore pub attack**, where an NCW member blamed the victims, sparked national outrage and raised questions about gender sensitivity within the commission.

Significance of Constitutional Status

1. **Enhanced Legitimacy:** Like **Election Commission or CAG**, constitutional status may raise credibility and authority, enabling the NCW to be taken more seriously.
2. **Financial Independence:** Drawing funds from the **Consolidated Fund of India** could reduce dependence on executive goodwill and ensure autonomy.
3. **Binding Mandate:** Constitutional status may permit enforcement powers, allowing it to act beyond mere recommendations.
4. **Stronger Oversight Role:** Could independently monitor gender policies across states and audit the implementation of central schemes with rigour.

Cautions and Limitations

1. **Power ≠ Performance:** Mere status change won't guarantee effective functioning unless backed by training, empathy, and systemic reforms.
2. **Federal Balance:** Women's issues often intersect with state subjects; over-centralization may hinder state commissions' roles.
3. **Potential Politicization:** Without a transparent appointment process, even a constitutional body risks bias and inaction.

Suggested Reforms

1. **Amend NCW Act:** Expand powers to allow **binding recommendations** in select categories like workplace harassment or custodial violence.
2. **Institutional Autonomy:** Ensure a transparent and **multi-stakeholder appointment** process, including civil society and judiciary inputs.
3. **Strengthen State Commissions:** Provide uniform mandates and resources to state women's commissions for better coordination.
4. **Annual Reporting to Parliament:** Mandate **gender audit reports** with action taken notes for greater accountability.
5. **Multi-agency Coordination:** Formalize ties with police, judiciary, NGOs, and other commissions to avoid overlap and improve efficacy.

Judicial Observation

In **Vishaka v. State of Rajasthan (1997)**, the Supreme Court underscored the role of statutory bodies like NCW in shaping policy to prevent gender-based violence and discrimination.

Conclusion

Articles 39(a) and 42 of the Directive Principles envision **gender justice**. Strengthening the NCW—through constitutional status and reforms—can help realize this vision and empower women institutionally and meaningfully.

Q.5) Tribunalization of justice was introduced to ensure specialized and speedy resolution of disputes. Critically examine the role of tribunals in India, the key challenges they face today, and suggest reforms to enhance their effectiveness. (250 words, 15marks)

Introduction

Tribunals are **quasi-judicial bodies** established to deliver specialized and swift justice. The **42nd Constitutional Amendment** introduced **Articles 323A and 323B**, enabling their creation. However, issues of independence, pendency, and executive dominance raise concerns about their effectiveness and constitutional integrity.

Body

Constitutional Basis

1. **Article 323A:** Empowers Parliament to set up administrative tribunals for public service matters.
2. **Article 323B:** Enables Parliament and state legislatures to create tribunals for subjects like taxation, land reforms, etc.

Objectives Behind Tribunalization

1. **Specialized Adjudication:** Brings domain expertise to resolve technical disputes.
2. **Speedy Justice:** Aims to reduce pendency in traditional courts.
3. **Reduced Court Burden:** Eases workload on judiciary, especially High Courts.
4. **Accessible Redressal:** Ensures regionally dispersed benches for public reach.
5. **Efficient Service Resolution:** CAT and SATs expedite government service-related cases.

Successes and Contributions

1. **Domain Expertise:** Tribunals like **NGT** and **AFT** have addressed complex environmental and service disputes effectively.
2. **Reduced Delay in Specific Areas:** **CAT** and **Income Tax Appellate Tribunal (ITAT)** have significantly helped reduce delays in service and tax matters.
3. **Geographical Access:** Benches across states enhance outreach for litigants.
4. **Faster Redressal in Policy Areas:** Environmental and telecom disputes have seen faster outcomes compared to regular courts.
5. **Judicial Endorsement:** In **Chandra Kumar v. Union of India (1997)**, SC upheld tribunal constitutionality but mandated judicial review via High Courts.

Key Challenges in Tribunal System

1. **Lack of Independence:** Executive-heavy selection panels undermine neutrality; SC flagged this in **2019**.
2. **Pendency and Vacancies:** Armed Forces Tribunal had **18,829 pending cases in 2021** due to delayed appointments.
3. **Short Tenures:** Brief terms and reappointment options increase executive influence.
4. **Inconsistent Procedures:** Wide procedural variations cause legal confusion
5. **Overlapping Jurisdictions:** Unclear division between courts and tribunals delays justice.
6. **Technical Members' Competence:** Some lack legal background or training.

Recent Developments

- **Supreme Court Ruling (2024):** Tribunals like Armed Forces Tribunal cannot direct the government to frame policy; policymaking lies with the executive.
- **Tribunal Reforms Act, 2021:** Merged tribunals, standardized tenure and qualifications; criticized for executive dominance.

Reform Suggestions

1. **Strengthen Independence:** Ensure judicial dominance in appointment panels – *Law Commission's 272nd Report* and *SC's Madras Bar Association judgment* support this.
2. **Timely Appointments:** Expedite appointments to prevent case backlog – *SK Pattnaik Committee (2017)* had recommended streamlining the process.
3. **Unified Procedure Code:** Harmonize tribunal procedures to eliminate inconsistency and confusion.
4. **Infrastructure and Accessibility:** Expand regional benches and invest in digital platforms for better access.
5. **Create National Tribunals Commission (NTC):** Oversee recruitment, functioning, and administration for greater uniformity.
6. **Improve Technical Competence:** Ensure that technical members have legal understanding or receive necessary training.

Conclusion

Access to justice is part of the **basic structure of the Constitution**, as upheld by the **Supreme Court**. Tribunals, if properly empowered and insulated from executive control, can serve as vital instruments to uphold this principle through speed, expertise, and inclusivity.

DAY-43

Q.1) “Many government schemes fail not because of poor intent but due to weak planning and execution. How can better design and implementation improve development outcomes?” (150 words, 10 marks)

Introduction

Despite good intentions, many schemes underperform due to planning and execution gaps. The **Second ARC Report** highlights that weak design and delivery mechanisms often limit impact, underscoring the need for deeper reforms in public service outcomes.

Body**Reasons for Failure: Gaps in Planning and Execution**

1. **Top-down Approach:** schemes may sometimes be designed with limited local consultation, resulting in plans that don't align with actual urban needs.
Example: The **2023 CAG performance audit** noted that Kohima Smart City projects had inadequate stakeholder engagement during planning.
2. **Fund Flow Delays:** delay in inter-governmental transfers often disrupts service continuity and affects target outcomes.
Example: In 2022–23, only ~**53% of PM-Poshan funds** were released by year-end, causing significant meal service interruptions.
3. **Weak Monitoring:** lack of real-time oversight and maintenance leads to infrastructure failure and misuse of resources.
4. **Political Interference:** electoral pressures may shift focus from sustainable reforms to short-term gains, hampering long-term objectives.
Example: States announcing farm loan waivers affected DBT schemes like PM-KISAN.
5. **Inadequate Capacity:** frontline implementation fails when staff training and institutional support are insufficient.
Example: NITI Aayog's 2022–23 Annual Report highlighted skill gaps in rural development cadres.
6. **One-size-fits-all Models:** nation-wide frameworks often fail to account for regional diversity, reducing scheme relevance.
Example: PMKVY training modules underperformed in tribal Odisha due to lack of local context adaptation.

Better Design and Implementation: Key Areas for Improvement

1. **Context-Specific Design:** adapting scheme architecture to local geography and socio-economic contexts enriches relevance.
Example: **PM Awas Yojana** in flood-prone Assam used stilt-based housing designs to reduce climate-related damage.

2. **Community Involvement:** active local participation during planning and execution builds ownership and ensures effective delivery.
Example: **Kerala's Kudumbashree** network mobilised women-led Gram Sabhas to successfully implement community projects.
3. **Use of Technology:** digital integration improves transparency, efficiency, and leak-proof delivery.
Example: **JAM trinity** integration in PM-GKY enabled swift and targeted pandemic relief.
4. **Strengthening Frontline Staff:** investing in capacity building and incentives ensures better last-mile delivery.
Example: Additional training for **ASHA workers** under **Janani Suraksha Yojana** improved institutional deliveries in Madhya Pradesh.
5. **Institutional Coordination:** inter-department synergy avoids duplication and improves holistic service delivery.
Example: **POSHAN Abhiyaan** used unified dashboards combining Health, ICDS, and sanitation data for better nutrition tracking.
6. **Simplified Procedures:** reducing documentation and bureaucratic hurdles increases scheme uptake among vulnerable populations.
Example: **Ujjwala 2.0** simplified enrolment procedures and enabled online self-registration, accelerating adoption.

Conclusion

Fulfilling India's vision of **inclusive and effective governance** demands schemes that are **contextually designed** and **efficiently delivered**. Strengthened planning and execution can bridge intent with impact, ensuring real progress for all sections of society.

Q.2) "Non-Governmental Organizations (NGOs), as part of the third sector, play an important role in India's development landscape. Discuss the challenges they face in contributing effectively to the development process and suggest solutions" (150 words, 10 marks)

Introduction

India has nearly **3.4 million NGOs** engaging across sectors like health, education, livelihoods, and rights. They offer grassroots reach and innovation but face operational hurdles. Their effective role remains contingent on strengthening institutional and regulatory support.

Body

Important Role Played by NGOs

1. **Grassroots Reach & Community Linkages:** NGOs operate closely with local populations, understanding context and tailoring interventions.

Example: Pratham has improved foundational literacy in rural India through community-specific teaching models.

2. **Innovation & Flexibility:** NGOs can pilot novel models like social enterprises, mobile clinics, skill hubs.

Example: SELCO Foundation has pioneered solar-powered micro-grids and solar lighting for off-grid villages.

3. **Mobilising Resources & Networks:** NGOs bring together government grants, CSR, foreign donors, volunteers and media for comprehensive outreach.

Example: Goonj mobilised pan-India relief efforts during COVID-19 using donations, CSR, and local volunteer networks.

4. **Advocacy & Policy Influence:** NGOs amplify marginalised voices and inform policy through research and advocacy.

Example: CHRI (Commonwealth Human Rights Initiative) was instrumental in promoting RTI legislation in India.

5. **Service Delivery & Monitoring:** Implementing on-ground projects and acting as watchdogs enhances accountability in public schemes.

Example: MKSS (Mazdoor Kisan Shakti Sangathan) pioneered social audits under MGNREGA in Rajasthan.

Challenges: Operational Hurdles Faced by NGOs

1. **Financial Constraints & Dependency:** Heavy reliance on donor funding and CSR makes NGOs vulnerable to funding cuts.

Example: Many small education NGOs like Ekal Vidyalaya have faced disruptions due to irregular CSR inflows.

2. **Regulatory and FCRA Restrictions:** Stringent Foreign Contribution Regulation Act norms restrict flexibility and impose compliance burdens.

Example: Greenpeace India faced repeated FCRA licence suspensions affecting its environmental campaigns.

3. **Capacity & Governance Gaps:** Many NGOs lack professional staff, strong governance structures and impact measurement systems.

Example: Numerous smaller NGOs in northeastern states lack audited accounts or structured evaluation processes.

4. **Political and Bureaucratic Interference:** NGOs working on sensitive issues sometimes face resistance or curbs on operations.

Example: Amnesty International India was forced to halt operations after its accounts were frozen under FCRA scrutiny.

5. **Inadequate Registration and Verification Mechanisms:** A large number of NGOs are either unregistered or not compliant with existing registration norms.

Example: A CAG report found many NGOs receiving funds without being registered under NITI Aayog's DARPAN portal.

6. **Lack of Credible Evaluation Frameworks:** Absence of third-party audits or accreditation affects trust and credibility.

- 7. Adverse Intelligence Bureau (IB) Reporting:** Intelligence reports have alleged that certain NGOs negatively impact national development by stalling projects.

Example: An **IB report in 2014** claimed that foreign-funded NGOs delayed infrastructure projects worth billions by opposing them.

Solutions: Strengthening NGO Effectiveness

- 1. Accreditation & Transparency Framework:** As recommended by the **2nd ARC**, develop a national NGO council to maintain registries, enforce audit norms, and publicly rate performance.
- 2. Capacity Building & Professionalisation:** As suggested by the **Parliamentary Standing Committee on Social Justice (2023)**, initiate structured training programs in partnership with larger NGOs and state agencies to enhance governance and delivery standards.
- 3. Funding Diversification & Sustainability:** Promote hybrid revenue models and incentivise public and CSR donations through tax benefits.
- 4. Convergence & Coordination Platforms:** Set up district-level forums to encourage collaboration among NGOs and alignment with local government plans.
- 5. Enabling Legal Environment:** Reform FCRA compliance processes to be less arbitrary while safeguarding genuine operations, especially for rights-based NGOs.

