



APPROACH – ANSWER: G. S. MAINS MOCK TEST - 1523 (2020)

1. *Enumerate the issues associated with functioning of the Central Information Commission. How can these issues be addressed? (150 words) 10*

Approach:

- Briefly write about the role of the Central Information Commission.
- Discuss the different issues plaguing its functioning.
- Suggest steps to address the issues.
- Conclude on the basis of above points.

Answer:

The **Central Information Commission (CIC)** is a statutory body that adjudicates on matters related to denial of information under **the Right to Information Act, 2005**. Its jurisdiction extends over all central public authorities and its decisions are final and binding.

The functioning of the Commission is plagued with several issues, including:

- **Pendency of cases:** In October 2020, the Commission had over 36,984 cases pending before it, which will **require 15-18 months** to be disposed.
- **Vacancies and appointments:** Appointments of the Chief Information Commissioners are alleged to be based on political considerations. There still remains a **vacancy of 50 per cent** in the CIC.
- **Excessive government control:**
 - After the **RTI Amendment Act, 2019**, the Chief Information Commissioner now has a reduced fixed tenure of three years, which was earlier five years.
 - Recently, the government withdrew the parity between the **compensation of the Election Commissioners and the Information Commissioners (ICs)** and gave itself powers to **relax rules** for **CIC staff**.
 - Over the years, there has been a trend of an **increasing number of bureaucrats** being nominated as Chief Information Commissioners.
- **Returning of appeals:** **For every two cases the CIC registers, it rejects one appeal** on the ground of inadequate documentation. About 77% of these returned cases are not filed.

Steps to strengthen the functioning of CIC:

- **Addressing pendency and vacancies:** The government should expeditiously fill all vacancies by identifying qualified candidates on an urgent basis.
- **Addressing central control:** In light of increased control of the central government and bureaucratisation, the Supreme Court has also stated that the government should ensure that non-bureaucrats are also appointed as Information Commissioners in CIC and SICs.
- **Bringing parity in remuneration:** Earlier positions of Information Commissioners (ICs) being equivalent to Election Commissioners should be restored and also parity should be maintained between the salaries of Chief Information Commissioner and other ICs.

The CIC **plays an important role in ensuring transparency and accountability** and the mentioned challenges must therefore be addressed in a timely and efficient manner to further the objectives of **‘minimum government and maximum governance’**.

2. *In India, Governor's discretionary powers are wider than those of the President. Elaborate. (150 words) 10*

Approach:

- Briefly mention the respective roles of the Governor and the President.
- Throw some light on the discretionary powers of both the President and Governor.
- Highlight discretionary power available only for Governor.
- Conclude on the basis of above points.

Answer:

In Indian Parliamentary system, both the President and Governor are the **nominal head** of the governments at the Union and State level. They exercise power on the **aid and advice** of the council of ministers headed by the Prime Minister/Chief Minister. However, under certain circumstances both of them **can exercise their discretion** while performing official duties:

- **When no political party or coalition of parties enjoys majority in the Lok Sabha/State Assembly**, then the onus is on the President/Governor to use his discretion to assess the situation, hold consultations and finally invite a leader of party/coalition who will be capable to form a stable government.
- Similarly, **when the incumbent Prime Minister/Chief Minister dies** in the office, both the President/Governor has power to use discretion in the selection and appointment of the Chief Minister. E.g. President Giani Zail Singh appointed Rajiv Gandhi as the PM, after the assassination of Indira Gandhi.
- **When the Council of Ministers lose the majority** in the legislature, it is for the President/Governor to decide whether to dissolve the Lok Sabha/State Assembly or not.
- Also, the Constitution of India has empowered the President/Governor to **seek information from the PM/CM** regarding the administration of the affairs of the union/state.

Apart from this, the Constitution of India has made explicit provisions providing for **discretionary power to the office of Governor (that are not available to the President)**, such as:

- The Governor can decide on his own without the advice of the council of minister whether to **reserve the bill** for the consideration of the President or not.
- Likewise, he can act on his own when he has to recommend for the **President's rule in the state**.
- Also, when he is given an **additional charge as the administrator of the Union Territory**, he can take actions with respect to union territory at his own discretion.
- The Governor of Assam, Meghalaya, Tripura, and Mizoram has power to determine the amount **payable by the respective governments to autonomous Tribal District Councils** in the states as royalty accruing from licenses for mineral exploration.

Thus, the Governor wields more discretionary power than the President, primarily **because of his dual role** as the Head of a State and representative of Union in the State. This can also be related to a correlative duty of protecting the Constitution as a representative of the Union. However, the exercise of the discretionary power should be in line with the values and principles of the Constitution.

3. *Highlight the objectives that were sought to be achieved through tribunals. How successful have they been in meeting them? (150 words) 10*

Approach:

- Explain the role of tribunals and mention objectives of their creation.
- Mention how successful tribunals have achieved those objectives.
- Briefly highlight the issues associated with the tribunals.
- Conclude with a way forward.

Answer:

Tribunals are the quasi-judicial bodies established by an Act of Parliament or State Legislature under **Article 323A** or **323B** to adjudicate disputes related to specified matters that are brought before it. Their jurisdiction is decided according to the statute establishing them. For example, Central Administrative Tribunal exercises jurisdiction in relation to the service matters of the parties covered by the Administrative Tribunals Act, 1985. Following are the **objectives behind creation of tribunals**:

- **Speedy justice and cost effectiveness:** The law courts with their elaborate legal procedures were deemed less efficient in rendering speedy and affordable justice to the parties concerned. Tribunals follow the **principles of natural justice** and thus expected to overcome the issue of delays and backlogs in the administration of justice.
- **Domain knowledge:** Particularly in technical cases, it was felt that the nature of the statutes required adjudicatory forums comprising of persons having expert knowledge of the working of these laws.

To achieve aforesaid objectives, many tribunals have been established in India. They have been **successful in the following ways**:

- **Quick resolution:** The simple procedures in tribunal and the expertise in subject matter have enabled tribunals to decide the matters quickly and efficiently as compared to the courts. For example: NGT showing promptness in environmental issues.
- **Affordable justice:** Increased efficiency of the tribunals has helped in reducing the expenses of seeking justice. As per the 'Assessment of Statutory Frameworks of Tribunals in India' report the disposal rate of the tribunals in comparison to the filing of cases per year is 94 percent which is remarkable.
- **Reduced burden of courts:** Tribunals have been able to reduce the burden of the cases on the ordinary courts.

However, their working suffers from **following issues**:

- At present, Indian tribunals are **largely dependent on their respective sponsoring ministries** for administrative support raising doubts over their independence.
- **Average pendency** across tribunals is 3.8 years with 25% increase in the size of unresolved cases thus undermining the objectives of speedy justice. As per the Law commission report, the top five central tribunals in the country have a combined backlog of over 3.50 lakh cases.
- Many tribunals are suffering from a high **number of vacancies** defeating the very purpose for which these specialized forums were created.
- Due to **scant geographic availability across the country**, tribunals are also not as accessible as high courts. This makes justice expensive and difficult to access.

