

State PCS Success Program (SPS)

UPPSC (Mains) - 2022

GS Paper #2 - Solution



Instruction to Students

Answers provided in this booklet exceed the word limit so as to also act as source of good notes on the topic.

Candidates must focus on the keywords mentioned in the answers and build answers around them. Elaborate answers are given with the purpose that candidates understand the topic better.

We have also adopted a grey box approach to provide context wherever necessary, which is not to be considered a part of the answer.

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Q.1) The Constitution of India is based more on the principle of 'check and balance' and less on 'separation of power'. Critically analyze.

Answer:

Separation of Power

Separation of powers is a doctrine of constitutional law under which the three branches of government (executive, legislative, and judicial) are kept separate. This is also known as the system of checks and balances, because each branch is given certain powers so as to check and balance the other branches.

Objectives of Separation of Powers

1. Firstly, it aims to eliminate arbitrariness, totalitarianism and tyranny and promote an accountable and democratic form of government.
2. Secondly, it prevents the misuse of powers within the different organs of the government. The Indian Constitution provides certain limits and boundaries for each domain of the government and they are supposed to perform their function within such limit.
3. Thirdly, separation of powers maintains a balance among the three organs of government by dividing the powers among them so that powers do not concentrate on any one branch leading to arbitrariness.
4. Fourthly, this principle allows all the branches to specialize themselves in their respective field with an intention to enhance and improve the efficiency of the government.

Although the Constitution of India does not provide strictly for the separation of powers, these articles provide a general guideline:

- **Article 50:** This states that the State or the Government concerned will take appropriate steps to ensure that the judicial branch is separated from the functioning and working of the executive branch.
- **Article 121 & 211:** They separate the legislature and the judiciary. These articles state that the conduct of justice or the way a judge discharges his duties of any Court cannot be discussed in the legislature (state or union).
- **Article 122 & 212:** These articles strip the judiciary of any power to review and question the validity of proceedings that take place in a legislature or the Parliament.
- **Article 361:** This article separates the judiciary and the executive. It states that the President or any governor of any state is not answerable to any court in the country for actions taken in performance of the duties of their office.

System of checks and balances:

Judicial check:

- The judiciary has the power to strike down any law passed by the legislature if it is unconstitutional or arbitrary as per Article 13 (if it violates Fundamental Rights).
- It can also declare unconstitutional executive actions as void under its power of judicial review.

Legislative check:

- The legislature also reviews the functioning of the executive since the Executive is collectively responsible to the Legislature.
- The legislature can also alter the basis of the judgment while adhering to the constitutional limit.
- The Judiciary is bound by the procedure established by law in adjudication on question of law.

Executive check:

- Although the judiciary is independent, the judges are appointed by the executive.
- The Supreme Court can make laws regarding court proceedings only with approval of the President.

Checks and balances ensure that no one organ becomes all-too powerful. The Constitution guarantees that the discretionary power bestowed on any one organ is within the democratic principle.

Q.2) Discuss the grounds on which a person can be disqualified for being elected as a member of Parliament.

Answer:

Disqualifications Under the Constitution, a person shall be disqualified for being elected as a member of Parliament:

- ❖ if he holds any office of profit under the Union or state government (except that of a minister or any other office exempted by Parliament).
- ❖ if he is of unsound mind and stands so declared by a court.
- ❖ if he is an undischarged insolvent.
- ❖ if he is not a citizen of India or has voluntarily acquired the citizenship of a foreign state or is under any acknowledgement of allegiance to a foreign state; and
- ❖ if he is so disqualified under any law made by Parliament.

The Parliament has laid down the following additional disqualifications in the Representation of People Act (1951):

- ❖ if found guilty of certain election offences or corrupt practices in the elections.
- ❖ When convicted for any offence resulting in imprisonment for two or more years. But, the detention of a person under a preventive detention law is not a disqualification.
- ❖ If he has failed to lodge an account of his election expenses within the time.
- ❖ He must not have any interest in government contracts, works or services.
- ❖ He must not be a director or managing agent nor hold an office of profit in a corporation in which the government has at least 25 per cent share.
- ❖ He must not have been dismissed from government service for corruption or disloyalty to the State.
- ❖ If convicted for promoting enmity between different groups or for the offence of bribery.
- ❖ If he has been punished for preaching and practising social crimes such as untouchability, dowry and sati.

On the question whether a member is subject to any of the above disqualifications, the president's decision is final. However, he should obtain the opinion of the election commission and act accordingly.