Conclusion

To fully harness the **third sector's** potential, NGOs need professional capacity, funding resilience, transparency and enabling regulation. With **strategic support and collaborative ecosystems**, NGOs can amplify development outcomes and foster inclusive growth across India.

Q.3) Participatory local planning is vital to realizing the vision of grassroots democracy in India. Discuss its significance and examine the key challenges in institutionalizing bottom-up planning at the Panchayat and municipal levels. (150 words, 10 marks)

Introduction

India has over **2.5 lakh Panchayats** and **4,000+ Urban Local Bodies (ULBs)**, constitutionally empowered to undertake planning. Yet, institutionalizing genuine bottom-up planning remains a challenge due to capacity, coordination, and structural limitations.

Body

Significance of Bottom-Up Local Planning

- 1. Need-Based and Contextual Development:** Bottom-up planning ensures resource allocation is aligned to local priorities.

Example: In **Kerala**, participatory planning led to localised irrigation and farming projects.

2. **Social Inclusion and Empowerment:** Local planning processes empower marginalized communities to voice their needs.
Example: SC/ST women in Kerala's NHGs contributed to livelihood and housing plans.
3. **Efficient Service Delivery:** Decentralized planning improves last-mile delivery of welfare schemes.
Example: Karnataka linked MGNREGA to local land and water needs.
4. **Enhanced Accountability and Transparency:** Citizen involvement in planning reduces leakages and builds trust.
5. **Strengthening Democratic Governance:** Participatory planning deepens democracy and civic engagement.
Example: Maharashtra's Gram Sabhas influenced school development plans.

Challenges in Institutionalising Bottom-Up Planning

1. **Capacity Deficits:** Panchayats and ULBs often lack technical staff and planning expertise.
Example: North-Eastern states report low technical support to local bodies.
2. **Fragmented Planning Processes:** Parallel schemes by line departments weaken integrated local planning.
Example: CSS often bypass Gram Panchayat Development Plans (GPDs).
3. **Weak Data Systems:** Absence of reliable local data hampers evidence-based planning.
Example: Many villages lack updated socio-economic or GIS data.
4. **Low Gram Sabha Participation:** Attendance remains poor due to apathy, social barriers, or lack of awareness.
Example: Bihar's Gram Sabhas often don't meet quorum.
5. **Political Interference and Elite Capture:** Local elites manipulate plan priorities to suit vested interests.
Example: In some states, dominant caste groups skew fund allocation.
6. **Urban Governance Constraints:** ULBs lack clarity on planning roles and often depend on parastatal agencies.
Example: Delhi's DDA, not ULBs, leads city planning.
7. **Poor Convergence Mechanisms:** Lack of coordination across levels of government leads to duplication or underutilization of funds.
Example: District Plans often exclude Panchayat inputs.

Solutions: Strengthening Participatory Local Planning

1. **Capacity Building of Local Institutions:** Train Panchayat and municipal staff in spatial, financial, and sectoral planning; recommended by the **15th Finance Commission**.
2. **Integrated Planning Platforms:** Use platforms like the PlanPlus and ActionSoft under eGramSwaraj for synchronized rural-urban planning.
3. **Robust Local Data Systems:** Develop village and ward-level dashboards using SECC, GIS and community mapping.

4. **Incentivise Gram Sabha Participation:** Link **performance grants** to active citizen involvement and quorum-based decisions.
5. **Decentralisation of Planning Powers:** Implement recommendations of the **Parliamentary Standing Committee** on Local Governance to give ULBs greater planning autonomy.

Conclusion

Institutionalising **bottom-up planning** can revolutionize **inclusive development**, but it requires structural reforms, digital tools, and community ownership. Empowered local governments are pivotal to achieving **people-centric, sustainable governance** from the grassroot.

Q.4) Self-Help Groups (SHGs) play a critical role in rural development and women's empowerment in India, yet their full potential remains unrealized. Discuss the key structural and socio-cultural barriers that limit their effectiveness, and suggest measures to enhance their impact. (250 words, 15 marks)

Introduction

Over **12 million SHGs** operate in India, many linked to banks under schemes like **DAY-NRLM**. Though crucial for grassroots empowerment, especially of women, SHGs face institutional and cultural barriers that constrain their full developmental impact.

Body

Important Role Played by SHGs

1. **Promoting Financial Inclusion:** SHGs improve access to savings, credit, and insurance among the rural poor.
Example: **Kudumbashree in Kerala** offers micro loans to women.
2. **Enabling Women's Empowerment:** SHGs foster decision-making, confidence, and community leadership among women.
Example: **SHG women in Andhra Pradesh** run local canteens and tailoring units.
3. **Enhancing Livelihood Opportunities:** SHGs enable income-generating activities via collective entrepreneurship.
Example: **MAVIM in Maharashtra** links SHGs to markets and training; **Lakhpati Didi** promotes rural women micro-entrepreneurs.
4. **Community Mobilisation & Social Capital:** SHGs foster solidarity and participatory governance in villages.
Example: **SHGs in Tamil Nadu** lead sanitation and anti-liquor campaigns.
5. **Contributing to Public Welfare Delivery:** SHGs assist in running ration shops, midday meals, and health awareness campaigns.
Example: **SHGs in Bihar** support PDS and health outreach under **World Bank** support.

Challenges: Structural and Socio-Cultural Barriers

1. **Inadequate Financial Literacy and Digital Access:** Many SHG members lack formal education and struggle with digital banking.
Example: In Jharkhand, women depend on male intermediaries for transactions.
2. **Limited Market Linkages and Value Addition:** SHGs face challenges in scaling up production and accessing markets.
3. **Weak Federations and Oversight:** Poor handholding and capacity support reduce the collective strength of SHGs.
Example: **NABARD** flagged weak support systems in Odisha SHGs.
4. **Patriarchal Norms and Resistance:** Traditional gender roles limit participation and autonomy of women in SHGs.
5. **Caste-Based Discrimination and Exclusion:** Marginalised groups often face exclusion or token participation in SHGs.
6. **Irregular Meetings and Low Group Cohesion:** Migration or domestic work hinders regular SHG activity.
Example: Participation drops during harvest season in MP.
7. **Credit Utilisation Gaps and Loan Misuse:** Borrowed funds are used for consumption rather than productive use.

Solutions: Strengthening SHG Impact

1. **Financial Literacy and Digital Training:** Train SHG members in digital banking and credit planning through convergence with **Digital India**, **PMGDISHA**, and capacity-building via **SHAKTI Portal**.
2. **Robust Federation Building:** Implement continuous capacity-building support through **DAY-NRLM** and link SHGs with producer groups and Farmer Producer Organisations (**FPOs**).
3. **Market Access and Branding Support:** Facilitate tie-ups with e-commerce platforms, government fairs, and branding initiatives like **ODOP** (One District One Product).
4. **Inclusive SHG Formation Norms:** Enforce caste and gender **representation quotas** in SHG formation and leadership to foster equity and diversity.
5. **Community Sensitisation Campaigns:** Leverage ASHA workers, PRI leaders, and social media to challenge patriarchal norms and promote SHG autonomy across states.

Conclusion

SHGs have the potential to transform rural India socio-economically, but this requires tackling deep-rooted structural and cultural limitations. A **multi-pronged support strategy** can empower SHGs as true engines of inclusive rural development.

Q.5) "Development today is no longer the sole domain of the government. Critically examine the role of donors, charities, community-based organizations and institutional stakeholders in shaping India's development agenda." (250 words, 15 marks)

Introduction

India's development landscape has evolved into a **multi-stakeholder ecosystem**. According to **NITI Aayog**, non-state actors contribute significantly to sectors like health, education, and livelihoods, complementing state efforts, especially in areas where public service delivery remains inadequate.

Body

Complementary Roles of Non-State Actors

1. **Donors and Philanthropic Foundations:** Provide funding, technical expertise, and policy advocacy. Example: **Gates Foundation** supports immunization with WHO and Gavi.
2. **Charities and Faith-Based Organizations:** Deliver last-mile services to marginalized communities. Example: **Akshaya Patra** serves 2 million midday meals.
3. **Community-Based Organizations (CBOs):** Enable participatory development and grassroots accountability. Example: **SEWA** organizes 2.5 million informal women workers.
4. **Corporate Social Responsibility (CSR) and Institutional Stakeholders:** Drive innovation and scale through CSR mandates (Companies Act, 2013). Example: **Tata Trusts** works with NITI Aayog on digital literacy.
5. **Bridging Governance Gaps:** Operate in underserved regions (e.g., conflict zones, tribal areas). Example: **PRADAN** supports tribal livelihoods in Jharkhand.

Challenges in Multi-Stakeholder Governance

1. **Fragmentation and Lack of Synergy:** Parallel initiatives waste resources (e.g., NGO and government schools in tribal areas with no shared learning).
2. **Accountability Gaps:** 20,000+ NGOs lost FCRA licenses since 2014 for non-compliance (MHA data), but misuse cases like fund diversion persist.
3. **Urban and Sectoral Bias:** 70% of CSR funds target education and health (India CSR Report 2023), while rural sanitation and disability receive <5%.
4. **Donor-Driven Agendas:** Foreign-funded NGOs sometimes prioritize donor templates over local needs (e.g., generic nutrition programs ignoring regional diets).
5. **Political Resistance:** Regulatory crackdowns on critical NGOs (e.g. Amnesty International's 2020 exit after FCRA freeze following human rights reports).

Way Forward

1. **Formalize State-Civil Society Partnerships:** Create NITI Aayog-led platforms for joint planning (e.g. Aspirational Districts Program).
2. **Reform FCRA/CSR Frameworks:** Simplify compliance while enforcing transparency (e.g., FATF-aligned donor disclosures).

3. **Localize Development:** Align NGO projects with Panchayat-level plans (e.g. **Kerala's Kudumbashree model**).
4. **Incentivize Community Ownership:** Scale up participatory budgeting (e.g., Meghalaya's Village Councils).
5. **Data-Driven Decision Making:** Share real-time data via platforms like **DISHA** (Digital Infrastructure for Social Impact).

Conclusion

India's development future hinges on **structured collaboration**. By balancing innovation with accountability, non-state actors can amplify state efforts, ensuring **equitable and sustainable growth**.

DAY-44

Q.1) Who are Particularly Vulnerable Tribal Groups (PVTGs)? Highlight their key features and challenges. Discuss the steps taken by the government for their development and suggest a way forward. (150 words, 10 marks)

Introduction

India identifies **75 communities** as Particularly Vulnerable Tribal Groups (PVTGs), first recognised by the **Dhebar Commission (1960)** for their extreme marginalisation. Their distinct needs demand targeted policies, as general tribal schemes often bypass them.

Body

Key Features of PVTGs (As identified by Dhebar Commission)

1. **Pre-agricultural Level of Technology:** PVTGs often rely on hunting-gathering or rudimentary shifting cultivation.
Example: The **Cholanaikkan tribe in Kerala** still practice forest foraging and live in rock shelters.
2. **Low Literacy and Education Levels:** Educational attainment among PVTGs remains dismal, especially among girls.
Example: **Sahariyas** of Madhya Pradesh have female literacy below **15%**.
3. **Stagnant or Declining Population:** Poor health services, isolation, and inbreeding contribute to population stagnation.
Example: **The Birhor tribe** in Jharkhand had a negative growth rate in past censuses.
4. **Economic Backwardness and Isolation:** Minimal participation in markets, land alienation, and weak access to welfare.
Example: **Baigas** in Chhattisgarh were displaced due to wildlife conservation without adequate rehabilitation.

Key Challenges Faced by PVTGs

1. **Displacement and Habitat Loss:** Development projects, mining, and forest laws have uprooted many communities.
Example: The **Kharria tribe** in Odisha was displaced due to iron ore mining.
2. **Malnutrition and Poor Health Access:** PVTGs face high malnutrition and mortality due to remote locations and inadequate services.
Example: In 2023, over **30 deaths** were reported among **Baigas** in **MP** due to hunger-related issues.
3. **Low Political Representation:** PVTGs are underrepresented in local governance and decision-making bodies.
Example: Few PVTG members hold positions in Panchayats or forest committees.
4. **Lack of Reliable Data:** Many PVTGs are not properly enumerated, limiting targeted policy design.
Example: Inconsistencies exist in the population estimates of groups like the **Sentinelese**.
5. **Cultural Erosion:** Exposure to mainstream society threatens traditional knowledge and languages.
Example: **Great Andamanese language** groups have almost disappeared.