Tribunals have **not been able to fully achieve the objectives** for which they were created. Nonetheless, they have proved useful in easing the burden of ordinary courts. It becomes imperative to take various steps as suggested by various Law Commission reports and follow Tribunal Rules, 2020 to ensure that the objectives for which tribunals were created are achieved.

4. ***Instead of the government regulating Over-the-top (OTT) platforms, there have been calls for a self-regulating mechanism for such platforms, as in the case of print media. Discuss.***

(150 words) 10

Approach:

- Explain what you understand by OTT platforms.
- Discuss why there are concerns regarding regulation of these platforms.
- State why there are calls for self-regulation of OTT platforms as in the case of print media.
- Give a brief conclusion.

Answer:

An **over-the-top (OTT) platform** is a streaming media service offered directly to viewers via the internet. Such platforms have become popular in India since the last few years. Recently, **concerns have been raised by the government to regulate OTT platforms owing to the following reasons:**

- OTT media **bypasses the cable, broadcast, and satellite television platforms**, which are regulated. For instance, owing to Covid-19, numerous **movies are being released on major OTT platforms**, thereby escaping regulation and certification.
- The issue of content regulation has always been contentious in India because of the **diverse nature of Indian society** in terms of religion, economic status, caste and language.
- **Article 19** of the Indian Constitution which guarantees freedom of expression as a fundamental right also has **reasonable restrictions** regarding decency and public morality, public order, defamation, incitement to offences, etc.

Thus, it cannot be denied that regulation, which serves as an advisory for the content being presented to the viewers, plays a useful role. Recently, the government has brought films, audio-visual programmes, news and current affairs content on online platforms under the purview of the Information and Broadcasting Ministry.

However, there have been **calls for self-regulation mechanisms for the OTT platforms, as in the case of print media** (Press Council of India) **due to the following reasons:**

- It will **avoid the case of governmental interference and censorship**, which become especially problematic while regulating digital news.
- It will promote standards that advance media's credibility with the public, particularly in a country like ours, which still needs to evolve to get an independent media.
- It will have the effect of **levelling the playing field** by bringing new digital players within the purview of a self-regulatory framework that non-digital players have been subject to all these years. Moreover, print and television media have managed to maintain their independence in self-regulation frameworks. Thus, there is no reason to have a different regulatory mechanism for OTT platforms.
- It would be **challenging to monitor online content 24*7** thereby putting further pressure on the existing manpower and infrastructural capabilities of the government.

Thus, the government should enable an ecosystem of self-regulation rather than censorship and OTT platforms, in turn, should set an example of responsible journalism and freedom. Further, **self-regulatory code signed by OTT platforms in 2019 could be developed further** in collaboration with all stakeholders.

5. Bring out the arguments surrounding the issue of some states reserving jobs for locals in the private sector. (150 words) 10

Approach:

- Introduce by briefly mentioning the recent events around the issue.
- Mention the arguments for demand for local jobs.
- Explain the arguments against as well.
- Conclude appropriately.

Answer:

In recent times, states such as Andhra Pradesh and Haryana have passed bills to provide 75% job reservation to locals in private enterprises.

Arguments for demand for local jobs:

- **Rising unemployment:** With unemployment figures likely to rise drastically especially in the backdrop of COVID-19 pandemic and lack of access to skills and low employability, these demands are only going to rise in the future. The issue is further accentuated by the fact that jobs are available in limited areas, which also see greater labour market competition from migrants from other areas as well.

- **Agrarian distress:** The agrarian sector is under tremendous stress across the country, and young people are looking to move out of the sector and are seeking local jobs.
- **Rehabilitation of landowners:** Since most of the land requirement is met by acquiring private agricultural lands, the landowners are being displaced and deprived of their occupation and thereby the associated loss of income generates demand for local level jobs.
- **Populist demand:** A survey done by the Centre for the Study of Developing Societies (CSDS) in 2016 showed that nearly two-third of respondents were in favour that people from the state should be given priority vis-à-vis employment opportunities.

Arguments against demand for local jobs:

- **May not pass legal scrutiny:** It is violative of Article 14 (Right to equality) and Article 16 (Right to equality of opportunity). Moreover, Article 16 does not empower the state government but rather the Parliament to provide reservation in jobs on the basis of residence and that too is limited to the public sector.
- **Dangerous for unity of the country:** Such moves could open a 'Pandora's box' wherein other states also will start implementing such policies, which will result in fractures with regard to unity of India.
- **Concerns of the industry:** Although most of the units employ locals only, however, there are certain sectors like chemical technology, textile and biotechnology, where it may be difficult to find locals for the jobs and the units need to search outside the state to hire competent personnel.
- **Difficult to attract investments:** Such a decision may lead to relocation of industries elsewhere and also alienate the potential investors. Lack of investments could further drop job creation.
- Plan may not impact micro or smaller units as they can still engage locals. However, **medium and large-scale companies and MNCs** like Auto industry, which contributes more than 25% of the state GDP of Haryana will be adversely impacted.

Job reservation for locals may not enhance their economic opportunities in the long run and may create another **barrier to ease of doing business**. Raising the standard of education and skilling the youth alongside the necessary structural reforms is the way forward to increase the size of the economic pie in the absolute sense.

6. *Identifying the key elements of Mission Karmayogi, briefly explain how it can lead to holistic development of the human resources and state's capacity. (150 words) 10*

Approach:

- Briefly mention the objectives of Mission Karmayogi.
- Highlight its key features/elements.
- Mention how it will lead to holistic development of human resources and state's capacity.
- Conclude accordingly.

Answer:

Mission Karmayogi is a National Programme for Civil Services Capacity Building (NPCSCB), which aims to upgrade the post-recruitment training mechanism of the officers and employees at all levels.

The **key elements of the programme** are as follows:

- **Supporting Transition from 'Rules based' to 'Roles based' HR Management.** Aligning work allocation of civil servants by matching their competencies to the requirements of the post.
- To emphasize on '**on-site learning**' to complement the '**off-site**' learning,
- To calibrate all Civil Service positions to a **Framework of Roles, Activities and Competencies (FRACs) approach** and to create and deliver learning content relevant to the identified FRACs in every Government entity.
- To make available to all civil servants, an opportunity to continuously build and strengthen their **Behavioural, Functional and Domain Competencies** in their self-driven and mandated learning paths.

- To enable all the Central Ministries and Departments and their Organizations to directly invest their resources towards co-creation and sharing **the collaborative and common ecosystem of learning** through an annual financial subscription for every employee,
- To encourage and **partner with the best-in-class learning content creators** including public training institutions, universities, start-ups and individual experts,
- To **undertake data analytics** in respect of data provided by iGOT- Karmayogi pertaining to various aspects of capacity building, content creation, user feedback and mapping of competencies and identify areas for policy reforms.
- A **Public Human Resources Council** comprising of select Union Ministers, Chief Ministers, eminent public HR practitioners, thinkers, global thought leaders and Public Service functionaries under the Chairmanship of Prime Minister of India will serve as the apex body for providing strategic direction to the task of Civil Services Reform and capacity building.