Disqualification on Ground of Defection

The Constitution also lays down that a person shall be disqualified from being a member of Parliament if he is so disqualified on the ground of defection under the provisions of the Tenth Schedule. A member incurs disqualification under the defection law:

- ❖ if he voluntary gives up the membership of the political party on whose ticket he is elected to the House;
- ❖ if he votes or abstains from voting in the House contrary to any direction given by his political party;
- ❖ if any independently elected member joins any political party; and
- ❖ if any nominated member joins any political party after the expiry of six months.

The question of disqualification under the Tenth Schedule is decided by the Chairman in the case of Rajya Sabha and Speaker in the case of Lok Sabha (and not by the president of India). In 1992, the Supreme Court ruled that the decision of the Chairman/Speaker in this regard is subject to judicial review.

Q.3) “The Attorney General is the principle legal advisor and lawyer of the Government of India.” Elaborate.

Answer:

Under the Constitution of India, Article 76 and 78 deals with the Attorney General of India. The President appoints the Attorney General (AG). The person who is appointed should be qualified to be appointed a judge of the Supreme Court. He holds office at the pleasure of President.

Attorney General as Chief Legal Advisor and Lawyer of GoI:

- ❖ The Attorney General of India is the highest law officer of the country and he/she is the chief legal advisor to the GoI.
- ❖ He is responsible to assist the government in all its legal matters.
- ❖ He gives advice to the Government of India upon such legal matters, which are referred or assigned to him by the president under Article 143.
- ❖ He performs such other duties of a legal character that are referred or assigned to him by the president.
- ❖ He discharges the functions conferred on him by or under the Constitution or any other law.
- ❖ In the performance of his official duties,
 - He appears on behalf of the government of India in all the cases in the Supreme Court in which the Government of India is concerned.
 - He appears on behalf of the government of India in any reference made by the president to the Supreme Court under Article 143 of the constitution.
 - He appears on behalf of the government of India in any case in a high court in which the Government of India is concerned, if the Government of India requires so.

Following are the Rights of the AG:

- ❖ In the performance of his duties, he has the right of audience in all courts in the territory of India.
- ❖ He has the right to speak or to take part in the proceedings of both the Houses of Parliament and their joint sittings but without a right to vote.
- ❖ He has the right to speak or to take part in the meeting of any committee of the Parliament of which he is named as a member but without a right to vote.
- ❖ He enjoys all the privileges and immunities that are available to a member of parliament.

Below mentioned are the Limitations placed on the Attorney General:

- ❖ He should not advise or hold a brief against the Government of India.
- ❖ He should not defend accused persons in criminal cases without the permission of the government of India.
- ❖ He should not accept an appointment as a director in any company without the permission of the government.

Unlike the Attorney General of the United States, the Attorney General for India does not have any executive authority, but he is a part of the Union executive. Those functions are performed by the Law Minister of India. Also, he is not a government servant and is not debarred from private legal practice.

Q.4) While transparency has been recognized as the cornerstone of democracy, it has been a victim of a 'culture of secrecy' in governance. Do you agree? Justify with suitable examples.

Answer:

Transparency is enabling of access to information to the public and removing barriers which prevent easy access to that information. It is critical in empowerment of citizens and making the democracy participatory.

Culture of secrecy in recent times -

1. Information not revealed under the RTI Act. [e.g., RBI refused to reveal the process that led to demonetization; PM-CARES fund kept outside its purview]
2. Amendments made to important acts like RTI Act, Whistleblowers Protection act
3. Electoral bonds – while launched to promote transparency in electoral process – has allowed anonymous donations;
4. Sealed envelope becoming the modus operandi [e.g., sexual harassment against Justice Gogoi, political funding]
5. Resistance to move towards open/transparent government functioning. [e.g. Official Secrets Act 1923] + making government processes complex, beyond understanding of common persons.
6. Allegations of data manipulation and under-reporting of cases/casualties during the pandemic.

Q.5) Evaluate the role played by SHGs in poverty alleviation and women empowerment. What challenges do you see in their functioning?

Answer:

Self Help Groups are groups of 10-20 people in a locality formed for any social or economic purpose. Most of the SHGs are formed for the purpose of better financial security among its members. They help to build social capital among the poor, especially women.

ROLE OF SHG IN POVERTY ALLEVIATION:

- ❖ It encourage and motivate its members to save.
- ❖ In SHG members are persuaded to make collective plan for generation of additional income.
- ❖ It works as a “collective guarantee” system for members who prose to borrow from organized sources. Now commercial banks and other financial institutions considering such groups as their potential customer.
- ❖ The financial inclusion attained through SHG's has led to reduced child mortality , improved maternal health and the ability of the poor to combat disease through better nutrition, housing and health-especially among women and children.