Government Initiatives for PVTG Development

1. **PVTG Development Mission (2023):** Launched under the Ministry of Tribal Affairs for targeted saturation of housing, health, education, and livelihoods.
2. **PM Janjati Adivasi Nyaya Maha Abhiyan (PM JANMAN):** Aims to reach habitations of PVTGs with basic amenities like road, telecom, housing, water, health, and education services.
3. **Forest Rights Act, 2006:** Recognises individual and community rights over forest resources.
4. **Vanbandhu Kalyan Yojana:** Aims at ensuring integrated development with focus on livelihood, education, and health.

Way Forward

1. **Dedicated PVTG Cadre in Welfare Departments:** As recommended by the National Advisory Council, a specialised unit should monitor and deliver customised schemes in PVTG areas.
2. **In-situ Infrastructure and Service Delivery:** As emphasised by **NITI Aayog**, mobile education, healthcare, and nutrition services should be provided within their natural habitat.
3. **Revival of Traditional Knowledge and Livelihoods:** Focused programmes should preserve indigenous practices in medicine, agriculture, and crafts through cultural documentation and promotion.
4. **Periodic PVTG-Specific Census and Surveys:** Disaggregated data collection on health, education, and socio-economic conditions must inform policy design and monitoring.

Conclusion

The plight of PVTGs reflects the limits of **one-size-fits-all development**. Upholding their dignity and survival demands tailored, community-led efforts in the spirit of Article 46, which mandates special care for weaker sections.

Q.2) “Development and welfare schemes for the vulnerable, by their nature, are discriminatory in approach.” Do you agree? Give reasons. (150 words, 10 marks)

Introduction

Development and welfare schemes often target specific vulnerable groups, which may seem discriminatory. However, such targeted interventions are essential to **ensure equitable access to opportunities** and address deep-rooted historical and structural disadvantages.

Body

Why Development Schemes Appear Discriminatory

1. **Non-universal Nature:** schemes are often designed with strict eligibility criteria based on caste, gender, income, or region.
Example: Post-Matric Scholarship for SCs excludes other groups despite similar needs.
2. **Targeted Beneficiary Focus:** many schemes reserve benefits for certain social groups, leaving others outside the ambit.
Example: **Pradhan Mantri Janjatiya Vikas Mission** is specifically for tribals, excluding other poor groups.
3. **Affirmative Action Based on Identity:** policies like reservations are designed around social identity rather than individual merit.
Example: **10% EWS reservation** is based purely on economic criteria, unlike identity-based quotas for SCs and STs.
4. **Perception of Unfair Resource Allocation:** preferential treatment may lead to resentment in competitive environments.
Example: Some economically backward students from general categories feel excluded from pre-matric scholarships.

Why Targeted Schemes are Justified and Necessary

1. **Correcting Historical Injustices:** they help redress centuries of marginalisation and social exclusion.
Example: **Vanbandhu Kalyan Yojana** seeks to bridge development gaps for Scheduled Tribes in remote regions.
2. **Promoting Social Inclusion:** they ensure the participation of vulnerable groups in public life and development.

Example: **National Fellowship for SC** students promotes higher education among underrepresented communities.

3. **Enhancing Human Capabilities:** schemes improve access to basic services like housing, nutrition, and healthcare.

Example: **National Health Mission** aims to reduce disparities in health indicators among rural and tribal populations.

4. **National Development through Empowerment:** harnessing the potential of the marginalised boosts inclusive growth.

Example: **National Urban Livelihoods Mission** trains urban poor, especially women and SC/ST, for job opportunities.

Way Forward

1. **Data-Driven Targeting:** use socio-economic and caste census data to identify true beneficiaries irrespective of caste or religion.
2. **Sunset Clause for Benefits:** as recommended by the **2nd ARC**, introduce time-bound support with periodic review to avoid permanent entitlements.
3. **Geographic Targeting Over Identity:** focus on backward districts and deprived blocks regardless of caste or religion.
4. **Sensitisation and Awareness Campaigns:** educate the public on the rationale behind affirmative action to reduce resentment and promote solidarity.

Conclusion

Though welfare schemes may seem discriminatory, they uphold the spirit of equality in **Article 15(4)**. In a deeply unequal society, targeted development is not exclusion—it is essential to ensure fair opportunity and inclusive growth.

Q.3) The Rights of Persons with Disabilities Act, 2016 remains only a legal document without intense sensitisation of government functionaries and citizens regarding disability. Comment. (150 words, 10 marks)

Introduction

According to **Census 2011**, over **2.21%** of India's population lives with disabilities. The **RPwD Act, 2016** was a step forward, but inadequate sensitisation has limited its transformation from law into lived reality.

Body

Key Provisions of the RPwD Act, 2016

1. **Expanded Definition of Disability:** recognizes **21 conditions** including mental illness, blood disorders, and multiple disabilities.
2. **Reservation in Education and Jobs:** provides **4% reservation in government jobs** and **5% in higher education**.
3. **Rights-Based Approach:** ensures equality, non-discrimination, accessibility, and protection from exploitation.
4. **Grievance Redressal and Penalties:** creates central and state-level commissioners to monitor implementation and ensure compliance.

Why the Act Remains Under-Implemented

1. **Low Awareness Among Officials:** training modules on disability rights are absent in many bureaucratic or institutional settings.
Example: A **2022 NCPEDP report** found that over **70%** of government officers hadn't undergone any disability sensitisation training.
2. **Social Stigma and Public Apathy:** disability continues to be seen as a charity issue rather than a rights issue.
Example: Despite having ramps, **polling booths in 2024** remained inaccessible in several states due to negligence.
3. **Infrastructure Inaccessibility:** public buildings and digital platforms remain largely non-compliant with accessibility standards.
Example: Only **3% of government websites** were fully accessible per the **2023 report** by Digital Empowerment Foundation.
4. **Lack of Budgetary Prioritisation:** implementation funds are scattered and underutilised, leading to ineffective delivery.
Example: The 2022-23 audit of **Accessible India Campaign** found less than **50% fund** utilisation in target cities.
5. **Tokenism in Inclusion:** inclusion lacks depth and continuity, failing to translate into meaningful participation.
Example: Only **0.5% of total government recruits** were persons with disabilities despite the **4% quota**.

Way Forward

1. **Sensitisation Training:** integrate disability awareness into mandatory **induction and in-service training** for government officials.
2. **Community Awareness Drives:** conduct sustained national and local campaigns to foster **rights-based understanding** of disability.
3. **Strict Monitoring and Accountability:** strengthen **disability audits**, reporting mechanisms, and enforcement by state commissioners.
4. **Inclusive Budgeting:** ring-fence funding for disability schemes and incentivise universal design in infrastructure and services.

Conclusion

To realise the **UNCRPD's goals** and constitutional values of dignity and equality (**Article 46**), sensitisation must accompany legislation. A humane, inclusive society demands both legal entitlements and social transformation.

Q.4) MGNREGA has supported vulnerable rural communities, but it still struggles with issues like poor implementation, lack of funds, and low transparency. Critically assess its performance and suggest how it can be improved. (250 words, 15 marks)

Introduction

The Mahatma Gandhi National Rural Employment Guarantee Act (**MGNREGA**), **2005**, aims to enhance livelihood security in rural areas by providing at least **100 days** of guaranteed wage employment per year to every household whose adult members volunteer to do **unskilled manual work**.

Body

Major Features of MGNREGA

1. **Legal Entitlement:** guarantees **100 days** of wage employment annually as a **right-based approach** to rural livelihood security.
2. **Demand-Driven Scheme:** employment must be provided within **15 days** of demand; else, the worker is entitled to an unemployment allowance.
3. **Inclusive Coverage:** applies to all rural households willing to do **manual work**, irrespective of caste or gender.
4. **Women Empowerment Provision:** mandates at least **one-third of beneficiaries** to be women workers.
5. **Decentralised Implementation:** execution through **Gram Panchayats** ensures local planning, social audit, and transparency.

Key Achievements of MGNREGA

1. **Rural Livelihood Security:** has provided employment to millions during agrarian distress and crises like **COVID-19**.
Example: Over 7 crore households availed work under MGNREGA in 2020–21 (Ministry of Rural Development).
2. **Women's Participation:** enhanced female workforce participation, offering financial independence and decision-making power.
Example: Women account for over 50% of MGNREGA workers annually (MoRD data, 2023).
3. **Asset Creation:** contributed to water conservation, irrigation, and rural connectivity through community-based works.

*Example: Over **40 lakh water-related assets** created between 2014–22 (MGNREGA MIS Reports).*

4. **Social Inclusion:** provided jobs to marginalized groups including SCs, STs, and landless laborers.

*Example: In FY 2022–23, SC/STs contributed to nearly **38%** of total person-days.*

Major Challenges in Implementation

1. **Delayed Wage Payments:** chronic delays violate the Act's mandate and discourage participation.

*Example: In 2022–23, nearly **45% of wage payments** were delayed beyond 15 days (NREGA Sangharsh Morcha).*

2. **Fund Shortages:** frequent fund constraints lead to stalled projects and unmet demand for work.

*Example: **CAG Report (2020)** flagged instances of mid-year fund exhaustion in states like Bihar and WB.*

3. **Corruption and Ghost Beneficiaries:** weak monitoring and false job entries result in fund leakage.

*Example: **CAG audit** revealed fake job cards and duplication in multiple districts.*

4. **Lack of Technical Capacity:** poor planning, monitoring, and lack of trained staff affect quality of assets.

*Example: Accountability Initiative reports show only **21% of technical posts** filled in many blocks.*

5. **Digital Divide and MIS Dependence:** Aadhaar-seeding and app-based attendance create exclusion errors.

*Example: Use of NMMS App led to exclusion and protests in **Rajasthan and Tamil Nadu**.*

Way Forward

1. **Ensure Timely Fund Allocation:** decentralise fund release and enhance budget predictability to avoid payment delays.
2. **Improve Monitoring and Social Audits:** strengthen social audits with community involvement and third-party verification.
3. **Strengthen Technical Support:** recruit trained personnel at block and panchayat levels to plan and supervise durable assets.
4. **Committee Recommendations:** adopt suggestions from the **Standing committee on rural development (2013)** like enhancing convergence with other schemes and real-time MIS tracking for transparency.

Conclusion

MGNREGA remains vital for rural resilience and poverty reduction. Strengthening it aligns with **Article 41 of the DPSP**, which mandates the State to ensure the right to work and public assistance for the vulnerable.

Q.5) The National Commission for Protection of Child Rights (NCPCR) plays a crucial role in safeguarding child rights in India. Critically assess its mandate, functioning, and limitations in ensuring justice and welfare for children. (250 words, 15 marks)

Introduction

The NCPCR, established under the **Commissions for Protection of Child Rights Act, 2005**, aims to ensure that all laws, policies, and administrative mechanisms align with the rights and best interests of children as per the **Constitution** and **UNCRC**.

Body

Mandate and Key Functions of NCPCR

Policy Review: examines and reviews existing laws, policies, and programmes related to child rights.

Monitoring Implementation: oversees compliance of child-related laws, including the Right to Education Act, 2009 and Juvenile Justice Act, 2015.

Inquiry and Complaints: inquires into violations of child rights either on its own or based on complaints.

Research and Awareness: undertakes research and spreads awareness on child rights and protection mechanisms.

Advisory Role: advises central and state governments on effective implementation of child rights.

Achievements and Positive Interventions

1. **Monitoring RTE Act Implementation:** regularly inspects schools and monitors RTE compliance, including issues of dropout, infrastructure, and discrimination.
Example: NCPCR reports led to identification of out-of-school children in several states like Bihar and Rajasthan.
2. **Rescue and Rehabilitation Efforts:** coordinated with state authorities and **Child Welfare Committees (CWCs)** in child labour and trafficking cases.
Example: 10,000+ children rescued from hazardous work environments in 2021–22 through joint operations.
3. **COVID-19 Response:** tracked children orphaned during the pandemic and coordinated with authorities to ensure their care and protection.

Example: Bal Swaraj Portal was launched to track such children. As of February 2022, over **1.53 lakh children** were registered on the portal.

4. **Combating Online Exploitation:** initiated awareness campaigns and coordinated with agencies to prevent child pornography and online abuse.

Example: Collaborated with Interpol and NCRB on cybercrime awareness programs for schools.

Limitations and Challenges

1. **Limited Powers:** lacks enforcement authority and must depend on other agencies for implementation of recommendations.
2. **Understaffing and Budget Constraints:** inadequate resources and personnel hamper timely investigation and monitoring.
3. **Inconsistent State Commission Coordination:** weak coordination between NCPCR and State Commissions leads to fragmented responses.
4. **Overcentralization:** most activities are Delhi-centric with limited outreach in remote rural areas.
5. **Delay in Disposal of Cases:** case backlog and administrative delays limit its responsiveness to urgent child rights violations.