Its role in holistic development of human resources and state's capacity:

- The mission proposes to set up a **Capacity Building Commission**, with a view to ensure a uniform approach in managing and regulating the capacity building ecosystem on collaborative and co-sharing basis.
- The iGOT-Karmayogi platform **brings the scale and state-of-the-art infrastructure** to augment the capacities of over **two crore officials in India**. The platform is expected to evolve into a vibrant and world-class market place for content where carefully curated and vetted digital e-learning material will be made available.
- Besides capacity building, **service matters like confirmation after probation period, deployment, work assignment and notification of vacancies etc.** would eventually be integrated with the **proposed competency framework**.
- Mission Karmayogi aims to prepare the Indian civil servant for the future by making him more **creative, constructive, imaginative, innovative, proactive, professional, progressive, energetic, enabling, transparent and technology-enabled**.
- Empowered with specific role-competencies, the civil servant will be able to ensure **efficient service delivery of the highest quality standards**.
- A transformational change in Civil Service Capacity is proposed by organically linking the **transformation of work culture, strengthening public institutions** and adopting modern technology to build civil service capacity with the overall aim of ensuring efficient delivery of services to citizens.

The centralised institutional architecture of the proposed reform must be balanced by an understanding of the contexts and needs of diverse workers and learners. A framework for credible assessment with total transparency should be developed to link training and incentives successfully. Training must be supplemented with shared vision development, purposeful work and the empowerment of employees to improve organizational culture.

7. Highlighting the role played by ASHA workers in public health system of India, discuss the challenges faced by them. (150 words) 10

Approach:

- Introduce by giving a brief account of ASHA workers.
- Discuss the role played by ASHA workers in the public health system of India.
- Enlist the various challenges faced by them.
- Conclude by giving a way forward.

Answer:

Accredited Social Health Activist (ASHA) is a trained female community health activist. ASHA workers are selected from the community itself and are trained to work as an interface between the community and the public health system. At present, there are over 9 lakh ASHAs working in the Indian public health system.

Role played by ASHA workers in the public health system of India:

- **First port of call:** ASHAs serve as the first port of call for any health related requirement of deprived sections of the population, especially women and children who find it difficult to access health services.
- **Creating awareness:** They provide information to the community on determinants of health such as nutrition, basic sanitation & hygienic practices, existing health services etc.
- **Role as a counsellor:** They counsel women on birth preparedness, safe delivery, breast-feeding, immunization, contraception and prevention of Sexually Transmitted Infections and care of their young children.
- **Delivery of first contact health care:** Empowered with knowledge and a drug kit to deliver first-contact healthcare, ASHAs act as a depot holder for essential provisions like Oral Rehydration Therapy (ORS), Iron Folic Acid Tablet (IFA), Chloroquine, Disposable Delivery Kits (DDK), Oral Pills & Condoms etc.

While performing their role, ASHA workers face multiple challenges as follows:

- **Low payments:** ASHA workers are some of the lowest paid health care providers in India. They normally earn around Rs.300 through antenatal care and institutional delivery, Rs.150 for family planning and Rs.100 for immunization rounds etc.
- **Delay in payments and release of funds:** As there is no dedicated budgetary allocation for ASHA workers, they are paid from the funds of the National Rural Health Mission, for which they have to wait for a long period.
- **Issues with training and availability of drugs/equipment:** They lack skills related to counselling for family planning, recognition of danger signs of pregnancy, and first contact care for sick new-born babies and children (10th CRM Report). They also face problems relating to the availability and replenishment of drugs and equipment kits.
- **Harassment by nurses, paramedics and senior medical staff:** ASHA workers are often subjected to harassment by senior staff members which demotivates them to work further.

ASHA workers play a very crucial role in the public health system in India. Solutions like Project Sanghosti (building a low cost technology-enabled solution for empowering ASHA workers), increasing the incentive packages for ASHAs, better governance of the ASHA programmes, taking serious action on cases of harassment etc. can be of great help in empowering the ASHA workers and facilitating them to realise their true potential as health activists.

8. *While internationalisation of higher education has many potential benefits for India, certain challenges will need to be addressed in this regard. Discuss. (150 words) 10*

Approach:

- Explain what you understand by internationalisation of higher education in India.
- State the potential benefits of internationalisation of higher education.
- Highlight the challenges that may arise and need to be addressed.
- Conclude by suggesting a way forward.

Answer:

Internationalisation of higher education is considered to be a much needed reform by many. Recently, the **National Education Policy (NEP)** also acknowledges the objective of **making India a global study destination**. However, this objective is also beset with many challenges. These aspects are discussed below:

The potential benefits of internationalisation of higher education in India include:

- **Prevent brain drain and curb foreign exchange outflow:** With shortage of high-quality educational institutions, there is a **steady flight of Indian students to foreign countries** for higher degrees. In 2019, 7,50,000 students went abroad to pursue higher studies, **spending \$15 billion**. By allowing top foreign institutions to set up campuses, students can obtain these degrees in India at a much lower cost comparatively. Further, this will also help save foreign exchange.

- **Accommodate increasing number of students:** India's **gross enrolment ratio is expected to be 50% by 2035** as also noted by the NEP 2020. Further, as per reports, **India will need another 1500 higher educational institutions by 2030** to accommodate the inflow of students, which can be met by foreign universities setting campuses in India.
- **Spurring innovation:** Top foreign universities would **bring in capital**, latest **education technology**, innovative **pedagogy**, and facilitate institutional mobility that is missing in India.
- **Attract international students:** Opening of foreign universities could make India a **preferred higher education destination** for students from Asia and Africa etc.
- **Improvement in performance Indicators:** No Indian university or college figures in the top 300 in the **World University Rankings** despite having the second largest higher education system in the world. Further, India ranked only 72nd among 132 countries in the **2020 Global Talent Competitive Index**, which gauges a country's **ability to grow and attract talent**. Opening of branches of highly ranked foreign universities could **introduce the element of competition**, thereby elevating the rankings of Indian universities.

In this context, the **NEP** has charted an **ambitious roadmap** for making internationalisation of higher education a reality by 2030. Further, **Global Initiative for Academic Networks (GIAN)** promotes interaction between scientists, entrepreneurs and students internationally. However, there are **challenges in internationalisation of higher education, which include:**

- **Disruption of higher education ecosystem:** Entry of foreign universities may raise the **cost of education**, thereby excluding a large part of the student population. It could also lead to an **exodus of faculty members** from public universities to foreign campuses and deepen the crisis of the falling quality of education in public universities.
- **Highly controlled education sector:** Indian bureaucracy's stranglehold over the education sector has prevented its innovation and expansion. There is also a **lack of an enabling environment**, which will give academic and administrative autonomy to foreign institutions.
- **Lack of clarity:** The NEP does not elaborate how **India's public universities opening campuses in other countries** will help the education system at home.
- **Dearth of funds:** India's expenditure on higher education as a percentage of its **total budget has been a dismal 1-1.5%** for the past decade. Due to **lack of funds**, public universities will struggle to offer **competitive salaries** to faculty members and adequate facilities to students from abroad.

Thus, a **legislative framework** facilitating entry of top foreign universities is required, along with **regulatory and academic norms** that are on par with autonomous institutions of India. Further, **increasing financial support** should be given to public universities for joint ventures with top global universities.