ROLE OF SHG IN WOMEN EMPOWERMENT:

- ❖ The majority of SHG's comprise of women members. There is evidence everywhere that formation of SHG's has a multiplier effect in improving women's status in society as well as in family.
- ❖ Their active involvement in micro-finance and related entrepreneurial activities not only leads to improvement in their socio-economic condition but also enhances their self-esteem.
- ❖ Women in a group environment become more articulate in voicing their concerns and change occurs in their self-perception.
- ❖ On the home front, their new front found awareness and the confidence generated out of their entrepreneurial skills make them more confident vis-à-vis their menfolk.

CHALLENGES & SHORTCOMINGS

- ❖ **Capacity building:** Self Help Groups face challenges in terms of capacity building such as the need of support in accounting, financial management, and organizational development.
- ❖ **Irregular meetings:** SHGs should meet regularly once in a week/fortnight/month as per the rules decided by the members. But in reality, monthly meetings are not taking place as per the rules of the SHG. This results in lack of interest in running their SHGs.
- ❖ **Lack of transportation facilities:** Dearth of transport facilities in rural areas makes it difficult for women to travel long distance to reach banks. This is particularly difficult for aged and child rearing women.
- ❖ **Limited options for income generating activities:** They do not have other options to start any non-traditional activity in which value addition may be done. Traditional activities do not always accrue profit in some cases SHGs have complained they do not get sufficient profit to sustain their activities.

WAY FORWARD

- ❖ A national policy needs to be created recognizing SHGs as institutions of the poor.
- ❖ A suitable legal form is required for the SHG federations.
- ❖ Banks must be made to look at the SHG bank linkage as a business opportunity and not just as a social obligation.
- ❖ Continuous training and capacity building including financial literacy needs to be provided to the SHGs.
- ❖ A system of internal audit needs to be put in place to make sure that SHGs audit their accounts at least once in a year.

Q.6) What are the factors behind current economic crisis in Sri Lanka? What India can learn from it to strengthen its own economic fundamentals?

Answer:

Six key economic challenges that have created a proverbial perfect storm for Sri Lanka:

1. **The state of the domestic economy:** In 2019-20, the government enacted deep tax cuts in fulfilment of an election promise. This led to the loss of approximately one million taxpayers between 2020 and 2022 – a massive challenge for an economy that was already suffering from widespread tax evasion. Given the weak base of the economy, coupled with a steep rise in pandemic-induced expenses on various welfare measures, further frictions on resource mobilisation had widened the budgetary deficit and increased the external debts for the Lankan economy.
2. **Balance of Payments (BOP) crises:** Sri Lanka is a classic twin deficits economy – fiscal deficit and current account deficit. On the one hand reduced tax base negatively impacted the fiscal deficit. On the other hand, tourism crisis and import dependency for essential goods caused current account deficit. This led to a massive BOP crisis in Sri Lanka in recent times, and the country is finding it extremely difficult to pay for its essential commodities.
3. **Successive IMF loans:** The last two decades have seen a series of BOP crises in Sri Lanka, and the country has sought a number of bailouts from the IMF. IMF loans come with a set of conditions that are often restrictive for the debtor nations. Sri Lanka, despite its severe BOP crisis, did not immediately seek assistance from the IMF given its previous track record of faltering economic recovery. Eventually, however, sheer desperation drove Sri Lanka to IMF once again.
4. **Unwarranted agricultural reforms:** In early 2021, Rajapaksa govt. decided to make Sri Lanka's agriculture sector 100% organic. The ban on the use of chemical fertilisers in

farming has further aggravated the crisis by dampening agricultural production. The forced push towards organic farming led to shortage of food and high food inflation.

5. **The downfall of the tourism sector:** The tourism industry, which represents over 10% of GDP and brings in foreign exchange, has been hit hard by the coronavirus pandemic. As a result, forex reserves fell sharply leading to sharp depreciation of Sri Lankan rupee and soaring inflation.
6. The country's historical fetishism for sovereign debts: The foreign debt-to-GDP ratio has surged from 30 percent in 2014 to 42.6 percent in 2019.^[56] The country's excessive foreign borrowing for low-return infrastructure projects, as well as rising external debt service, hammered an already weak economy. Over 10% of foreign debt is owed to Sri Lanka.