Way Forward

1. **Strengthen Statutory Powers:** grant quasi-judicial powers for enforcement of decisions and penal action in grave violations.
2. **Enhance Funding and Infrastructure:** ensure adequate staffing, field officers, and budget for independent inquiries and outreach.
3. **Improve Federal Coordination:** build real-time coordination mechanisms with **State Commissions** for effective case resolution.
4. **Leverage Technology:** expand digital complaint portals, helplines, and monitoring dashboards for faster action and transparency.
5. **Committee Recommendations:** implement recommendations of the **Justice Verma Committee and Mehta Committee** on strengthening child protection frameworks.

Conclusion

NCPCR plays a vital role in child welfare, but institutional strengthening is essential to realize **Article 39(e) and (f)** of the Constitution, which mandate protection of children's health, development, and opportunities in dignity and freedom.

DAY-45

Q.1) NEP 2020 aims to transform school education through quality and inclusivity. Critically examine its key provisions, implications, and implementation challenges. Suggest measures for effective implementation. (150 words, 10 marks)

Introduction

The **National Education Policy 2020**, based on the **Kasturirangan Committee**, aims to transform school education through conceptual, inclusive, and flexible learning. It strives to enhance both quality and equity across India's diverse educational landscape.

Body**Key Provisions of NEP 2020 Relevant to School Education**

1. **5+3+3+4 Curricular Structure:** replaces the 10+2 system, aligning education with the cognitive development stages of children.
2. **Foundational Literacy and Numeracy (FLN):** prioritizes universal attainment of FLN by Grade 3 through the NIPUN Bharat mission.
3. **Multilingualism:** promotes mother tongue/regional language as the medium of instruction at least up to **Grade 5**.
4. **Assessment Reforms:** focuses on competency-based assessments instead of rote memorization.
5. **Equitable and Inclusive Education:** emphasizes gender inclusion, socio-economically disadvantaged groups (SEDGs), and children with special needs (CWSN).

A robust framework like **NEP** must be assessed based on how effectively it can address both quality and inclusivity in school education.

Implications for Quality in School Education

1. **Shift to Conceptual Learning:** curriculum revisions encourage critical thinking and creativity over memorization.
2. **Strengthened Teacher Capacity:** structured professional development and performance tracking improve pedagogy quality.
3. **Digital Integration:** platforms like **PM eVidya** and **DIKSHA** promote interactive and technology-driven learning.

Implications for Inclusivity in School Education

1. **Focus on SEDGs:** targeted strategies improve access for girls, SC/ST, OBC, minorities, and CWSN.
2. **Multilingual Access:** education in local languages reduces early dropouts and improves comprehension.

3. **Flexible Learning Options:** open schooling and modular curriculum promote re-entry for dropouts and working children.

Despite its transformative potential, NEP 2020 faces several structural and implementation-level barriers that need urgent attention.

Major Challenges in NEP 2020 Implementation

1. **Shortage of Teachers:** Over 10 lakh vacancies exist across government schools as per the 2022 Parliamentary Standing Committee report.
2. **Digital Divide:** Only 29% of rural households have access to internet, limiting e-learning effectiveness (NSO, 2021).
3. **Learning Gaps:** ASER 2023 showed that over 40% of Class 5 students still cannot read basic text.
4. **Low State Capacity:** Many states lack resources and institutional strength to adapt curricular and pedagogical reforms uniformly.
5. **Inadequate Monitoring:** NITI Aayog flagged the absence of robust mechanisms to track NEP targets and outcomes at grassroots.

Way Forward

1. **Effective Implementation:** ensure coordinated efforts among Centre, States, and local bodies for timely execution of NEP provisions.
2. **Infrastructure Strengthening:** provide adequate ICT infrastructure and multilingual content for equitable access in rural and remote areas.
3. **Monitoring and Evaluation:** set up performance indicators and independent review mechanisms for assessing learning outcomes.
4. **TSR Subramanian Committee:** especially on curriculum overhaul, regulation of private schools, and strengthening early childhood care.
5. **Allocate 6% of GDP to Education:** as envisioned by both NEP 2020 and earlier education commissions to ensure adequate funding and equity.

Conclusion

NEP 2020, if implemented in true spirit, can realize the constitutional vision of inclusive, quality education. **Article 21** ensures the right to education, which NEP strengthens by focusing on dignity, equity, and lifelong learning.

Q.2) How far do you agree that focusing solely on food availability as a cause of hunger diverts attention from failures in human development policy? Illustrate with examples from India's recent experience. (150 words, 10 marks)

Introduction

India produces **surplus food**, yet ranks poorly on the **Global Hunger Index**. This paradox shows that hunger is less about availability and more about human development failures in health, sanitation, income, and education.

Body

Why Focusing Solely on Food Availability is Misleading

1. **India's Food Surplus Paradox:** India has enough food in stock, but still performs poorly in the Global Hunger Index, ranking **105 out of 127 countries in 2024**.
2. **Invisible Hunger and Malnutrition:** Many children are still malnourished because of poor health, lack of clean surroundings, and low-quality diets.
3. **Ineffective Targeting and Leakages:** Many people like migrants and the homeless are still left out of food distribution systems.

These instances show that food is available but not always accessible or nutritiously adequate, pointing to deeper governance issues.

Failures in Human Development Policy Worsening Hunger

1. **Lack of Nutritional Awareness:** Many women don't have proper information about what makes a healthy diet.
2. **Poor Sanitation and Health Services:** Dirty surroundings and lack of health care cause diseases, which prevent the body from using food properly.
3. **Income Poverty and Livelihood Deficits:** People without stable jobs or income struggle to afford food.
4. **Education and Gender Gaps:** Educated mothers are more likely to care better for their children's nutrition and hygiene.
5. **Underfunding of Nutrition Schemes:** Government nutrition programs often don't get enough funds or staff to work effectively.

These failures highlight that hunger is multidimensional and tied to the broader human development ecosystem.

Way Forward

1. **Holistic Nutrition Approach:** Integrate food security with **WASH** (Water, Sanitation and Hygiene), maternal care, and health infrastructure.
2. **Strengthen POSHAN 2.0:** Improve monitoring and coordination between ministries to ensure timely delivery and impact.

3. **Social Safety Nets for Migrants:** Implement One Nation One Ration Card (**ONORC**) and mobile PDS units effectively.
4. **Enhance Livelihood Security:** Expand **MGNREGA** and urban employment schemes to strengthen food access through income.
5. **Invest in Behavioural Change:** Launch awareness campaigns on nutrition, hygiene, and feeding practices.
6. **Monitor Multidimensional Indicators:** Adopt a Hunger Index tailored to Indian states tracking sanitation, gender, health, and education alongside food intake.

Conclusion

Hunger in India is not just about food—it reflects a **failure in holistic human development**. Addressing it requires multi-sectoral interventions beyond food availability, aligned with **SDG 2** and other interlinked Sustainable Development Goals.

Q.3) “The NITI Aayog’s Multidimensional Poverty Index (MPI) offers a more holistic assessment of poverty than income-based measures.” In this context, critically evaluate India’s recent progress in poverty reduction. (150 marks, 10 marks)

Introduction

India’s official adoption of the Multidimensional Poverty Index (MPI) by **NITI Aayog** marks a shift from monetary poverty metrics to a broader framework encompassing education, health, and living standards, enabling a more comprehensive poverty analysis.

Body

What is MPI and How It Differs from Income-Based Measures

1. **Multidimensional Approach:** MPI evaluates poverty across **three dimensions**—health, education, and standard of living—using **12 indicators** such as nutrition, years of schooling, sanitation, housing, etc.
2. **Non-Monetary Indicators:** Unlike traditional income/consumption-based measures, MPI captures **deprivations in basic human capabilities**.
3. **Household-Centric:** Identifies poor households based on multiple deprivations simultaneously, offering granular insights.
4. **Focus on Outcomes:** Reflects the **quality of life** rather than just income levels.

India’s Recent Progress in Poverty Reduction (as per MPI)

1. **Sharp Decline in MPI:** NITI Aayog’s 2023 report shows **13.5 crore people** exited multidimensional poverty between 2015-16 and 2019-21.

2. **Improvement Across States:** Uttar Pradesh, Bihar, and Madhya Pradesh registered the highest decline in MPI value and headcount ratio.
3. **Health & Sanitation Gains:** Nutrition deprivation fell from 44% to 33%; access to clean cooking fuel rose from 44% to 59%.
4. **Education Indicators:** School attendance improved, and the years of schooling indicator saw notable progress.
5. **Housing and Assets:** Access to electricity, improved housing, and asset ownership significantly increased due to schemes like PMAY, Saubhagya, and Ujjwala.

Critical Evaluation: Limitations of MPI Approach

1. **Data Lag:** MPI is based on NFHS data, which may not reflect **real-time conditions**, especially post-COVID.
2. **Lack of Urban Focus:** MPI underrepresents **urban poverty** and informal work-related vulnerabilities.
3. **Exclusion of Income Dimension:** While MPI captures capabilities, it omits **direct income/consumption** information, which is still essential.
4. **Inequality and Depth Overlooked:** MPI does not account for **intensity of deprivation** among the poor or intra-household disparities.
5. **Fragmented Data Systems:** Dependence on household surveys with infrequent cycles limits **policy responsiveness**.

Way Forward

1. **Combine MPI with Income Metrics:** Create a **composite index** integrating monetary and multidimensional aspects for balanced poverty tracking.
2. **More Frequent Data Collection:** Establish **real-time poverty monitoring systems** through digital platforms.
3. **Urban MPI Inclusion:** Develop urban-specific MPI frameworks reflecting challenges like **housing, healthcare access, and informal employment**.
4. **Use MPI for Targeted Schemes:** Leverage MPI findings to **prioritize districts** and households under poverty alleviation programs.
5. **Independent Audits:** Third-party evaluations and cross-verification of MPI data to enhance credibility and usability.

Conclusion

India's progress in multidimensional poverty reduction is commendable and aligns with **Article 21 and SDG-1**. However, a **hybrid, dynamic approach** integrating MPI and income-based indicators will ensure more inclusive and responsive policymaking.

Q.4) “India’s demographic dividend risks becoming a demographic burden unless skill development is aligned with emerging economic opportunities.” Discuss the efficacy of Skill India Mission. (250 words, 15 marks)

Introduction

With over 65% of the population under 35, India holds vast demographic potential. The Skill India Mission, launched in 2015, aims to transform this into a dividend by enhancing employability and aligning youth skills with market demands.

Body

When Demographic Dividend Becomes a Burden

- 1. Unemployment and Underemployment:** Youth unemployment remains high at over 17% (PLFS 2022–23), indicating failure to absorb the growing workforce into productive jobs.
- 2. Low Skill Levels:** As per recent estimates, only about 3.7% of the working population has formal vocational training, reducing productivity and employability.
- 3. Social and Economic Strain:** Idle youth population leads to increased economic dependency, rising crime, and social unrest, negating the dividend’s benefits.

These concerns make skill development the cornerstone of harnessing India’s youth power.

Major Features of Skill India Mission

- 1. Pradhan Mantri Kaushal Vikas Yojana (PMKVY):** Provides short-term training and Recognition of Prior Learning (RPL) to youth for industry-relevant skills.
- 2. National Skill Development Corporation (NSDC):** Acts as a public-private partnership to promote skill training institutions and fund skill initiatives.
- 3. National Policy for Skill Development and Entrepreneurship (2015):** Provides an integrated roadmap for skilling with focus on quality and market relevance.
- 4. Industrial and Sectoral Skill Councils:** Create occupational standards and curricula to ensure alignment with industry needs.
- 5. Digital Initiatives:** PM-DAKSH portal, Skill India Digital, and eSkill India promote digital learning and certification.

These provisions aim to create a structured and inclusive skilling ecosystem in India.

Efficacy of Skill India Mission

Successes

- 1. Massive Reach:** Over 1.6 crore candidates trained under PMKVY since its inception.
- 2. Industry Collaboration:** 37 Sector Skill Councils ensure training content aligns with market needs.
- 3. Recognition of Prior Learning (RPL):** Enabled formal certification for workers in informal sectors.

4. **Focus on Marginalized Groups:** Special programs target SCs, STs, women, and differently-abled individuals.
5. **Digital Push:** Use of platforms like Skill India Digital widened access, especially during COVID-19.

Challenges

1. **Low Placement Rates:** PMKVY-3 reported placement rates below 20% in many sectors, with overall placement under STT hovering around 43%.
2. **Mismatch with Market Needs:** Training not always aligned with evolving sectors like AI, green economy, and gig work.
3. **Quality Issues:** Variations in training standards and lack of practical exposure affect employability.
4. **Drop-out and Certification Issues:** Many candidates fail to complete training or get certified.
5. **Limited Private Sector Participation:** Industry involvement remains patchy outside select high-growth sectors.