9. *India needs to adopt a more pragmatic stance in the context of the ongoing intra-Afghan talks. Discuss, in the light of India's engagement with Afghanistan. (150 words) 10*

Approach:

- Give an account of India's engagement with Afghanistan.
- Mention the brief background of Intra-Afghan talks; discuss how India needs to adopt a more pragmatic stance in this context.
- Write a brief conclusion.

Answer:

India and Afghanistan have a strong relationship based on **historical and cultural links**. India has been engaging with Afghanistan on various fronts:

- India became one of the key supporters of the anti-Taliban Northern Alliance. In 2005, India proposed **Afghanistan's membership in SAARC**.
- India has committed close to **\$3 billion in institution and infrastructure development** in Afghanistan including small and large infrastructure projects, humanitarian assistance and capacity building.

- For example: **Zaranj to Delaram road**; construction of Afghan-India Friendship Dam (Salma Dam) etc.
- Although India has long chosen to **refrain from putting boots on the ground** in Afghanistan, the country has provided the **Afghan security forces with critical operational training**, limited **military equipment**, and **capacity-building** courses.
- The engagement was recognized by Afghanistan by conferring **PM Narendra Modi with Afghanistan's highest civilian honour**, the Amir Amanullah Khan Award in 2016.
- Further due to the positive impact of projects implemented by India, both countries have agreed to initiate a next generation '**New Development Partnership**'.

India has always **supported Afghan-led and Afghan-owned peace and reconciliation** process. In February, 2020, the US struck a peace deal with the Taliban with the aim of withdrawal of U.S. and international troops. The **intra-Afghan talks** were part of the deal. Since the Afghan peace process began two years ago, India's role in it has been peripheral at best.

In this context of intra-Afghan talks, there seems to be a need for India to adopt a more pragmatic stance. It has been India's stated policy that it will **not engage with the Taliban**, as it continues to see the fundamentalist group as being aided by Pakistan. However, India's engagement with an ascendant Taliban, is important for a number of reasons:

- **Growing international legitimacy and credibility of Taliban:** A noticeable change in the **Taliban's external engagement** can be seen in its links with Pakistan and also with its erstwhile adversaries, especially **Iran and Russia**, and its contact with **China**.
- **Establishing diplomatic contacts with a politically empowered Taliban:** It will be crucial to safeguard **New Delhi's existing and future economic interests** in the country, including those linked with Central Asian energy markets and broader connectivity projects for example- Chabahar Port.
- **Countering Pakistan:** An active engagement strategy with the Taliban will provide India with some leverage over Afghanistan's future, which may be helpful in offsetting Pakistan's efforts aimed at sabotaging Indian stakes in the country.

Realistically, the likely possible outcomes of the talks are either a political apparatus dominated by the Taliban or continued lack of consensus and violence. In either case, the **Taliban will continue to remain preponderant**. Thus, there is a case to be made to shift the approach. The External Affairs Minister's presence at the opening ceremony of the intra-Afghan talks hints at such a gradual shift in the making.

10. In the geo-strategic context of West Asia, the recent efforts to normalise relations between Israel and UAE may open new possibilities for India. Analyse. (150 words) 10

Approach:

- Briefly, write about the significance of the region and the importance of the peace accord.
- Discuss the opportunities presented by normalisation of relations for India.
- Conclude the answer accordingly.

Answer:

The recently signed **peace accord between UAE and Israel** (and also between Israel and Bahrain) may advance **peace and stability in the region** and open the doors to rapprochement between traditional adversaries in West Asia - Israel and the Arab States. Brokered by the **US administration**, the peace deal envisages "full normalisation" of relations between Israel and UAE.

India has **deep stakes in West Asia** as the region is the largest **energy supplier** and provides employment to a **large number of expatriates**. With these two states normalizing relations, the diplomatic environment is likely to become more favourable that opens new opportunities for India in the region:

- **Greater possible role in regional stability:** For years, India has maintained good relations with all the major stakeholders in the region including UAE, Iran, Saudi Arabia, Israel and

Palestine. It can leverage its soft power in **persuading the rivals and find consensus** on key conflicting issues.

- **Enhanced strategic partnership:** India has already signed pacts for security cooperation and counter-terror intelligence with both the Israel and UAE. Now reducing hostility and normalising relations open doors for India to establish **multi-faceted collaboration** in areas.
- **Increased cooperation in new areas:** India's existing separate agreements with the dynamic economies of both the UAE and Israel could now evolve into a multilateral cooperation in several areas of mutual interests ranging from **defense, cybersecurity, space science, healthcare, food security and financial services**.
- **Common international interests:** Over the years, the UAE has developed a reputation for pursuing a proactive and diversified foreign policy based on pragmatism over religious ideology; opposing extremism to create stable and moderate region. Thus, in a **post-Covid, multi-aligned, technology-driven world, the UAE, Israel and India**, along with the United States, will likely find more common causes than before. India's growing tactical and strategic synergy with all these countries will be pivotal in ensuring that those common causes translate into meaningful action and active cooperation.
- **Areas of Economic Convergence:** While the **UAE** has emerged as one of the world's most **attractive ecosystems for start-ups**, with more than a third of start-ups in the Middle East and North Africa based in the country, **Israel** already enjoys a reputation of being the **Start-Up Nation** and the sector makes up more than 40 percent of the country's exports, while **India has seen a mushrooming of tech start-ups** and MSMEs under the Make in India scheme. The startup ecosystems in these two countries present huge opportunities for India's IT sector.

However, the peace accord comes up with **its own set of challenges**. The UAE-Israel deal means that the **USA and Iran** will remain at loggerheads. With US sanctions on Iran being intact, India cannot enhance its engagement with Iran – a major energy supplier to India. Also, **Iran** will see **evolving Arab-Israeli ties** as a direct threat to its security in the region. Thus, **India needs to carefully tread the diplomatic path** so as to maximize the benefits from the new accord without antagonizing any partner.

11. It is not only the content of election manifestos but also the past performance with respect to promises made in election manifestos that need to be regulated. Discuss. (250 words) 15

Approach:

- Define an election manifesto and highlight its importance to the electorate.
- Discuss the need to regulate both its content and past promises.
- Mention the recent developments in this regard.
- Conclude with a way forward

Answer:

An election manifesto is a **published declaration of the intentions, motives or views of an individual, group, political party or the government**. It serves as a reference document for citizens as regards the ideologies, policies and programmes of a political party.

By making a comparison, electors decide which party they should vote for, based on which election manifesto best aligns with their expectations and aspirations. However, regardless of the importance of a manifesto to the election process, there have been several lacunae that call for regulation of the same. It is not just the content of the manifestoes but their execution, as well, that is an issue.

Need for regulating content of the election manifestos:

- **Lack of details around implementation:** Election manifestos do not contain adequate details of the manner in which the policies would be implemented, the source of funds for such implementation, etc.
- **Freebies to swing voters' opinion:** Certain regional political parties offer freebies as part of their manifestos with the sole intention of inducing the electorate into voting for their party.

- **Instigation:** Most manifestos tend to have offensive/incendiary campaign material, with the sole purpose of instigating particular feelings or inclination.