Lessons for India

1. In 2008, when economy of India also collapsed, because of obvious reasons. India took a vital decision by not borrowing from the IMF. The IMF doesn't provide loans for free, they come along with conditionalities. And these conditions lead to the ruin of economies. That's what happened in Sri Lanka.
2. In politics, be it domestic or international, "There are no permanent friends or enemies, there are just permanent interests." Sri Lanka's closeness to China was the biggest mistake. India on the other hand till date has always kept a safe distance from the major investments and projects, like the Belt and Road Initiative, of China, thus keeping us away from the vicious debt trap of it.
3. Sustainable policy, this was something in which Sri Lanka failed miserably. Any extreme step without planning will definitely lead to downfall and collapse of that policy first and then economy. Keeping high aims for one's nation is good, but if that comes with a cost of playing with people's life and that's where the tragedy begins.
4. Populist policies in greed of votes and power will eventually fail, because everything in an economy comes with a cost.
5. With power comes responsibility. Rajapakshas got 2/3rd majority and thus, took the mandate for granted. Extreme measures were adopted, like substantially reducing taxes, that led to the downfall of Rajapaksha rule. Policies must be formulated with a sense of responsibility and foresightedness.

Q.7) Discuss the extent of humanitarian crisis in Afghanistan. How world and India particularly help Afghanistan tackle this challenge?

Answer:

For Afghanistan, 2021 was one of the watershed years in its history. After 20 years of war, the U.S. pulled back its troops from Afghanistan, which led to the return of the Taliban to power. While the Taliban now has the whole country under their control, they seem clueless on how to address a looming humanitarian crisis. As several countries have suspended or substantially cut aid to Afghanistan after the Taliban takeover, the country is on the brink of a humanitarian disaster.

Extent of Humanitarian Crisis

- ❖ According to the UN World Food Programme, the situation could become the world's worst humanitarian crisis. UN agencies estimate that about 23 million of Afghanistan's nearly 40 million people are facing acute food shortages.
- ❖ Nearly 9 million are on the brink of starvation.
- ❖ More than half of all children under 5 were expected to face acute malnutrition
- ❖ In addition to the effects of the Covid-19 pandemic, the country was suffering through a prolonged drought, devastating in a country where agriculture makes up 25% of GDP.

- ❖ People have resorted to selling possessions to buy food, burning furniture for warmth and even selling their children.
- ❖ Almost 80% of the fallen Afghan Government's budget came from international development assistance. After the Taliban took over Kabul, most of the donors suspended government aid.
- ❖ The U.S. has also frozen nearly \$9.5 billion of Afghan central bank assets, mainly held in New York Fed and American financial institutions.
- ❖ The Taliban remain on the U.S. Treasury Department's sanctions list. It restricts other countries from directly dealing with Taliban regime.

Efforts by International Community

- ❖ The international community in September 2021 has announced over \$1.2 billion in aid for the Afghanistan humanitarian crisis.
- ❖ The US government in January announced \$308 million in humanitarian aid to Afghanistan and is working with the UN and organisations such as the World Bank to provide additional help.
- ❖ US is issuing "special licenses," to assure international organizations, other nations and NGOs that they could provide humanitarian aid despite the sanctions.
- ❖ In 2020, India had donated 75,000 metric tonnes of wheat as aid for Afghan citizens. The wheat had come through the Chabahar port.
- ❖ In 2022 so far India has dispatched several shipments of humanitarian assistance consisting of 20,000 MTs of wheat, 13 tons of medicines, 500,000 doses of Covid vaccine and winter clothing. These consignments were handed over to the India Gandhi Children Hospital, Kabul and UN specialised agencies including WHO and WFP. Furthermore, India is in the process of shipping more medical assistance and food grains to Afghanistan.

Q.8) Critically examine the aims and objectives of SCO. What importance does it hold for India?

Answer:

The Shanghai Cooperation Organization (SCO) is an intergovernmental organization founded in Shanghai on 15 June 2001. The SCO currently comprises eight Member States (China, India, Kazakhstan, Kyrgyzstan, Russia, Pakistan, Tajikistan and Uzbekistan), four Observer States interested in acceding to full membership (Afghanistan, Belarus, Iran, and Mongolia) and six "Dialogue Partners". In 2021, the decision was made to start the accession process of Iran to the SCO as a full member, and Egypt, Qatar as well as Saudi Arabia became dialogue partners.

The aims and objectives of the SCO includes the following:

- ❖ To strengthen the relations between member states, by deepening political, security and economic cooperation.
- ❖ To strive for joint cooperation between the members to confront threats emanating from terrorism, extremism and separatism.
- ❖ SCO aims to move towards developing a democratic and equitable international political order.
- ❖ To ensure joint efforts in maintaining peace, security and stability in the region.
- ❖ To deepen engagements in field of trade/commerce, transport, tourism, environment, cultural linkages, education, research and technology.