These issues need urgent redressal to ensure that the mission's potential translates into real outcomes.

Way Forward

1. **Demand-Driven Training:** Align skill programs with regional industry clusters and futuristic sectors like green energy, robotics, and health tech.
2. **Strengthen Apprenticeship Model:** Scale up the National Apprenticeship Promotion Scheme to integrate skilling with real-world work experience.
3. **Tracking and Monitoring:** Use Aadhaar-linked dashboards for real-time tracking of training, certification, and employment outcomes.
4. **Public-Private Partnerships:** Deepen industry collaboration through outcome-linked incentives and curriculum co-design.
5. **Integration with Formal Education:** Embed vocational training within school and college systems under NEP 2020.
6. **Mobile Skill Labs:** Replicate **Brazil's "Skill Trucks" model** to take mobile vocational training units to remote and underserved areas.

Only a multi-pronged approach can bridge the gaps in skilling and employment linkage.

Conclusion

To emerge as the **skill capital of the world**, India must convert its youth bulge into a trained workforce. A robust **Skill India Mission** is essential to avoid wasted potential and ensure inclusive development.

Q.5) “Ayushman Bharat aims to move India towards universal health coverage, yet challenges remain in its implementation.” Critically examine the strengths and limitations of the scheme. (250 words, 15 marks)

Introduction

Launched in **2018**, **Ayushman Bharat** aims to achieve Universal Health Coverage by providing preventive and curative services through Health and Wellness Centres and financial protection via the Pradhan Mantri Jan Arogya Yojana.

Body

Key Features of Ayushman Bharat

- 1. Health and Wellness Centres (HWCs):** Targeting 1.5 lakh HWCs to deliver comprehensive primary healthcare including maternal, child, and non-communicable disease services. As of July 2023, over **1.6 lakh HWCs** are operational.
- 2. PM-JAY:** Provides ₹5 lakh per family per year for secondary and tertiary hospitalization for 50 crore beneficiaries. As of November 2023, over **6 crore hospital admissions** worth more than **₹77,000 crore** have been authorised.
- 3. Portability:** Pan-India portability of services through empaneled public and private hospitals. As of 2023, around **26,800 hospitals**, including **11,700+ private institutions**, are empaneled.
- 4. Cashless and Paperless:** Empowers beneficiaries with Aadhaar-linked access without any out-of-pocket expenditure.
- 5. IT Platform:** National Health Authority manages the IT system for beneficiary identification, hospital empanelment, and claim settlement.

A critical assessment of the scheme reveals its transformative potential alongside significant implementation challenges.

Strengths of Ayushman Bharat

- 1. Financial Risk Protection:** As of 2023, over **6 crore hospital admissions** and **₹77,000+ crore** in claims were processed under PM-JAY, reducing catastrophic health expenditure.
- 2. Access Expansion:** Around **26,800 hospitals**, including many private institutions, have been empaneled under the scheme, broadening access to quality care.
- 3. Equity and Inclusion:** Prioritizes vulnerable groups, with nearly 49% of beneficiaries being women and a focus on SC/ST households.
- 4. Digital Health Infrastructure:** The use of IT for real-time monitoring and fraud detection improves transparency.
- 5. Boost to Public Health Infrastructure:** HWCs enhance grassroots-level preventive care and reduce tertiary care burden.

Limitations and Challenges

1. **Coverage Gaps:** Excludes outpatient care and diagnostics not linked to hospitalization; actual health expenses remain high for many beneficiaries.
2. **Awareness and Enrolment Issues:** NFHS-5 revealed low health insurance awareness in several regions, indirectly reflecting PM-JAY outreach challenges.
3. **Regional Disparities:** States like Tamil Nadu and Kerala have their own schemes and show limited integration with PM-JAY.
4. **Infrastructure Constraints:** Shortage of specialists and diagnostics in rural areas undermines HWC effectiveness.
5. **Fraud and Abuse:** As of 2025, fraudulent claims worth ₹582 crore have been detected under PM-JAY, with over 1,080 hospitals de-empaneled for misuse.

Way Forward

1. **Strengthen Primary Healthcare:** Ensure adequate human resources and diagnostics at HWCs to prevent disease escalation.
2. **Expand Coverage:** Include outpatient care and more disease categories under PM-JAY to reduce out-of-pocket costs.
3. **Robust Monitoring Systems:** Deploy AI tools and independent audits to prevent fraud and track health outcomes.
4. **Capacity Building:** Train health workers and administrators to ensure better scheme implementation.
5. **Incorporate Committee Recommendations:** Adopt insights from the High-Level Expert Group (HLEG) on UHC and NITI Aayog's health strategy for phased reform.

Conclusion

Ayushman Bharat marks a significant step toward universal health coverage, echoing the spirit of the **Alma-Ata Declaration** and aligning with **Article 47** of the Constitution, but its success depends on robust, equitable implementation.

DAY-46

Q.1) "The success of e-governance in India hinges more on inclusion than on innovation." Discuss with reference to the digital divide and the challenges of last-mile delivery. (150 words, 10 marks)

Introduction

According to the **World Bank**, e-governance involves the **use of information technologies** to improve the delivery of government services, transparency, and participation. In India, its success now depends more on digital inclusion than mere technological innovation.

Body**Why the Success of E-Governance Hinges More on Inclusion than Innovation**

1. **Large Digital Divide:** Only about **26% of rural women** use mobile internet, as per **GSMA (2022)**. Without bridging this gap, innovations reach only a fraction of the population.
2. **Low Digital Literacy:** Under PMGDISHA, about **6.39 crore rural individuals** have been trained by 2024. However, overall digital literacy remains limited, constraining the use of platforms like DigiLocker or UMANG.
3. **Infrastructure Gaps in Remote Areas:** Only around **30% of India's 6.5 lakh villages** have broadband connectivity under BharatNet as of 2025. This renders services like telemedicine or online education inaccessible to many.
4. **Exclusion of Marginalised Communities:** Aadhaar-based services often fail for the elderly, disabled, and tribal populations, resulting in denial of entitlements like pensions or subsidised food.
5. **Language and Accessibility Barriers:** Many platforms are English-centric and lack accessibility features, making it difficult for linguistic minorities and persons with disabilities to use them effectively.

Why Innovation Is Also Important

1. **Improved Efficiency and Transparency:** Platforms like **GEM and e-Courts** reduce corruption and streamline processes in procurement and judiciary.
2. **Real-Time Governance:** Innovations like the **JAM trinity** (Jan Dhan, Aadhaar, Mobile) have enabled real-time Direct Benefit Transfers, saving over ₹2 lakh crore in leakages.
3. **Scalable Solutions:** Modular platforms like **DigiLocker** allow large-scale service delivery across ministries and states efficiently.

Government Initiatives Promoting Inclusion in E-Governance

1. **PMGDISHA:** Aims to make 6 crore rural households digitally literate; over **6.39 crore individuals** trained by 2024.
2. **BharatNet:** Seeks to provide high-speed broadband to all gram panchayats; as of 2025, **only about 30% of villages** have functional connectivity.
3. **Common Service Centres (CSCs):** Over 5 lakh centres offer assisted digital services to bridge the last-mile service gap.
4. **Meri Pehchaan Portal:** A unified login platform launched in 2023 for simplified and inclusive access to multiple digital services.
5. **Digital Inclusion Fellowship Programme (2024):** Launched by MeitY to train digital ambassadors in remote and underserved regions.

Way Forward

1. **Localised, Multilingual Interfaces:** Ensure platforms are accessible in regional languages and designed to cater to all ability groups.
2. **Focus on Community-Based Training:** Strengthen digital literacy through panchayats, NGOs, and schools to foster grassroots participation.
3. **Offline Support for Online Services:** Provide hybrid service models (tele-assistance, CSCs) to ensure universal access.
4. **Monitor and Audit Inclusion Metrics:** Track digital inclusion outcomes alongside innovation KPIs in every e-governance initiative.

Conclusion

While innovation drives potential, inclusion ensures impact. As noted by the **2nd ARC**, inclusive e-governance empowers the poorest and strengthens democracy by making public services accessible, accountable, and equitable for all.

Q.2) "Civil services in India must evolve from a system of status and seniority to one of performance and public accountability." Critically examine the need for civil services reforms in this context and suggest a roadmap for systemic transformation. (150 words, 10 marks)

Introduction

Envisioned as the **steel frame of the nation**, India's civil services—under **Articles 309 to 311** of the Constitution—must now evolve to meet rising public expectations through reforms ensuring efficiency, accountability, and citizen-centric governance.

Body

Need for Civil Services Reforms

1. **Lack of Performance-Based Evaluation:** Promotions and postings often depend on seniority over competence, lowering motivation and efficiency.
Example: The **2nd ARC** recommended replacing the Annual Confidential Report (ACR) with a more outcome-based and transparent performance appraisal system.
2. **Political Interference:** Frequent transfers and political pressure undermine independent decision-making and administrative neutrality.
Example: The **2013 T.S.R. Subramanian vs. Union of India** case led the Supreme Court to direct fixed tenures for civil servants to curb arbitrary transfers.
3. **Generalist vs. Specialist Debate:** Excess reliance on generalists in technical fields hampers effective policy design and execution.
Example: The **Hota Committee (2004)** emphasized the need for domain specialisation to improve service delivery in sectors like health and energy.

4. **Red Tape and Procedural Delays:** Bureaucratic hurdles stifle innovation, delay projects, and burden citizens and entrepreneurs.

Example: India ranked **63rd** in the **World Bank's 2020 Ease of Doing Business report**, with delays in permits and approvals cited as key barriers.

5. **Poor Grievance Redressal and Citizen Engagement:** Limited accessibility of civil servants weakens accountability and public trust.

Example: The **2nd ARC** advocated setting up **Sevottam-compliant citizen charters** and grievance redressal mechanisms to enhance public service delivery.

Recent Measures and Reforms Undertaken

1. **Mission Karmayogi:** Focuses on capacity building through competency-based training and performance-linked learning outcomes for civil servants.
2. **SPARROW (Smart Performance Appraisal Report Recording Online Window):** Digitised and time-bound system for appraisal of civil servants to improve transparency and accountability.
3. **360-Degree Evaluation System:** Feedback from peers, subordinates, and stakeholders to assess leadership and behavioural competencies in senior appointments.
4. **Tenure-Based Appointments:** Introduction of fixed tenure for key positions to reduce arbitrary transfers and enhance policy continuity.
5. Several expert committees, including the **Surendra Nath Committee** and **Hota Committee** have repeatedly emphasized the need for performance-linked promotions, fixed tenures, citizen charters, and ethical training to ensure accountability and efficiency.

Way Forward

1. **Performance-Based Incentives and Promotions:** Introduce measurable key performance indicators (KPIs) linked to outcomes and citizen satisfaction.
2. **Lateral Entry and Specialisation:** Promote entry of domain experts to infuse new ideas, skills, and competition in the bureaucracy.
3. **Protection from Arbitrary Transfers:** Enforce independent civil service boards as per Supreme Court guidelines in **T.S.R. Subramanian case (2013)**.
4. **Stronger Accountability Mechanisms:** Regular audits, social accountability tools, and public feedback loops can make the system more responsive.
5. **Ethical and Empathy-Based Training:** Strengthen values of public service through case-based learning and real-time exposure to grassroots challenges.

Conclusion

Civil service reform is vital for a responsive, efficient, and accountable state. As highlighted by the **2nd ARC**, neutrality must be complemented with measurable performance to serve the needs of a fast-changing and aspirational India.

Q.3) Do you think the autonomy of the Central Information Commission has been diluted in recent years, thereby weakening its role as a transparency watchdog? Substantiate your answer with reference to legislative and executive concerns. (150 words, 10 marks)

Introduction

The Central Information Commission (**CIC**), established under the **RTI Act, 2005**, is central to India's transparency regime. However, recent legislative amendments and executive actions raise serious concerns about its institutional autonomy and effectiveness.

Body

Mandate and Role of CIC

1. **Final Appellate Authority:** It is the final authority to hear appeals related to RTI applications at the central level.
2. **Ensures Government Accountability:** By adjudicating on disclosure of information, it acts as a transparency watchdog.
3. **Quasi-Judicial Powers:** It has powers of a civil court for summoning records and witnesses.
4. **Promotes Awareness:** CIC promotes RTI awareness and capacity-building among public authorities and citizens.
5. **Annual Reporting:** Submits annual reports to Parliament on the implementation of the RTI Act.

However, several legislative and executive developments have raised concerns over dilution of the Commission's independence.

