

on selected American goods. US also alleges India is not offering an 'equitable and reasonable access to American products', evident in a trade surplus of almost \$20 billion in 2017 in India's favour.

- Differences on IPR and other issues: The USTR's Special 301 report has consistently put India in its priority watch list, and India and the USA have resorted to the WTO dispute settlement body on the Solar Panel incentives.
- **H1B Visa:** US has made stringent norms for H1B visa hurting Indian workers and Indian companies in US.
- **Regulatory measures by India** on US e-commerce giants like Amazon and Flipkart (now owned by Walmart), capping of prices of certain medical devices such as cardiac stent, knee implants etc. are perceived as impediments in market access by the US companies.
- **Data localisation issues:** India's pursuit of hard data localisation rules is reportedly creating problems for companies such as MasterCard, Visa etc. US wants unfettered access of India's data wealth for its data-intensive businesses.
- **Positions taken by the US and its strategic implications:** For example, US ban on the Chinese technology giant Huawei from doing business with its allies, would make it difficult for India to invite Huawei to expand here, threat of US sanctions on countries importing oil from Iran, issue of purchasing of Russian S-400 missile by India etc.

Most recently, US has withdrawn the Indian trade privileges under the **Generalised System of Preferences (GSP)**, as part of its efforts to bring trade parity. The Generalized System of Preference (GSP) is the trade preference programme, that allows duty-free entry of products from designated beneficiary countries. As India was the largest beneficiary of this programme, following can be the impacts of termination of this designation:

- According to the Ministry of Commerce, \$190 million worth of exports will be affected. However, some experts believe that it is likely to **adversely affect about \$5 billion of India's annual exports** to the US amounting to 10% of India's total exports to that country.
- With higher duties, Indian **exports will become more expensive and will lose their competitiveness** vis-à-vis other developing countries' exports to the US.
- Most of the products which India exported under the GSP comes from **Micro, Small & Medium Enterprises (MSME) sector**. Thus, it will have a negative impact on employment in the sector.

Given the global geopolitics, both the countries need each other. Resolving any contentions in the India-US trade relations will need building trust and consensus. The recent visit of US Secretary of State George Pompeo witnessed a dialogue on these issues. India and US have multiple dialogue mechanisms such as the Two Plus Two forum where such issues could be addressed urgently and amicably.

**11. In a democratic setup, it is imperative that independence be balanced with accountability. Discuss in the context of judiciary in India. (250 words) 15**

**Approach:**

- Introduce the answer by talking about importance of judicial independence and need for making judiciary accountable in brief.
- Mention how current mechanisms to make judiciary accountable are seen as inadequate and ramifications of such a situation.
- Give a balanced conclusion.

**Answer:**

An independent judiciary is a sine qua non for a vibrant democratic system. It is important to safeguard **judicial independence** because the judiciary is not only the final interpreter of the constitution, but also preserves and enforces fundamental and legal rights against any arbitrary violations. The Constitution of India contains many provisions to maintain the independence of judiciary. Judicial independence is founded on public trust and to maintain it, judges must uphold the highest standards of integrity and be held accountable.