The SCO, as a regional inter-governmental organization holds following importance for India:

- ❖ SCO allows India to deepen its strategic reach in Central Asia. India already has substantial soft power potential (Buddhist linkages, Bollywood movies etc.) in Central Asia, which it can exploit through SCO.

- ❖ India's membership of SCO can boost energy security by providing access to mineral and energy resources of the Central Asian countries. The membership, with its emphasis in trade relations, provide an inroad for the Indian investors to explore the untapped market potential in the Central Asian region. For example, FICCI hosted the SCO Business Conclave.
- ❖ SCO can provide India a platform to discuss bilateral issues with Pakistan and China.
- ❖ SCO can play a pivotal role in combating terrorism, extremism and radicalization. For example, Dushanbe declaration, aims towards regional stability.
- ❖ India's presence in the SCO will help in India's aim to link itself to the larger Eurasian region, and to Europe via an INSTC. Thus, boosting connectivity in the region. SCO can play an important role in deepening people to people engagement through cooperation in the field of education, medicine, tourism etc.

The inimical acts of Pakistan, border dispute with China etc., factors could minimize the positive outcomes from SCO. In this light India's SECURE strategy should be adopted to make SCO more effective in regional growth and stability.

Q.9) Examine the role played by NITI Aayog in realizing the vision of national priorities and strategies in critical areas of human and economic development. In what ways NITI Aayog is different from the erstwhile Planning Commission?

Answer:

National Institution for Transforming India [NITI Aayog] was established in 2015 through an executive resolution with the Prime Minister as chairman. It is mandated to provide directional and policy inputs and relevant technical advice to the Centre and States.

Role played by NITI Aayog -

1. Bring States → national interest; fostering Cooperative Federalism. [Team India Hub - engagement of states with Central government]; Alignment of local bodies - Ek Bharat Shrestha Bharat
2. Established a Development Monitoring and Evaluation Office - collects data & evaluates performance of Ministries.
3. Atal Innovation Mission [improving innovation ecosystem] + Three Year National Action Agenda + Strategy for New India @75 - better alignment of development strategy
4. Regional development - NITI Forum for North East + Island Development Agency (IDA)
5. Indices [District Hospital Index, Health Index, Composite Water Management Index, School Education Quality Index (SEQI), SDG India Index] - measure outcomes in critical social sectors

Different from Planning Commission -

NITI AAYOG	PLANNING COMMISSION
principle of cooperative federalism [states given equal role in policy formulation and review] + competitive federalism [E.g., indexes]	criticized for its dictated federalism - states had miniscule role in central policy formulation.
Bottom-up approach - formulation of plans at village level & aggregates them at higher levels	Plans → central level → delegated to lower levels; minimum participation → states/local bodies.
Culture of instant accountability - establishing Development Monitoring and Evaluation Office	Five-Year Plans; long after the plan period had ended. [Post-mortem accountability]
Oriented → market economy; focus → 'Minimum Government Maximum Governance'	Planning process - socialist feature; not market-driven
Change agent - new and innovative ideas	Status quoist

Issues with working of NITI Aayog -

1. Failed to prevent jobless growth + not very effective in inclusive growth.
2. Put forward many ideas and reforms. It has failed to tell how to implement these reforms.
3. Less powers; merely a think tank. Policy implementation depend on Centre and states.
4. Without decentralization of planning and resources, hoping of a transformed India is not right.
5. Without political will, transforming India not possible; cooperative federalism → victim of politics among parties in power at Centre and states.

Q.10) “Indian Parliament is not sovereign as British Parliament.” Analyze.

Answer:

Both India and Britain have parliamentary system of government. Parliamentary sovereignty means supremacy of the legislative body i.e parliament over all other government institutions including executive and judicial bodies. Sovereign legislature may change or repeal any previous legislation and is not bound by any written law like constitution. In India there is no parliament sovereignty rather there is constitutional sovereignty.