Concerns Regarding Autonomy

1. **RTI Amendment Act, 2019:** Made **tenure and salary** of CIC members subject to executive rules, **removing parity** with Election Commissioners and eroding institutional independence.
2. **Executive Discretion in Appointments:** Lack of transparency in selection and delays in appointments has led to vacancies and pendency.
3. **Downgrading Status:** Reduction of CIC's stature from that of a Supreme Court judge to a bureaucrat-level post lowers its authority.
4. **Lack of Compliance Powers:** CIC cannot enforce its orders or penalize effectively, diminishing its oversight role.
5. **Pendency of Cases:** Over **20,000 appeals** pending with CIC indicates weakened capacity and public trust.

These concerns directly impact the effectiveness of CIC in ensuring transparency and public accountability.

Impact on Institutional Role

1. **Erosion of Public Trust:** Perceived loss of independence reduces confidence in the institution's impartiality.
2. **Chilling Effect on RTI Usage:** Weaker enforcement deters citizens from filing RTIs.
3. **Inconsistent Decision-Making:** Loss of status and weakened autonomy may encourage self-censorship among Commissioners.
4. **Undermines RTI Ecosystem:** The weakening of CIC sets a precedent that may dilute state information commissions too.

Restoring institutional credibility requires legal safeguards and procedural transparency.

Way Forward

1. **Revisit the RTI Amendments:** Reassess the **2019** changes to restore fixed tenure and parity in status, reinforcing autonomy.
2. **Ensure Transparent Appointments:** Establish a time-bound and open process for selection of Commissioners.
3. **Strengthen CIC's Powers:** Provide legal backing to ensure enforcement of its decisions.
4. **Digital and Citizen Engagement:** Promote proactive disclosure and reduce reliance on appeal by improving public access to information.

Conclusion

As the **2nd ARC** observed, strong information commissions are pillars of democratic accountability. **Safeguarding CIC's autonomy** is vital to ensuring transparency, empowering citizens, and upholding the constitutional promise of participative governance.

Q.4) "Social audits empower citizens to hold institutions accountable and rebuild trust in public service delivery." Examine their role in promoting transparency and participatory governance. What are the key challenges in implementation, and how can they be addressed? (250 words, 15 marks)

Introduction

Social audits are **assessment tools** that allow people to evaluate the government's performance in delivering public services. First institutionalised under **MGNREGA**, they help identify gaps in implementation. They aim to improve transparency and build public trust.

Body

Role of Social Audits in Transparency and Participatory Governance

1. **Promote accountability:** They expose irregularities in fund usage and service delivery, making officials answerable to people. Example: In **Andhra Pradesh**, MGNREGA social audits helped recover crores misused by local officials.
 2. **Empower citizens:** By giving people a formal platform, they democratise information and decision-making processes.
 3. **Ensure transparency:** They uncover misappropriation, delays, or corruption. Example: **Rajasthan's Jan Sunwai model** revealed fake job cards and ghost beneficiaries in PDS and pension schemes.
 4. **Foster participatory governance:** Communities directly engage in evaluating programs. Example: In **Telangana**, **SHGs and village volunteers** are trained to conduct audits, ensuring local involvement.
 5. **Build trust in institutions:** By encouraging redressal and responsiveness, they re-establish credibility of public systems among marginalized groups.
- Despite their promise, social audits face several bottlenecks in practice, undermining their impact.

Challenges in Implementation

1. **Inadequate institutional support:** Many states lack independent social audit units or dilute their functioning by merging them with implementing agencies.
2. **Poor awareness:** Beneficiaries often remain unaware of their rights or audit procedures, limiting meaningful participation.
3. **Lack of follow-up:** Audit findings are often ignored, with weak grievance redressal and no punitive action against guilty officials.
4. **Political and administrative resistance:** Local elites and bureaucrats sometimes resist or intimidate social audit teams.
5. **Underfunding:** Insufficient resources and trained manpower hinder consistent and quality audits.

Way Forward

1. **Legal backing:** Implement the **2nd ARC** recommendation to give statutory status to social audits across schemes.
2. **Independent units:** Ensure financial and administrative autonomy of **State Social Audit Units**, as in Andhra Pradesh.
3. **Awareness campaigns:** Use local platforms like **Gram Sabhas and schools** to educate citizens on audit rights.
4. **Actionable outcomes:** Link audit findings to real-time grievance redressal, as seen in Odisha.
5. **Capacity building:** Train SHGs and local volunteers in audit processes, like the **Telangana model**.

Conclusion

Rooted in the spirit of grassroots democracy, social audits operationalise **Article 13 of the UN Convention Against Corruption and the 2nd ARC's vision** of citizen-centric governance, enabling communities to ensure accountable and responsive administration.

Q.5) "The Sevottam model is a blueprint for transforming public service delivery through citizen-centric governance." Critically analyse the key components of the Sevottam model. How far has it been successful in ensuring quality and accountability in government services? (250 words, 15 marks)

Introduction

Introduced in **2006** by the Department of Administrative Reforms and Public Grievances, the Sevottam model is a citizen-centric **quality management framework** aimed at improving public service delivery through transparency, accountability, and responsive governance mechanisms.

Body

Key Components of the Sevottam Model

1. **Citizen Charter:** Clearly outlines service delivery standards, timelines, and citizen entitlements to promote transparency and accountability.
2. **Public Grievance Redress Mechanism:** Sets up institutional processes to handle citizen grievances in a time-bound, efficient, and accessible manner.
3. **Service Delivery Enablers:** Focuses on internal capacity building, training, and process reforms to enhance the quality of public service.

Performance and Achievements

1. **Improved efficiency and citizen satisfaction:** Led to quicker, more reliable delivery of services.
Example: The **Passport Seva Kendra** reduced turnaround time and improved satisfaction through online appointments and tracking.
2. **Enhanced grievance redressal mechanisms:** Strengthened the institutional handling of public complaints.
Example: The Income Tax Department's **e-Nivaran system** resolved issues faster and tracked grievances transparently.
3. **Standardisation of services and timelines:** Encouraged departments to define and adhere to fixed timelines.
Example: **Indian Railways** introduced timelines for refunds and bookings in citizen charters.
4. **Increased use of technology and monitoring tools:** Improved transparency and real-time performance tracking.

Example: Integration with **CPGRAMS** allowed central ministries to respond quickly and monitor grievances.

- 5. Encouraged replication of best practices:** Inspired sectoral reforms and adoption of similar models.

Example: **Delhi Jal Board** introduced SMS alerts and online complaints inspired by Sevottam.

Challenges in Implementation

- 1. Patchy Adoption Across States:** Despite its potential, the **2nd Administrative Reforms Commission** noted uneven implementation across states and departments.
- 2. Lack of Awareness Among Citizens:** As per **DARPG's own assessments**, citizen awareness about charters and grievance mechanisms remains low.
- 3. Weak Institutional Mechanisms:** Reports by **NITI Aayog** highlight that many departments lack dedicated cells or trained personnel for service delivery reforms.
- 4. Inadequate Monitoring and Evaluation:** The **2nd ARC** underlined the absence of performance audits and independent reviews as a major limitation.
- 5. Resistance to Reform:** The **2019 Performance Monitoring Evaluation Report** cited bureaucratic inertia and limited incentives as key barriers to reform.

Way Forward

- 1. Mandatory Adoption Across All Levels:** Encourage adoption in municipalities and panchayats, with **DARPG** support.
- 2. Capacity Building Programs:** Train staff regularly on service standards and grievance handling.
- 3. Strengthen Evaluation Mechanisms:** Use **third-party audits** and dashboards to track compliance.
- 4. Incentivise Performance:** Link funding or awards to Sevottam-compliant delivery and grievance metrics.
- 5. Promote Best Practices:** Replicate successful cases like **Delhi Jal Board** across departments.

Conclusion

The Sevottam model reflects the **2nd ARC's vision of citizen-first governance**. With reforms and public participation, it can ensure responsive, efficient, and accountable public service delivery in India.

DAY-47

Q.1) "The India–UK Free Trade Agreement marks a new chapter in post-Brexit strategic realignment." Analyze the significance of this deal for both nations. (150 words, 10 marks)

Introduction

The proposed India–UK Free Trade Agreement (FTA) represents a pivotal step in redefining bilateral ties post-Brexit. It seeks to deepen economic, strategic, and geopolitical cooperation, moving the relationship from symbolism to substantive mutual gains.

Body

Major Features of the Proposed Deal

1. **Tariff reduction:** slashes duties on priority goods such as automobiles, Scotch whisky, textiles, and pharmaceuticals.
2. **Easing of services trade:** opens up financial, legal, and digital services to enhance business linkages.
3. **Mobility and work visa commitments:** enables smoother professional and student movement aligned with demographic needs.
4. **Sustainability and labour standards:** mandates chapters on environment, labour rights, and gender equity to ensure ethical trade.
5. **Investment protection mechanisms:** institutes dispute resolution frameworks to foster investor confidence and robust economic ties.

Significance for India: Economic and Strategic Gains

1. **Boost to exports and services trade:** India can access tariff concessions in key sectors. Example: **Textiles and IT** — core components of India's **\$14.5 billion** exports to the UK in 2024–25 — will benefit from reduced barriers.
2. **Attracting investment and technology:** UK's strengths in fintech and green tech complement India's developmental ambitions. Example: With UK FDI in India now above **\$34 billion**, the FTA is poised to increase capital in renewables and digital infrastructure.
3. **Strategic balancing in the Indo-Pacific:** strengthens India's global posture amid rising regional tensions. Example: Closer coordination in **Indo-Pacific summits** and naval exercises reflects this deeper alignment.

Significance for the UK: Post-Brexit Outreach and Diversification

1. **Expanding non-EU trade portfolio:** India's rising 2024–25 trade volume of **\$21.34 billion** aids diversification. Example: Reduced tariffs promise growth in UK exports of vehicles, whisky, and legal services.
2. **Access to skilled workforce:** India's STEM talent can help fill gaps in the UK economy. Example: Recent student-friendly measures aim to reverse a **40% decline** in Indian students due to visa restrictions.

3. **Geopolitical partnership in the Global South:** improves the UK's standing in multilateral forums. Example: Joint advocacy at **WTO** and during climate negotiations reflects shared global agendas.

Mutual Gains: Deepening the Strategic and Cultural Connect

1. **Sustainable development and climate action:** both nations aim to co-lead on renewable energy and climate finance. Example: UK support via Climate Finance Leadership Initiative aids India's solar and infrastructure targets.
2. **Cultural and educational collaboration:** the Indian diaspora and student mobility strengthen bonds. Example: With nearly 99,000 Indian students in the UK in 2025, the deal supports further academic integration.
3. **Global institution reform and multilateralism:** shared commitment to a rules-based international order. Example: Cooperative announcements at recent UNSC and WTO forums underline this alignment.

Challenges and Considerations

1. **Sticking points in negotiation:** unresolved areas include agriculture, IP rights, and rules of origin, slowing progress.
2. **Visa and immigration friction:** domestic UK politics continues to complicate mobility clauses.
3. **Regulatory divergence and data norms:** aligning on digital trade remains a core challenge.

Way Forward

1. **Prioritise a balanced FTA:** adopt a phased, sector-specific approach to balance sensitivities and opportunities.
2. **Enhance institutional frameworks:** set up dedicated dialogues and regulatory committees for implementation.
3. **Invest in people-to-people ties:** boost cultural, student, and tourism exchanges to deepen engagement.
4. **Leverage technology cooperation:** partner on emerging tech in fintech, cybersecurity, and green innovation.

Conclusion

The India–UK FTA is more than a trade deal—it's a **strategic alignment of two democracies** recalibrating in a post-Brexit world. If implemented well, it could significantly reshape bilateral and global cooperation.

Q.2) “The 2025 cross-border strikes between India and Pakistan underscore the fragility of peace in South Asia, while also reaffirming the centrality of diplomacy in managing regional crises.” Discuss in the context of recent developments. (150 words, 10 marks)

Introduction

The 2025 India–Pakistan escalation followed a terror attack in Kashmir, triggering strong but restrained Indian counterstrikes and swift diplomatic outreach. The episode reaffirmed **India's strategic maturity** and the **role of diplomacy** in preserving regional stability.

Body

Major Developments and Diplomatic Dynamics

1. **Terror trigger and escalation:** The April 22 Pahalgam attack killed 26 civilians. India launched **Operation Sindoor** targeting terror camps with precision, reinforcing its counterterror stance.
2. **Cross-border hostilities:** Pakistan escalated with drone sorties and shelling; India responded with calibrated strikes avoiding civilian harm.
3. **DGMO hotline diplomacy:** In May 2025, DGMOs agreed on restraint. India took the initiative to activate hotlines and propose disengagement.
4. **India's position on conflict resolution:** India reaffirmed that all issues with Pakistan must be addressed bilaterally, emphasizing that the **2003 ceasefire understanding** remains the primary framework for maintaining peace along the Line of Control.