Need for regulating past promises made by the political parties in their manifestos:

- **Absence of tracking and enforcement mechanism:** There is a statutory vacuum regarding the regulation of election manifestos to the extent of tracking the performance of the political parties and the candidates and their accountability to the public thereof. Resultantly, political parties who get elected on the strength of their manifestos, tend to ignore, delay, or renege on manifesto promises.
- **No requirement of compliance under RTI:** Political parties are not liable to disclose information even under the RTI, thereby leaving no option for the citizens of the country to know the status of the fulfilment of the election manifestos.
- **Violation of voters' right to know:** Such practices are in contravention of voters' 'right to know' as recognised by Article 19(1) (a) of the Indian Constitution and reiterated in various cases like *State of Uttar Pradesh v. Raj Narain & Others*, *Lok Prahari vs. Union of India*, *Union of India v. The Association for Democratic Reforms*.

For a participative form of democracy, the voters must be educated in the right manner. However, despite express directions of the Supreme Court of India in the case of *S. Subramaniam Balaji vs. State of Tamil Nadu & Others*, the Election Commission has only issued generic guidelines stating that:

- the election manifesto is to be in **compliance with the Model Code of Conduct**,
- the promises **should not vitiate the purity of elections**; and
- manifestos should also **reflect the rationale for the promises and broadly indicate the ways and means** to meet the financial requirements for it.

Correspondingly, the Parliament should amend the **Conduct of Election Rules, 1961** to seek information regarding the status report of the promises of quantitative nature made in the election manifestos of the candidates along with his/her political party. The Election Commission should also mandatorily ask for similar information in an affidavit from candidates/political parties by suitably modifying the Model Code of Conduct.

- 12. In order to achieve a reduction in the pendency of cases and a return to the Supreme Court's original role as a final appellate court, setting up of a National Court of Appeal is the need of the hour. Discuss. (250 words) 15**

Approach:

- Briefly mention the issue of pendency of cases in the Supreme Court and how it undermines the role of the court as a constitutional court.
- Discuss how the National Court of Appeal will be a significant step towards judicial reforms.
- Mention the concerns raised regarding the proposed National Court of Appeal.
- Conclude on the basis of above points.

Answer:

According to the Supreme Court, as of **November 2020, 63,693 cases are pending in the court**. Majority of cases that the court has disposed of, are Special Leave Petitions. On an average, the **constitutional benches** have heard **6.4 cases per year** between years 2010-2020. The court has gained a vast and undefined jurisdiction by entertaining around **45 categories of cases**. This has led to high pendency of the cases and undermining of the role of the Supreme Court as a constitutional court.

In this light, many experts and even the Supreme Court (in 1986) advocated the need to establish National Courts of Appeal (NCA). It is suggested that the NCA will be established in the **four regional zones** of the country and they should be **placed in between the Supreme Court and the High Courts** in the hierarchy of the courts. It will help ease the apex court's burden and help it return to its original role as a final appellate court in following ways:

- **Return to its original mandate:** The proposed NCA will deal with civil, criminal, labour and revenue matters in the region, thus freeing up the apex court's resources to take up larger issues of public law and constitutional issues.
- **Reduce the burden of appeal cases:** The current Attorney General of India has argued that Appellate Jurisdiction and Writ Jurisdiction should be detached from the Supreme Court. And NCA should be set up, by appropriate constitutional amendments, to finally dispose of the appeals from the High Courts.
- **Streamline the categories of cases:** NCA will absorb the 140 categories of cases including matrimonial, rent control, labour, service, land acquisition that are today pending in the Supreme Court of India.
- **Improve accessibility:** NCA will also address the issues related to regional disparity in the case dockets. The States geographically adjacent to the seat of the Supreme Court, like Punjab, Haryana and Uttarakhand have a share of **6.2% each in the total docket**, while the far away but vast states like Tamil Nadu and Karnataka have only **1.1% and 2.4% of the cases respectively**. It demonstrates the inaccessibility and unaffordability of people from South and North East India in seeking justice at the Supreme Court. NCA will address this issue by bridging the geographical gap between litigants and appeal courts.

However, the experts have shown following concerns regarding the proposed NCA:

- It is argued that setting up of regional benches will dilute the **constitutional superiority** of the Supreme Court.
- It also argued that NCA will also add an **additional layer in the judicial hierarchy**.
- The establishment of NCA would **increase the burden on the exchequer** and similarly the expenses and hardships of the litigants will also increase.

Nonetheless, NCA is an idea that is worth due consideration and deliberation by both the Supreme Court and the government of the day.

13. The Constitution of India reflects an amalgamation of spirit of Indian freedom struggle and various administrative provisions of different acts of British rule in India. Explain.
(250 words) 15

Approach:

- Briefly discuss the background in which the Constitution of India was framed.
- Highlight the spirit of freedom struggle, which is reflected in the Constitution of India.
- Discuss various laws and acts before the formulation of the Constitution in India.
- Conclude on the basis of above points.

Answer:

The Constitution of India is the outcome of the freedom struggle and a series of colonial laws enacted to govern India; most notably the **Government of India Act, 1935**. It was shaped, in great measure, by the ideals and forces that propelled the **freedom movement**. For instance,

- The **economic critique of the British imperialist exploitation** by nationalist leaders and the later wave of socialism especially in the aftermath of the Russian Revolution, showed the need of the socialist state in the country.
- **Tribal movements, social reform movements, movements for women's upliftment**, etc. that were taken up as part of the freedom struggle imbued the ideals of justice and equality into the Constitution.
- **Resolutions** on the freedom of speech, press, freedom of assembly, freedom of association, and equality before law were passed in the Karachi session of the Indian National Congress, 1931 itself.
- **Freedom of religion**, free profession and practice of religion was encouraged after seeing the wave of communalism and later chaos during partition, in order to ensure peace and harmony among different religions.

Similarly, several **laws and regulations** passed by the British played their role in shaping the Constitution:

- Post the **Charter Act of 1833**, there was a gradual **increase in the membership** of the Governor-General's Council and further separation of powers.
- The **Government of India Act, 1858** passed shortly after the 1857 revolt led to **bureaucratic development** in India.
- The **Indian Councils Act, 1861** sowed the seed for the **legislature as an independent entity** separate from the Executive Council, a step forward in the Parliamentary type of system.
- The Indian Councils Act, 1892, Morley-Minto reforms of 1909 and Montagu-Chelmsford report of 1919 cemented the distribution of power and **growth of representative government**. For instance, the Act of 1909 introduced an element of **election** and representation in the Legislative Council at the Union.
- The **Government of India Act of 1919** established a **Bicameral Legislature** at the Union for the first time and introduced some elements of responsible form of Government in the Provinces.
- The **Government of India Act, 1935** introduced several provisions that influenced the Indian Constitution. For instance, the division of powers in federal, provincial and concurrent lists; provincial autonomy; separate electorates for depressed classes etc. were ideals that were directly imitated by the Indian Constitution.

Hence, the Indian Constitution is an expression of various views developed over the years of subjugation by the British to eliminate irrational practices entrenched in the Indian society, and an effort to introduce aspects of civil, economic and political rights and liberties. It is an inspirational document, an ideal of the society that we are and even the better society we are striving to be.

14. Mention the key components of the SVAMITVA scheme. Also, highlight its intended benefits and discuss the potential issues in its implementation. (250 words) 15

Approach:

- State why the PM SVAMITVA scheme was introduced.
- Briefly discuss its features and intended benefits.
- Discuss the potential issues in its implementation.
- Conclude on the basis of above points.