Check to parliamentary sovereignty by various provisions of constitution: Various check on parliament are:

1. **Written Constitution:** In India Constitution is written which put limitations on all organs of the state. Although parliament can amend constitution but it cannot supersede the written document. In UK, as there is no written constitution, the Parliament possesses legislative sovereignty. So any law passed by it cannot be questioned before any court on such grounds.
2. **Independent judiciary and Judicial review:** Judiciary is independent and the guardian of the Constitution. It can declare any law or ordinance passed by the legislature void, if any of its provisions violate one or more of the constitutional provisions.
3. **Federal structure:** Although constitution says India as a union of states, India is a federal polity. Various federal provisions especially some special powers for schedule area limit parliament powers where many parliamentary laws are applicable only on presidential and governor consent.
4. **Limited amendment power:** Parliament can amend most of the part of constitution but it cannot amend the 'basic features of the constitution'. Further some amendments need special majority and states' legislature resolution.
5. **Division of powers:** Schedule 7 divide law making power between centre and state. Parliament cannot make laws on state list. Any law in state subject would require state's consent through majority.
6. **Limit by Presidential vetoes:** A bill cannot become law without presidential assent. President can practice various veto powers like pocket veto that act as limitation on parliament sovereignty.
7. **Limited Doctrine of 'Separation of Powers':** In India there is no strict application of doctrine of separation of powers. So if the legislature encroaches into the functions of the other organs, judiciary can prevent it to do so.
8. **Bar on discussion of conduct of judges:** Article 121 and 211 of Indian Constitution states that no discussion shall take place in the Legislature of a state or in the Parliament with respect to the conduct of any judge of the Supreme Court or of the High court in the discharge of his duties. Thus legislature have no power to discuss judges conduct.

Thus Constitution being sovereign has balanced powers of parliament through sufficient checks and balance, needed to ensure democracy. It is successful in striving a balance between legislative, executive and judicial body.

Q.11) The Government of India Act 1935 forms the skeleton of the Constitution of India. Justify.

Answer:

The Constitution of India inherits many of the provisions from the Government of India (GOI) Act 1935 as well as borrows many provisions from the Constitution of major countries like USA, Ireland, British etc. However, the most profound influence was that of GOI Act 1935 as more than half of the provisions of Constitution bear close resemblance to GOI Act 1935.

Some of features of the Act that formed the nucleus of the present constitution are:

1. Provincial Autonomy: This Act provided autonomy to the provinces and restricted interference of Centre in the provincial subjects. This forms the nucleus of present Indian Federation.
2. Distribution of power among center and states: The act provided for separate lists i.e. Federal list, Provincial list and Concurrent list for dividing power among center and states.
3. Federal Legislature: Under the GOI Act, 1935, the Central Legislature was bicameral, consisting of Federal Assembly and Council of States. Today's parliament works on similar two-house system.
4. Office of Governor: The governor on the advice of Viceroy took total control over the provincial government at the time of political breakdown. This continues even today in the form of Emergency provisions (President rule).
5. Judiciary: The GOI Act, 1935 provided for the establishment of a Federal Court which would interpret the Act and adjudicate disputes relating to the federal matters. Today's Indian judiciary is similar to the one established in GOI Act 1935.

However, many of the features which form the nucleus of the constitution do not find mention in the GOI Act 1935 such as:

1. GOI Act 1935 did not have the provision for fundamental rights. Fundamental Rights are inspired from the Constitution of USA.
2. Under 1935 act the power to amend the law was with the British Parliament. The constitution confers the power of amendment to the Indian parliament.
3. The court established under GOI ACT was not supreme court as the supreme adjudicator was the Privy Council. Supreme court under constitution is the highest court of the land.
4. The GOI Act 1935 extended the franchise to only 14% of population. The constitution provided for adult franchise.
5. The concept of separate electorate was extended through GOI Act 1935. However, Indian constitution embraced secularism.

Thus, GOI Act 1935 was selectively adopted by India to suit its requirement. The Act was blended with the constitutions of other countries. Thus, there are provisions taken from other sources too which form the nucleus of the Constitution. (411 words)

Q.12) Funds, functions and functionaries limit the ability of Panchayats to live up to the spirit of 73rd Constitution Amendment Act. Critically evaluate. Also suggest measures to rejuvenate local self-government in modern India.

Answer:

The Panchayati Raj institutions (PRIs) were formally established in India through 73rd & 74th Constitutional Amendment Act, 1992 for local self-governance through proper devolution of power and responsibilities in terms of functions, functionaries and finances. However, this devolution of powers has not been done in true letter and spirit. There is lack of uniformity in devolution in many states that has impacted functioning and working of these institutions efficiently.