Fragility of Peace in South Asia

1. **Trust deficit:** Frequent violations of ceasefire and use of proxies have eroded mutual trust, keeping the Line of Control volatile.
2. **Lack of institutional mechanisms:** Unlike Indo-China ties, India–Pakistan lack stable crisis de-escalation platforms, making responses ad hoc and risk-prone.
3. **Terror infrastructure in Pakistan:** India has consistently highlighted the continued sheltering of terror groups like **LeT and JeM** in Pakistan as root causes of instability.
4. **Domestic compulsions in Pakistan:** Shifts in Pakistan's civil–military balance often influence its India policy, derailing peace overtures with sudden escalations.

Centrality of Diplomacy in Crisis Management

1. **Swift diplomatic communication:** Despite tensions, diplomatic backchannels helped prevent miscalculation. India used direct communication and third-party mediation judiciously.
2. **Multilateral pressure on terror:** India rallied support through UNSC members to isolate Pakistan diplomatically over its inaction against terror networks.
3. **Respect for ceasefire agreement:** The **2003 ceasefire reaffirmation** in **2021** provided a baseline, and both sides have shown willingness to avoid full-scale conflict.
4. **Backchannel talks:** Though informal, alleged UAE-mediated backchannels may have reportedly facilitated mutual pullback, reaffirming diplomacy's quiet strength.

Way Forward

1. **Sustained diplomatic dialogue:** India must continue advocating for bilateral diplomacy rooted in zero tolerance for terror, without external mediation on core issues.
2. **Monitoring and verification:** Reviving joint **DGMO-level oversight** of ceasefire violations can help prevent misreporting and accidental escalations.
3. **Regional anti-terror framework:** India can push for a SAARC or BIMSTEC-based anti-terror protocol to regionalize counterterror efforts and isolate Pakistan's use of proxies.
4. **Designating TRF as terror outfit:** India's recent move to proscribe **The Resistance Front** under UAPA sends a strong message about internal and cross-border terror links.

Conclusion

While the 2025 strikes exposed South Asia's security fault lines, **India's emphasis on calibrated response and diplomacy reflects its maturity.** Long-term peace will require dismantling terror infrastructure and investing in institutionalized conflict resolution channels.

Q.3) "BIMSTEC holds the promise of linking South and Southeast Asia, yet remains underutilized." Analyze India's role in revitalizing the grouping in the current geopolitical context. (150 words, 10 marks)

Introduction

Formed in **1997**, **BIMSTEC** was envisioned as a bridge between South and Southeast Asia. Amid shifting Indo-Pacific dynamics and SAARC's stagnation, India has increasingly turned to BIMSTEC to promote regional connectivity and economic integration.

Body

India's Strategic Interests in BIMSTEC

1. **Linking Act East and Neighbourhood First:** BIMSTEC helps operationalise India's twin regional strategies across the Bay of Bengal.
2. **SAARC stagnation:** With Pakistan blocking SAARC progress, India sees BIMSTEC as a functional alternative.
3. **Maritime importance:** Bay of Bengal is central to India's **Indo-Pacific vision**, trade security, and energy routes.
4. **Countering China's influence:** Through BIMSTEC, India offers an inclusive, regional alternative to China's BRI and expanding maritime footprint.
5. **Promoting sub-regionalism:** BIMSTEC allows focused cooperation with like-minded nations, bypassing bilateral bottlenecks.

India's Revitalization Efforts

1. **Institutional strengthening:** India led efforts to adopt the **BIMSTEC Charter (2022)**, giving legal and structural clarity.

2. **Financial and technical support:** India contributes to the BIMSTEC Secretariat and offers capacity-building across sectors.
3. **Sectoral leadership:** India leads in key areas—security, environment, counterterrorism, transport, and connectivity.
4. **Master Plan for Transport Connectivity:** India played a key role in drafting and funding infrastructure corridors under this plan.
5. **Digital and energy initiatives:** Push for regional energy grid, coastal shipping, and digital public infrastructure cooperation.
6. **Security cooperation:** Hosting annual National Security Chiefs' meetings to tackle terror, trafficking, and maritime crime.

Challenges Hindering BIMSTEC's Potential

1. **Slow implementation:** Project delays, weak funding, and bureaucratic inertia slow regional progress.
2. **Asymmetry among members:** Economic and institutional gaps create dependency on India and uneven participation.
3. **Overlapping forums:** Multiple regional platforms dilute focus and create coordination fatigue.
4. **Limited visibility:** BIMSTEC lacks public awareness, reducing stakeholder pressure for accountability.
5. **China factor:** Some Southeast Asian members balance India with China, reducing BIMSTEC's cohesion.

Way Forward

1. **Prioritise connectivity:** Fast-tracking the **Kaladan Project** and **India–Thailand–Myanmar Trilateral Highway** is vital.
2. **Strengthen institutional mechanisms:** Establish dispute resolution and project monitoring frameworks.
3. **Promote economic integration:** Push for **BIMSTEC FTA** and value chain development in trade, tourism, and services.
4. **Enhance visibility:** Public diplomacy and media outreach can build grassroots support for BIMSTEC projects.
5. **Align with Indo-Pacific strategy:** BIMSTEC should complement India's maritime diplomacy and regional security efforts.

Conclusion

BIMSTEC remains a **promising but underleveraged regional platform**. For India, revitalising it is not just strategic—it is essential. A proactive, sustained push can transform BIMSTEC into a cornerstone of India's regional leadership.

Q.4) “The evolution of the Quad from a maritime security grouping to a broader economic and strategic platform reflects changing Indo-Pacific realities. In this context, Critically assess the relevance of the Quad for India.” (250 words, 15 marks)

Introduction

The Quad began in 2004 as a tsunami response mechanism and was formalised in **2007** under Japanese PM **Shinzo Abe**'s leadership. It has since expanded beyond security into a strategic partnership aligned with India's regional goals.

Body

Quad's Evolution: From Security Grouping to Strategic Partnership

1. **Early military focus:** Initial emphasis was on maritime security and naval exercises like Malabar to counter regional threats.
2. **Formalisation in 2007:** Shinzo Abe championed Quad as a strategic vision among **four democracies**.
3. **Expansion post-COVID:** Shift towards economic cooperation, critical tech, health, and climate response marked a functional broadening.
4. **2023 Vision Statement:** 'Enduring Partners for the Indo-Pacific' formalised Quad's long-term, non-military strategic role.
5. **Working structure:** Six thematic working groups on climate, cyber, health, infrastructure, tech, and space guide its functional agenda.

Relevance of Quad for India

1. **Strategic alignment without alliance:** Informal nature of Quad preserves India's autonomy while enhancing security cooperation.
2. **Counter to China's influence:** Helps India respond to China's maritime assertiveness and infrastructure diplomacy in the region.
3. **Economic cooperation:** Initiatives like **QUIN, Ports of the Future**, and clean energy chains align with India's development goals.
4. **Technology & innovation:** Open RAN, semiconductor cooperation, and space data sharing benefit India's digital and scientific ecosystem.
5. **Disaster & health support:** Logistics network, cancer moonshot, and health partnerships build India's soft power and resilience.

Challenges Faced by Quad

1. **Lack of institutional structure:** No formal treaty or secretariat limits Quad's crisis response capability.
2. **Unequal burden-sharing:** Varying economic capacities and strategic commitment lead to implementation gaps.

3. **Conflicting external ties:** India's SCO, Russia ties and Australia's China trade ties create internal contradictions.
4. **Speculations of Asian NATO:** Security-heavy focus has triggered geopolitical concerns, especially from China.
5. **Diverging China strategies:** India sees China as a rival; others manage economic dependencies while opposing militarism.

India's Specific Concerns

1. **Geopolitical balancing:** Quad engagement may strain ties with Iran and ASEAN members wary of bloc politics.
2. **Indian Ocean vs Pacific focus:** India's primary interests lie in the Indian Ocean, while others tilt towards Pacific.
3. **Strategic ambiguity:** Lack of clear Indo-Pacific doctrine within India creates misalignment with Quad's broader goals.

Way Forward for Strengthening Quad

1. **Clear Indo-Pacific strategy:** Quad should harmonise economic and security goals to reassure regional players.
2. **Membership expansion:** Including Indonesia, Singapore can improve legitimacy and regional ownership.
3. **Strengthen India's maritime doctrine:** India needs a comprehensive Indo-Pacific strategy integrating naval, diplomatic, and economic dimensions.
4. **Institutionalise Quad coordination:** Establishing a Quad Secretariat or working group mechanism can streamline action and ensure continuity.

Conclusion

Quad's evolution into a strategic platform provides India with economic, technological, and geopolitical leverage. **As EAM Jaishankar aptly noted, "The Quad is for something, not against someone"**—underscoring its constructive and inclusive character.

Q.5) "India's engagement with China is increasingly defined by a mix of competition, conflict management, and selective cooperation." Discuss in light of recent diplomatic outreach and the evolving post-Galwan dynamics. (250 words, 15 marks)

Introduction

The **Galwan clash of 2020** marked a turning point in India–China relations, ending decades of fragile stability. Since then, India has adopted a **firm yet measured approach**, balancing national interest with regional and global responsibilities.

Body

Post-Galwan Shifts in India–China Relations

1. **Militarised border management:** India has strengthened its border infrastructure to ensure deterrence and quick response.
2. **De-escalation talks:** India has consistently pursued dialogue, leading 21 rounds of Corps Commander talks despite limited reciprocity.
3. **Changed political tone:** India now links overall ties to border peace, ensuring accountability and strategic clarity.
4. **Public and strategic trust deficit:** The loss in Galwan united Indian political will against unilateralism and coercion.

Elements of Competition

1. **Border infrastructure race:** India has accelerated LAC upgrades to ensure parity and readiness.
2. **Regional influence rivalry:** India promotes transparent, inclusive initiatives like **SAGAR and Act East** over China's opaque BRI model.
3. **Technology and trade concerns:** India's bans and scrutiny of Chinese tech align with national security and digital sovereignty.
4. **Strategic partnerships:** India's Quad engagement reflects proactive hedging, not bloc politics.

Conflict Management Mechanisms

1. **Military-level talks:** India remains committed to dialogue even under provocation, avoiding miscalculation.
2. **Working Mechanism for Consultation (WMCC):** Regular diplomatic talks reinforce India's preference for peaceful resolution.
3. **Border protocols:** India has upheld agreements despite their repeated testing by Chinese actions.
4. **Avoidance of escalation:** India's restraint reflects maturity and commitment to regional stability.

Selective Cooperation

1. **BRICS and SCO platforms:** India engages constructively without compromising on core concerns.
2. **Trade interdependence:** India remains cautious, aiming to balance trade asymmetry while maintaining supply chain continuity.
3. **Global South coordination:** India and China align selectively on multilateral issues like climate and development equity.
4. **Crisis diplomacy:** India has kept channels open even during crises, reflecting its status as a responsible power.

Way Forward

1. **Border status quo restoration:** India rightly insists on restoring the status quo ante for forward movement.
2. **Balanced economic ties:** India aims to diversify trade and reduce critical dependencies.
3. **Multilateral cooperation:** India remains open to issue-based cooperation where interests align.
4. **Strategic hedging:** India will continue building resilient coalitions while avoiding zero-sum strategies.

Conclusion

India's China policy today blends firmness with foresight. **As EAM Jaishankar noted, "The state of the border will determine the state of the relationship."** India seeks peace—but not at the cost of principle.

DAY-48

Q.1) "In the wake of escalating tensions between Israel and Iran, examine the implications of this conflict on India's strategic, energy, and diaspora-related interests." (150 words, 10 marks)

Introduction

India maintained civilizational ties with Iran and supported Palestine while unofficially engaging Israel since the **1960s**. The **post-1992** balancing act faces new pressure amid escalating Israel–Iran tensions, impacting India's strategic, energy, and diaspora interests.

Body

Timeline of Escalation

- **April 2024:** Hamas launched a surprise multi-pronged assault on Israel, killing civilians and sparking a full-blown conflict.
- **May 2024 onward:** Israel responded with a prolonged offensive in Gaza, causing heavy casualties and a humanitarian crisis.
- **Early to mid-2025:** Regional tensions escalated as Iran and its proxies engaged directly, culminating in a exchange of strikes between Iran and Israel.

Effect on India's Strategic Interests

1. **Balancing ties:** India must maintain strategic neutrality—Israel is a key defence and tech partner; Iran is vital for regional connectivity and balancing Pakistan.

2. **Chabahar port calculus:** Escalation may derail India's Chabahar investment and INSTC plans, which are critical for access to Afghanistan and Central Asia.
3. **Defence procurement:** Israel supplies over **40%** of India's imported drones and advanced surveillance tech; any disruption may affect modernization efforts.