Answer:

Survey of Villages and Mapping with Improved Technology in Village Areas (SVAMITVA) is a **central sector scheme** of the Union Ministry of Panchayati Raj to provide an **integrated property validation solution** for rural India. Its target is to update the '**record-of-rights**' in the revenue/property registers and issue property cards to the property owners in **6.62 lakh villages** in India by the end of financial year **2023-24**.

Key components:

- **Establishment of CORS network:** A Continuously Operating Reference Stations (CORS) will be a network of Real-time Kinematics (a satellite navigation technique) base stations, which would help in accurate geo-referencing, ground truthing and demarcation of lands.
- **Large scale mapping (LSM) using drones:** Rural inhabited (abadi) areas would be mapped by the Survey of India using drone surveys to generate high resolution and accurate maps **based on which property cards would be issued to the rural household owners**.
- **Information, Education and Communication activities:** Awareness programmes to sensitise the rural population about the surveying methodology and its benefits would be conducted.
- **Enhancement of spatial planning application "Gram Manchitra":** Digital spatial data/maps created under drone surveys shall be leveraged for creation of spatial analytical tools to support the preparation of **Gram Panchayat Development Plan (GPDP)**.
- **Programme Management Units (PMUs):** The scheme will be implemented through regular departmental mechanisms, which will be assisted by Programme Management Units at the National (NPMU) and State level (SPMU).

Intended benefits:

- **Financial stability to the citizens in rural India:** A 'record of rights' will enable rural households to use their property as a financial asset for taking loans and other financial benefits.
- **Enhanced collection of property tax:** Updation of property and asset register will strengthen tax collection and demand assessment process of Gram Panchayats.
- **Making land marketable:** The property cards issued will help increase liquidity of land parcels in the market.
- **Reduction in property related disputes and legal cases:** Through creation of accurate land records, disputes related to inaccurate land records shall also decrease. At present, nearly two-third of the civil cases are related to land disputes.
- **Improved quality of Gram Panchayat Development Plan (GPDP):** GIS maps of Gram Panchayats and community assets like village roads, ponds, canals, open spaces, school, Anganwadi, Health sub-centres, etc. can be used to prepare better-quality GPDP. Further, these GIS maps and spatial databases would also help in preparation of accurate work estimates, elimination of encroachments, etc., for various works undertaken by Gram Panchayats and other departments of state government.

Potential issues in the implementation of the scheme:

- **Reluctance in the community:** Land and boundaries are sensitive topics among rural people, which can discourage them to participate in such policy reforms.
- **Lack of data:** Land records have not been updated in about 39% villages and only 41% have a clear record of rights. In the absence of clear titles, it would become very difficult to issue the property cards.
- **Absence of a functional market** in rural areas for using land as a marketable collateral.

Modernising land records is one of the foundational steps towards mending and reimagining broken institutional arrangements, which are pivotal in today's circumstances. SVAMITVA will go a long way in building financial strength and independence of the local self-governance institutions, the Gram Panchayats.

15. *Sharing of information among all stakeholders in government functioning is a leading practice towards good governance. Discuss with examples. (250 words) 15*

Approach:

- Introduce by highlighting the need for transparency in the functioning of the government.
- Highlight how it enables good governance.
- Mention examples to substantiate these arguments.
- Conclude appropriately.

Answer:

Excessive secrecy can undermine the quality of public decision-making and prevent citizens from checking the abuses of public power. This can have a corrosive effect on virtually all aspects of society and governance. Absence of, or inaccessibility to, information often creates a sense of disempowerment, mistrust and frustration among the citizens. Transparency, in terms of both information disclosure and dissemination and access to decision-making, is therefore very significant.

Information sharing enables good governance as it leads to:

- **Participation:** The public is only able to truly participate in the democratic process when they have information about the activities and policies of the government, and when people can see what benefits and services they are entitled to and whether they are receiving what should be expected.
 - **For instance,** DPIIT setup a control room to monitor supply of essential supplies (during lockdown) and made this information widely available to states and CSOs for better management of resources.

- **Efficiency:** The knowledge that decisions and processes are open to public scrutiny can make government bodies work better by imposing on them a constant check.
 - **For instance,** Information sharing on land records by the Bhoomi project of Karnataka has led to efficiency in management of land.
- **Effectiveness:** Information sharing provides feedback to the policy makers to make the necessary changes and make the policies more responsive to the needs of the people.
 - **For instance,** The Champions of Change platform (CoC 2.0) for aspirational districts has been introduced by NITI Aayog to enhance functionality of automated data-quality reports, which would enable the DMs/DCs to take corrective action.
- **Equity:** By ensuring that the benefits of growth are redistributed and not captured by the elite, transparency reforms can result in substantial net savers of public resources and improved socio-economic and human development indicators.
 - **For instance,** people in rural Karnataka have combined the campaigns for the Right to Information and the Right to Food to fight hunger. They have successfully participated in social audits and public hearings to demand that the rations due to them are allotted to them at the correct prices.
- **Accountability:** Free and guaranteed access to information enables citizens, the media and law enforcement agencies to use official records as a means to uncover cases of corruption and maladministration.
 - **For instance,** an RTI filed by an NGO based in Punjab revealed that the funds that were meant for victims of the Kargil War were used by bureaucrats to buy cars and air-conditioners. The court charged these bureaucrats with fraud and the funds were then transferred into the Prime Minister's Relief Fund.

To ensure that information is shared proactively by all government agencies, the Right to Information Act, 2005 has been passed in India. The implementation of the Act has ensured that the core values of good governance such as public participation in government, respect for the rule of law, freedom of expression and association, transparency and accountability, legitimacy of government are realised.

16. India has an oversized and bloated government which acts as a drag on economic efficiency and growth. Critically evaluate. (250 words) 15

Approach:

- Explain the perception about an oversized Indian government or the idea of minimum government in the introduction.
- With the help of facts and data establish the strength/share of the public sector.
- Discuss the real issues, which have led to the drag on economy/efficiency rather than the size of government.
- Conclude with a way forward.

Answer:

The size of India's public sector has also been a subject of debate especially over the last decade, owing to slogans like 'Minimum Government, Maximum Governance'. A common perception regarding India's public sector is that it is bloated and needs to be downsized.

However, a careful analysis of data reveals that the size of the Indian government is much smaller compared to countries with a similar level of development. In addition, its involvement has also come down over the years. For instance:

- **Number of government employees:** As per the 7th Pay Commission (SPC) report, for every lakh of population, India had a total of 139 central government employees in 2014, while the comparative number for the US is 668. Further, as a proportion of total workers in the Indian economy, less than 4% of workers are employed by various levels of government. The comparative figure is 34% in Sweden and 16% in the US.
- **Government expenditure to GDP:** Indian government expenditure contributes only 12.74% of its GDP whereas EU, Japan and South Korea contribute around 42%, 39% and 32% respectively.

Further, the trend over the last decade shows that India has actually been squeezing down government expenditure as a percentage of GDP, while the trend in most other countries has been a lot more expansionary.

- **Per person government spending:** In 2009, India spent \$886 per person as against other BRICS partners such as \$1,567 by China, \$3,382 by South Africa and \$4,053 by Brazil.