The issue of the inadequate devolution of functions, functionaries and finances of PRIs:

1. Powerdevolution: The devolution of powers and functional strengthening of the different tiers of the Panchayati Raj system have not taken place in most of the states. Detailed executive instructions and responsibilities on the different tiers of the PRIs have not been issued in many states.
2. Taxation: Panchayats have not been provided with adequate financial responsibilities to levy and collect taxes, fees, duties etc.
3. Finance commission: State finance commissions are required to recommend with respect to financial devolution to PRIs. Unfortunately, these recommendations are either accepted partially or implemented half-heartedly.
4. State election commission: State election commission lacks an adequate power which varies from State to State. For instance, state election commissions are not involved in delimitation of constituencies.
5. Gram Sabhas: Gram Sabhas have not been empowered and strengthened to ensure people's participation and transparency in functioning of Panchayats as envisaged.
6. Bureaucratic Control: Also, control of bureaucracy over Panchayats is very strong. For instance, the chairpersons of Panchayats have to make repeated trips to government offices which are located far away, for getting approvals and sanctions.
7. Lack of demarcation: Functions of various tiers of PRIs have not been demarcated properly. This impact overall working and functioning of various tiers of PRI leading to a state of unaccountability.
8. Centralized planning:

In India, planning is done by center in a top-down approach. Central planning is unable to accommodate local needs adequately.

Measures to rejuvenate local self-governments in India:

1. The Finance Commission has exponentially increased devolution of the funds to financially strengthen PRIs. The 15th Finance Commission has increased allocation for rural local bodies to 4,36,361 crore. (The Ministry asked for Rs 10 lakh crore to be allocated for the 2020-21 to 2025-26 period, in comparison to the Rs 2 lakh crore allocated under the 14th Finance Commission).
Allocations had tripled between the 13th and 14th Commissions and the utilization rate for FC grants between 2015 and 2019 stands at 78%.

The following other measures needs to be taken:

1. Election commission powers: State election commissions should be provided with powers to deal with all the matters related to Panchayat elections like delimitation of constituencies, preparation of electoral rolls etc.
2. Autonomy: Autonomy to PRIs and devolution of fiscal responsibilities is needed. Recommendation of state finance commissions should be accepted after thorough and careful analysis.
3. Demarcation of functions: There should be a clear-cut demarcation of functions of each tier of the government, as recommended in the 6th report of the 2nd ARC.
4. Local planning: Local planning should be encouraged. Local governments should be asked to plan for the local area development. These ideas can be added to central plans and policies.
5. District council: There shall be a district council in every district with representation from both urban and rural areas to enhance coordination among different local bodies.
6. Capacity building of all functionaries: Capacity building efforts in PRIs is needed for skills up gradation of individuals associated with these bodies, whether elected or appointed.

PRIs are meant to ensure local development through effective local self-governance. With issues like less financial devolution, PRIs are not able to function properly. Proper devolution of functions, finances and strengthening of functionaries is needed to make PRIs an effective institution.

Q.13) Examine the role of civil society organizations for protection of vulnerable section of population in Uttar Pradesh.

Answer:

Civil Society Organizations (CSOs) is an umbrella term for non-profit, non-government groups representing a wide range of interests of their members. While CSOs in India have performed yeoman service in diverse areas such as health, education, legal aid, drug rehabilitation etc., the poorer socio-economic indicators in Uttar Pradesh make the role of CSOs all the more crucial in this state given the challenges of vast population of vulnerable sections.

Role of CSOs in protection of vulnerable section of population in Uttar Pradesh:

- Shelter and Food: Uttar Pradesh is a state that houses a large population reeling under problems like homelessness and hunger. NGOs such as Food For Life Vrindavan, Kutumb Samajothhan Ewam Punerwas Sansthaetc have tried to eradicate such problems from Uttar Pradesh. The role of CSOs has come to prominence specially in pandemic.
- Education of Children: CSOs offer educational, financial, mentoring help, life skills and a holistic approach towards life skill in collaboration with government and administration. They not only help children to identify their distinctiveness, but also aid gender empowerment. Some examples of such CSOs working in Uttar Pradesh include Vidya and Child, Project Khel, Jyoti Bal VikasSansthaetc.
- Free Legal Aid: Poor and vulnerable sections of population have disproportionate share among undertrials due to socio-economic inequity. For example, the case of Vishnu Tiwari from Lalitpur in Bundelkhand who was denied bail for 16 years due to minor issues in documents.
- Organizations like Multiple Action Research Group (MARG), provide free legal aid to the marginalized sections to expand their access to legal counselling.
- Drug rehabilitation: As per survey conducted by the National Drug Dependence Treatment Centre at AIIMS, New Delhi 94,000 children in Uttar Pradesh are addicted to inhalants, the highest in the country. Organizations like Indian redcross society have been working actively to counter drug addiction through its network of dedicated volunteers for social counselling, and state of the art rehabilitation centers to help the drug addicts.
- Pandemic control: CSOs have supplemented the government efforts in providing relief to lakhs as well as in spreading awareness to control the pandemic which threatened to alienate the downtrodden sections. For example, Oxfam in collaboration with Poorvanchal Grameen Vikas Sansthan countered dis-information about Covid infection and vaccination and through door-to-door campaign.
- Social Justice: Uttar Pradesh has one of the largest populations of schedule castes and other backward castes. Incidents such as Hathras rape and murder case, require organizational support for the marginalized against institutional and social discrimination. CSOs like People's Vigilance Committee on Human Rights have approached the problem in novel ways like promoting reconciliation between the historically marginalized and historically privileged or adopting villages. Given the large distance-to-frontier in development for Uttar Pradesh, the state will do well to take as much help from as many quarters as is available. CSOs can help build gaps in governance, bridge issues of socio-economic inequities and accelerate Uttar Pradesh towards inter-state convergence in development indicators. (492 words)