Energy Security

1. **Oil imports from the region:** Over **60%** of India's crude comes from West Asia. Wider conflict could spike prices, disrupt shipping via Strait of Hormuz, and strain India's energy bill.
2. **Diversification push:** Tensions may accelerate India's moves to diversify sources—renewables, Russian oil, and increased deals with the US, Brazil, and Africa.
3. **Strategic oil reserves:** India may need to release strategic reserves or expand them to mitigate short-term shocks.

Diaspora-Related Interests

1. **Indian workers in the Gulf:** Over 8 million Indians live in the Gulf, especially UAE and Saudi Arabia. A wider West Asian war could endanger lives and remittances.
2. **Evacuation readiness:** Operation Ganga and Vande Bharat Missions have set templates for evacuations, but large-scale movement from multiple countries would pose major logistical challenges.
3. **Social tensions at home:** Escalation may trigger communal tensions in India, impacting internal harmony and foreign policy posture.

Way Forward

1. **Diplomatic neutrality:** India must call for restraint, avoid taking sides, and use its goodwill with both countries to push for de-escalation.
2. **Energy resilience:** Boosting strategic reserves, diversifying imports, and investing in renewables are key to cushioning future shocks.
3. **Diaspora protection:** Pre-positioning evacuation plans and enhancing consular services across West Asia will be crucial for safeguarding Indian citizens.

Conclusion

As Jaishankar noted, **"India's foreign policy is about advancing national interest amidst contradictions."** The Israel–Iran crisis tests this ethos, demanding deft diplomacy to secure energy needs, strategic leverage, and the safety of Indian lives abroad.

Q.2) "Indian diaspora has evolved from a passive community abroad to a strategic asset for the country." Discuss the challenges and opportunities associated with this transformation. (150 marks, 10 marks)

Introduction

With over **32 million** Indians living abroad, the diaspora today acts as a "**living bridge**" between India and the world, as **PM Modi** calls it—growing from a quiet presence to a powerful partner in India's progress.

Body

From Passive Presence to Strategic Asset

In earlier decades, the diaspora mostly maintained **cultural ties** and **sent remittances home**, with limited influence on global affairs. Over time, rising success and India's outreach turned this quiet presence into a **strategic national asset**.

1. **Diaspora diplomacy:** India connects with its diaspora through high-level visits, Pravasi Bharatiya Divas, and India Houses, improving visibility worldwide.
2. **Economic contribution:** With over \$125 billion in remittances in 2023, the diaspora helps strengthen India's economy and supports families back home.
3. **Soft power & advocacy:** Indian-origin leaders like Rishi Sunak and top CEOs showcase India's image and increase its influence globally.

Opportunities for India

1. **Tech and innovation linkages:** Professionals in Silicon Valley and other hubs help bring in investments and share new ideas.
2. **Crisis response:** Diaspora groups helped during COVID-19 and Ukraine evacuation efforts by providing support and resources.
3. **Strategic lobbying:** Indian-origin lawmakers in the US, UK, Canada, and Australia often support India's interests in foreign parliaments.

Challenges in Diaspora Engagement

1. **Diaspora divisions:** Some groups, like pro-Khalistan supporters or CAA critics, create internal conflicts and tensions.
2. **Host country sensitivities:** Strong diaspora involvement sometimes raises concerns about interference in local politics.
3. **Migration issues:** Problems like worker exploitation in Gulf countries or visa fraud hurt India's image and create serious challenges.

Steps Taken

1. **Dual-track strategy:** India mixes cultural celebrations with long-term partnerships to build trust and utility.

2. **Institutional support:** MEA's Overseas Indian Affairs Division, e-Migrate portal, and help centres assist with problems and safety.
3. **Awards and recognition:** The Pravasi Bharatiya Samman Awards and India@75 events recognize and connect overseas Indians.
4. **Schemes and initiatives:** SWADES, Vande Bharat Mission, MADAD, and Know India Programme help students, workers, and families abroad.
5. **People-first diplomacy:** PM Modi's events in the US and UK show India's focus on connecting directly with its people abroad.

Way Forward

1. **Enhancing diaspora mapping:** India should maintain better data on skilled diaspora to quickly involve them in nation-building.
2. **Countering misinformation:** The government should fight fake news and anti-India narratives with timely facts and outreach.
3. **Inclusive engagement:** India must also include migrant workers, students, and youth—not just elites—in its diaspora policies.

Conclusion

As **PM Modi said**, "**The Indian diaspora is the Rashtradrouts (national ambassadors) of India.**" By supporting and engaging this global community, India can build stronger partnerships and raise its voice in the world.

Q.3) "Rising protectionist tendencies in the United States pose both challenges and opportunities for India's trade and technology sectors." Examine. (150 words, 10 marks)

Introduction

The US, India's largest trading partner, has shown rising protectionist tendencies in recent years—through tariffs, visa restrictions, and supply chain reshoring. While this poses challenges, it also opens doors for India's trade and tech aspirations.

Body

Rising Protectionism in the US: Key Trends

1. **Tariff and trade barriers:** Post-2018, tariffs on steel, aluminium, and tech products reflect a shift to America-first trade policies.
2. **Tech nationalism:** Restrictions on chip exports, tighter foreign investment scrutiny, and local manufacturing incentives aim to reduce tech dependence.
3. **Immigration curbs:** H-1B visa tightening and job protection narratives have limited Indian skilled workforce access.

Challenges for India

1. **IT and Services Sector Impact:** Indian IT firms rely heavily on US contracts and talent movement. Visa restrictions raise costs and reduce flexibility.
2. **Export Uncertainty:** Anti-outsourcing sentiment and Buy American policies affect pharma, steel, and engineering exports from India.
3. **FDI and Tech Ties:** Tighter US scrutiny under laws like CFIUS can deter Indian investments in sensitive tech areas.
4. **WTO strain:** US withdrawal from trade norms complicates India's position in global negotiations.

Opportunities for India

1. **China+1 Strategy Advantage:** US firms diversifying supply chains away from China are looking at India for manufacturing and R&D.
2. **Digital Trade Alignment:** Shared values on data protection, trusted 5G, and open internet help India gain US support in global tech rules.
3. **Collaborative Tech Ecosystems:** Quad-led initiatives and iCET (Initiative on Critical and Emerging Technologies) enable co-development in AI, semiconductors, and quantum.
4. **Make in India Boost:** US interest in Indian electronics and defence production supports domestic job creation and tech transfer.

Steps Taken by India

1. **iCET Launch:** India and the US are working on critical tech cooperation, talent exchange, and joint innovation hubs.
2. **PLI Schemes:** India's production-linked incentives for electronics, pharma, and semiconductors attract US firms amid rising US-China friction.
3. **Trade Talks Revival:** India-US Trade Policy Forum (2023) worked on resolving WTO disputes and increasing market access.
4. **Workforce Diplomacy:** India has pushed for smoother H-1B processing and mutual recognition of skills and degrees.

Way Forward

1. **Balancing Protectionism with Engagement:** India must continue to negotiate favourable access while leveraging complementarities in tech and innovation.
2. **Diversifying Markets:** Expanding ties with EU, ASEAN, and Africa can reduce overdependence on the US market.

- 3. Strengthening Domestic Tech Base:** Investing in R&D, skilling, and digital infrastructure will help India compete globally despite trade barriers.

Conclusion

Though US protectionism challenges India's trade and tech sectors, it also creates space for **strategic rebalancing**. With smart diplomacy and robust domestic policies, India can turn these headwinds into meaningful long-term gains.

Q.4) India's aspiration for a permanent seat in the United Nations Security Council reflects both its growing global stature and the need for a more representative multilateral system." Critically examine the prospects and challenges of UNSC reform in this context. (250 words, 15 marks)

Introduction

The United Nations Security Council (UNSC), created in **1945**, reflects the power structure of the post-WWII era. However, emerging powers like India argue that it no longer represents the geopolitical realities of the 21st century.

Body

Why India seeks a permanent seat

- 1. Global stature:** India is the world's **most populous** country, **5th largest** economy, and a nuclear power.
- 2. Peacekeeping contributions:** India is one of the largest contributors to **UN peacekeeping missions**.
- 3. Democratic credentials:** World's largest democracy, advocating multilateralism and **rule-based order**.
- 4. Moral authority:** India has not misused force and has a record of **responsible nuclear behavior**.

Prospects of Reform

- 1. Global support:** Countries like the US, France, UK, Russia support India's claim either explicitly or conditionally.
- 2. G4 Momentum:** India works with **G4** (Germany, Japan, Brazil) pushing for expanded permanent membership.

3. **Africa's support:** African nations also demand greater representation, which aligns with India's position.
4. **Shifting power balance:** Rise of multipolarity and declining **credibility of UNSC** (due to veto misuse) strengthen reform calls.

Challenges to Reform

1. **P5 resistance:** Existing permanent members are reluctant to dilute their exclusive power, especially regarding the veto.
2. **Consensus deficit:** Intergovernmental Negotiations (**IGN**) lack progress due to differences between regional groupings.
3. **Regional rivalry:** Pakistan opposes India's bid; China remains non-committal; Africa and Latin America lack consensus on nominees.
4. **UfC opposition:** The **Uniting for Consensus (UfC) group**, including countries like **Italy, Pakistan, and South Korea**, opposes new permanent members.
5. **Procedural hurdles:** Amending the **UN Charter** requires approval from two-thirds of the General Assembly and all P5.

Way Forward

1. **Coalition building:** India should deepen coordination with **G4 and L.69 group** to push text-based negotiations.
2. **Diplomatic pressure:** Use its global partnerships and platforms like **G20 and BRICS** to lobby for reform.
3. **Public diplomacy:** Highlight UNSC's ineffectiveness in **Ukraine, Gaza**, etc., to build public opinion for reforms.
4. **Support Africa's cause:** Strengthen its credibility by endorsing equitable African representation in the permanent category.
5. **Referencing frameworks:** India can push reform proposals aligned with the **Ezulwini Consensus** or African Common Position.

Conclusion

While India's case for a permanent UNSC seat is strong, reform requires overcoming entrenched interests. Yet, as India's External Affairs Minister stated, **"A reformed multilateralism is not an option, it is an urgent imperative."**

Q.5) "In the context of growing trade disputes and developing nations' concerns, examine the role of the WTO in ensuring equitable global trade. How can India balance its interests within a weakening multilateral trade regime?" (250 words, 15 marks)

Introduction

The **WTO**, founded in **1995**, aims to foster **rules-based** global trade. Yet rising protectionism, disputes between rich and poor nations, and stalled reforms have weakened its credibility— affecting countries like India that rely on equitable trade access.

Body

Role of WTO in ensuring equitable global trade

1. **Rules-based framework:** WTO provides legal certainty and predictability in trade through binding agreements.
2. **Special and Differential Treatment (S&DT):** Allows developing nations like India longer timelines and flexibilities in obligations.
3. **Dispute resolution:** WTO's **Dispute Settlement Body (DSB)** offers a mechanism to resolve conflicts without resorting to unilateralism.
4. **Platform for negotiations:** WTO enables collective bargaining through rounds like Doha, aimed at addressing developmental issues.
5. **Capacity building:** WTO assists low-income countries with trade-related training, technical assistance, and policy support.

Challenges in current multilateral trade regime

1. **Dispute settlement paralysis:** The **Appellate Body** has been non-functional since 2019 due to U.S. opposition to appointments.
2. **Stalled negotiations:** The **Doha Development Agenda** remains unresolved, limiting progress on key developmental issues.
3. **Developed-developing divide:** Nations like the U.S. and EU question S&DT benefits, affecting India's policy space.
4. **Rise of FTAs and plurilaterals:** Countries bypass **WTO** by forming regional or selective trade agreements, weakening its centrality.
5. **Pressure on subsidies:** Demands to reduce farm and fisheries subsidies disproportionately affect India and other developing nations.

India's approach to balancing its interests

1. **Assertive multilateralism:** India actively defends its right to S&DT and highlights the equity dimension in trade talks.
2. **Strategic use of FTAs:** Engaging in bilateral/regional pacts (e.g., with UAE, Australia) while retaining WTO principles.
3. **Coalition building:** Partnering with Global South and groups like **G33** to push back against developed world's pressures.
4. **Trade policy review:** India is strengthening domestic manufacturing (**PLI schemes**), standards, and export competitiveness.

5. **Digital and services trade:** Advocates for policy space in e-commerce and data governance to protect domestic interests.

Conclusion

Despite a weakening regime, the WTO remains **vital for ensuring fair trade access**. India must continue to engage with multilateral platforms while adapting through strategic bilateralism and economic self-strengthening to protect its long-term interests.