Although there are no empirical studies on causality between delivery outcomes of public services and numbers of public servants, India's numbers indicate a serious dearth of state capacity. Such limited state capacity partly explains the Indian states' struggle to meet their human development goals. Instead of the size of the government, the real issues lie elsewhere:

- **Policy making issues:** It is often claimed that revenue expenditure is 'wasteful' vis-à-vis capital expenditure. Consequently, popular economic policymaking emphasises more on capital expenditure, while revenue expenditure is neglected. For example, the government invests a lot on expansion of roads or construction of new schools/hospitals without commensurate increase in the number of municipal workers, road safety measures or teachers/doctors/sanitation workers etc. This adversely impacts the outcomes on health, education, quality of life. India's performance across these social indicators is not commensurate with the investments being made in these areas.
- **Tax-GDP ratio:** A large tax-GDP ratio forces the government to bring ease of doing business for the private sector because they are an important source of revenue. Also, a higher tax paying population demands more accountability from the government on its public expenditure. But, in case of India tax-GDP ratio is quite low and until 2018-19, it was just 17% i.e. almost half of the average tax-GDP ratio of OECD countries.

While there is a consensus among scholars that a large government is bad for economic efficiency, the fact that governments are necessary not just as regulators but also providers of some basic services such as law and order, health and education is also a widely accepted notion. India's fact sheet shows that it is not the bloated size, which acts as a drag on economic efficiency and growth in India, but the lack of state capacity. The Indian state does not have enough human capital bandwidth to provide its citizens with reasonable quality public services. In order to enhance the quality of governance, India needs to work on other factors such as human capital formation, raising accountability and transparency of the government, a strong and independent judiciary and media and the trust of the citizens in the government.

17. *Though the National Digital Health Mission is a step in the right direction for both patients and the healthcare system, concerns around data privacy need to be addressed. Examine.*

(250 words) 15

Approach:

- Briefly explain the National Digital Health Mission (NDHM).
- Mention the benefits for both patients and the healthcare system.
- Explain concerns around data privacy.
- Conclude with a way forward.

Answer:

The National Health Policy, 2017 intended to digitize healthcare in India. Therefore, the Ministry of Health and Family Welfare has formulated the National Digital Health Mission (NDHM) with the aim to provide the necessary support for integration of digital health infrastructure in the country.

The various **digital systems included in this mission** are a *unique Aadhar-linked Health ID, details of doctors registered in country under DigiDoctor, services offered by hospitals within Health Facility Registry (HFR), a Personal Health Record (PHR) controlled by the individual and electronic Medical Records (EMR). E-Pharmacy and Telemedicine* will also be included in the later stage. The National Health Authority (NHA) has been entrusted with the role of designing strategy, building technological infrastructure and implementation of "National Digital Health Mission".

The implementation of NDHM is expected to significantly improve the efficiency, effectiveness, and transparency of health service delivery overall.

Benefits for the patients include:

- Patients will be able to **securely store and access their medical records and share them** with health care providers to ensure appropriate treatment and follow-up.
- People will also have access to more accurate information on health facilities and service providers. Further, they will have the option to **access health services remotely through tele-consultation and e-pharmacy**.
- NDHM will provide **choice to individuals to access both public and private health services** and **ensure transparency** in the pricing of services and accountability for the health services being rendered.

Benefits for the public health system include:

- Health care professionals across disciplines will have better access to the patient's medical history (with the necessary informed consent) for prescribing **more appropriate and effective health interventions**.
- The integrated ecosystem will also enable a better continuum of care. For example, NDHM will help **digitize the claims process and enable faster reimbursement**.
- Better quality of macro and micro-level data will **enable advanced analytics, usage of health-biomarkers and better preventive healthcare**. It will also enable geography and demography-based monitoring and appropriate decision making to form design and strengthen implementation of health programmes and policies.
- Finally, researchers will greatly benefit from the availability of such aggregated information as they will be able to study and **evaluate the effectiveness of various programmes and interventions**. NDHM would **facilitate a comprehensive feedback loop between researchers, policymakers, and providers**.

Presently, there is no comprehensive legal protection for data related issues. This raises concerns such as:

- **Data Integrity Issues:** It includes errors such as intended or unintended data alterations and compromise during transfer from one system to another.
- **Data Collection, Storage and Transmission Challenges:** Collection of data without informing the owner, lack of privacy controls while storing in cloud and transmitting the data without the consent of the owner.
- **Illegal Data selling and Theft:** Unavailability of appropriate laws could lead to incidents where digital health data is acquired or accessed without proper authorization. For example, monetising the health data for the purpose of research and innovation may also be misused by its illegal selling without the knowledge of the patient, thereby, leaking their sensitive data.

The storage of personal data, especially health data, must be encrypted and distributed across several independent servers so that even if data is hacked and downloaded from one server, the original sensitive data cannot be recovered. Consent must also be taken to anonymise personal data so that it can be made part of a public data set, which can be further used for policy intervention and research.

To address the aforementioned concerns regarding data privacy the Government has proposed - the Personal Data Protection Bill, 2019 and the draft Digital Information Security in Healthcare Act (2018).

18. One Nation One Ration card has the potential to significantly transform the lives of migrant workers in India. Analyse. (250 words) 15

Approach:

- Give a brief introduction about One Nation One Ration Card.
- Highlight its potential to transform the lives of migrant workers.
- Discuss how there are certain major hurdles, which would need to be overcome to ensure the benefits to migrant workers.
- Give a brief conclusion.

Answer:

One Nation One Ration Card (ONORC) system **will enable beneficiaries to buy subsidized food grains from any Fair Price Shop (FPS) across the country** using their existing ration card. At present, the beneficiary receives their entitlement upon furnishing a ration card at a specified FPS tied to their place of residence.

The ONORC system has the potential to transform the lives of migrant workers:

- It would **facilitate the claims of any PDS cardholder at any location** across these geographical and political jurisdictions. It implies that **54.26 million inter-state migrants** (as per 2011 census) who get potentially excluded from the PDS would have food and **nutritional security** at their place of work.
- It would ensure that migrants would not need to **undergo transactional costs** involved in identification of beneficiaries while seeking a new ration card.
- It would also benefit **seasonal migrants** which is somewhere around 10 crore as they would not need to renew their ration cards every season.
- A central repository of all NFSA ration cards and beneficiaries would ensure that the workers **ration cards are not misused in his absence** from the place of origin.
- It would solve the **accessibility issues wherein gender, caste and class also play a role in access to food**. The ONORC scheme effectively democratises the distribution network and shifts agency and choice towards the individual beneficiary.
 - It would reduce chances of **discrimination against women** in terms of quality services as observed in some states such as Bihar, Odisha, U.P. etc.
 - This would also help poor households, wherein only male members have migrated.

However, there are various challenges in terms of storage and distribution infrastructure, updation of data systems, inter-state coordination etc. that may hit its implementation:

- **Issues of federalism and inter-state coordination:** Many states are not convinced about a “one size fits all” regime because they have customised the PDS through higher subsidies, higher entitlement limits, and supply of additional items. It is unclear how the financial burden would be shared between states
- **Issues in operationalization at FPS:** At present, an FPS receives the monthly quota of products strictly in accordance with the number of people assigned to it. However if people would be entitled to purchase from any FPS, it may lead to logistical nightmare for some FPS catering to more people.
- **Technological glitches:** Around 85.41% of ration cards have been linked to Aadhaar up until August 2019, still leaving out a significant number. Further internet connectivity is a must for a central repository to work, but internet penetration remains low in India, especially in rural areas.

By the beginning of December 2020 as many as nine **states** have already rolled out ONORC, and this bodes well for the scheme. Going further, to ensure a smooth rollout of the scheme, migration data on people engaged in informal work within the state, capturing information on the patterns of migration and especially seasonal or circular migration needs to be worked on.

19. The World Trade Organization is buffeted by multiple challenges which have eroded the credibility of the organization. Analyse. (250 words) 15

Approach:

- Introduce by giving a brief background on WTO.
- Highlight the challenges faced by it.
- Mention some reform measures.
- Conclude appropriately.

Answer:

WTO's main aim is to balance tariffs and other forms of economic protection with a trade liberalization policy and to ensure that trade flows as smoothly, predictably and freely as possible.

As one of the **largest international economic organisation**, it has strong influence over **multilateral trading rules and agreements**, and thus has the ability to affect a country's economy profoundly.

The current **impasse over the selection of a new Director-General** and the **crisis at the appellate body** are reflective of the issues faced by it. This gets magnified in the light of various challenges faced by it, which include:

- **Issues in dispute resolution:** The dispute resolution arm of the WTO has been rendered dysfunctional as the US has blocked the nomination of the members of the appellate body. Without a functional appellate body, **currently the members lack an effective legal mechanism to enforce their rights and obligations.**
- **Lagging negotiations:** The **Doha round of negotiations** has not resulted in significant outcomes. There has been **deadlock over various issues** such as disagreements over agricultural subsidies and intellectual property rights. The developed countries walked away for the Doha Round negotiating table at Nairobi conference.
- **Lack of compliance:** Countries are gradually losing respect for the rules set by the organization. The legal pressure and moral force to abide by the past commitments has weakened considerably. The **trade war and imposition of tariffs by the US and China** are examples.
- **Exclusion of developing countries:** There has been a considerable push by the **developed countries** to deprive India and other **developing countries** from benefiting from the **special and differential treatment provisions** in the future agreements.
- **Rise of alternate arrangements:** A group of members have been attempting to negotiate rules in different areas that include **e-commerce, investment facilitation.** These negotiations have no mandate from the WTO membership. This group is trying to get these new rules inserted into WTO agreements without following the process prescribed by the WTO.

Further, the **flailing credibility of the WTO** is witnessed in the **rise of the bilateral and regional trade arrangements** such as the **RCEP**, the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (**CPTPP**) etc.

However, it is important to understand that the **relevance of WTO** cannot be understated. The erosion of the WTO could lead to the return of more trade barriers, loss of predictability and certainty for multinational companies and governments alike, and the absence of a credible venue to mediate trade disputes and serve binding decisions. An effective **response to the economic impact of the COVID-19** crisis requires adequate response by the WTO.

Therefore there is a **need to reform the functioning of the organization** including - focus on improving the efficiency and effectiveness of the WTO's ability to monitor member states, safeguarding and strengthening the dispute settlement system, stronger punitive measures against repetitive or intentional non-compliance from member states and updating trade rules and regulations to ensure the WTO's relevance for modern trade issues.

20. BIMSTEC is indispensable for India's efforts in promoting regional cooperation and integration in the neighbourhood. Discuss. (250 words) 15

Approach:

- Introduce by giving a brief account about BIMSTEC.
- Highlight the significance of BIMSTEC in promoting regional cooperation and integration in the neighborhood.
- Mention the challenges facing the organisation.
- Conclude by giving a way forward.

Answer:

The BIMSTEC was formed with the aim to strengthen economic cooperation and improve the socio-economic conditions of **Bay of Bengal littoral and adjacent countries as members:** five from

South Asia, including **Bangladesh, Bhutan, India, Nepal, Sri Lanka** and two from Southeast Asia including i.e. **Myanmar and Thailand**.

The platform is indispensable for India's efforts to promote regional cooperation and integration in the neighbourhood in the following ways:

- **Closer economic cooperation:** It will provide a platform for closer cooperation to foment new regional supply chains in a **post COVID world** where narrow regionalism and fragmentation of global production and **supply chains** will be the new norm.
 - The **BIMSTEC FTA**, when finalised, will fulfill the heavy dependence of members on **intra-regional trade** and offer much greater complementarities than RCEP. It offers a natural platform that would help India to integrate with **ASEAN Master Plan of Connectivity 2025**.
 - With a combined GDP of **\$2.7 trillion** and fast growing economies, it provides India an opportunity to **diversify** its export markets in the era of protectionism.
 - Further, **massive mineral resources, forests and river basins** provide a huge capital base, cheap availability of human capital with a large consumer base provide multiple areas of cooperation.
- **Alternative to SAARC:** With SAARC proving to be a “dysfunctional” grouping due to the bilateral dispute between India and Pakistan, BIMSTEC provides an opportunity for India to integrate the region without Pakistan.
- **Connecting South Asia and Southeast Asia:** BIMSTEC is a **bridge between South Asia and Southeast Asia**. Leveraging BIMSTEC, India focuses on connectivity projects in and around the Bay of Bengal region. The **North-East region** of India can play an important role in this regard.
 - The draft **BIMSTEC Motor Vehicle Agreement** seeks to integrate existing bilateral, trilateral and multilateral connectivity projects such as **Kaladan Project and the Trilateral Highway**. This along with **Coastal Shipping agreement** will facilitate seamless movement of cargo via roads and seas and facilitate cross border trade.
- **People to people contact:** The Ministry of Tourism has taken steps with BIMSTEC and ASEAN countries to devise packages to **increase tourist inflow in India's Northeast**. It would help in strengthening people to people relationships by providing avenues for rediscovering shared roots, understanding common and different histories, and learning each other's cultures.
- **Convergence with domestic policies:** BIMSTEC is an important pillar for various domestic policies of India such as “**Neighbourhood first**”, “**SAGAR**”, and “**Act East**” etc. which aims at boosting road, rail and maritime linkages and people-to-people interaction.
- **Strengthening maritime cooperation:** It will facilitate cooperation in boosting the potential of **Blue economy** and resolving **maritime security issues** like securing sea lane of communication, preventing illegal fishing, drug and weapon trafficking; Climate change and associated risks like human security, loss of livelihoods, food security, water supply also offer fresh areas of cooperation in the neighbourhood.

However, the **lack of human and financial resources**, absence of **effective and sustained political** will among members, **poor road and rail connectivity**, insufficient last-mile links, **cumbersome customs and clearance procedures** hampering trade etc. have created bottlenecks in realising the potential of the platform to foster regional cooperation and integration.

Thereby, effective adoption of the **Kathmandu Declaration** by **adoption of the BIMSTEC charter**, establishment of a BIMSTEC Permanent Working Committee and a **Development Fund**, improving the visibility of BIMSTEC and expediting completion of existing projects can help revive BIMSTEC as an active platform for regional cooperation.

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