Q.14) According to the UN, India needs to start addressing issues concerning its growing 'Elderly Population'. What are these issues in your opinion? Also, discuss how one of the youngest countries of the globe should gear itself to deal with the approaching spectre of ageing.

Answer:

According to Census 2011 there are nearly 104 million elderly persons (aged 60 years or above) in India and as per United Nation Population Fund's report the number is expected to increase to 20 per cent of the total population, by 2050. Rise in elderly population comes with added responsibilities on their family and government for their social, economic, physical and psychological well-being.

Issues concerning Elderly Population:

1) Issues at System Levels:

- a) **Weak governance:** Absence of consistent and comprehensive government policies for senior citizens.
- b) **Institutional problems:** Absence of nodal ministry or institution for all the schemes related to elderly Population.
- c) **Delivery system:** Accessibility, affordability and availability of services including financial, health and Others.
- d) **Infrastructural problems:** Lack of adequate infrastructure to take care of the elderly population like Old-age homes, geriatric centers and senior-citizen friendly transportation etc.

2) Issues at individual Levels:

- a) **Physiological:** Higher prevalence of diseases and disabilities amongst elderly population.
- b) **Psychological:** Mental disorders are very much associated with old age. Older people are susceptible to psychotic depressions.
- c) **Social:** Emerging prevalence of nuclear family set-ups, the elderly population is likely to be exposed to emotional, physical with social isolation and subsequent loneliness.
- d) **Financial:** Dependency on others for economic needs. Absence of social security benefits makes them more vulnerable.
- e) **Emotional:** Death of a spouse creates a feeling of loneliness and isolation. The negligence and indifferent attitude of the family members towards the older people creates more emotional problems.

Measures to be taken

- Amendments to national policy on senior citizens as suggested by Mohini Giri Committee.
- Emphasize on the geriatric care and increase the number of professionals in this stream.
- Increase the digital literacy amongst elderly population to stay in touch with their children staying away.
- Promoting healthy lifestyle and health infrastructure accommodating needs of senior citizens.

Ensuring access to health care and rehabilitation services for older people.

- Health insurance under National Health Protection Scheme can be made universal to the elderly population.
- Promoting and developing livelihood skills for post-retirement employment which can help elderly in their economic sustenance.
- Counselling or developing a hobby amongst elderlies to deal with the social isolation.
- In rural areas as people are relatively closer each-other, local self-governance institutions can play very important role in effective service delivery.
- Help of the social service institutions like NGOs working in this field can be taken

Best Practices

- 1) Initiatives taken by various organizations like International Longevity Centre in Pune or Ekal Nari Shakti Sangathan to provide healthy, productive and participatory life to elderly.
- 2) PACE (Program for the All-Inclusive Care for the Elderly) of USA, which is among the new-model interdisciplinary care centers -- incorporating teams of doctors, recreational managers, dieticians, pharmacists, physical and occupational therapists, and home care coordinators in an integrated approach.

Way Forward

Care for the senior-citizens can no longer be the responsibility of the immediate family or of the government alone rather it should be a common community service of the both complemented with the services from non-government organizations. We should hold their hands for support for their second innings and make the best use of their wisdom and experience.

Q.15) Discuss salient features of draft National education policy. How it ensure better learning and critical thinking?

Answer:

The New National Education Policy was designed by the Committee led by the Chairman Dr. Kasturirangan on education policy. The policy aims at making India a knowledge superpower by equipping students with the necessary skills and knowledge.

Key features of the Policy:

1. The Policy recommends developing a two-part curriculum for early childhood care and education.
2. The Policy recommends extending the RTE Act to include early childhood education and secondary school education. This would extend the coverage of the Act to all children between the ages of 3 to 18 years.
3. The current structure of school education must be restructured on the basis of the a 5-3-3-4 design comprising:
 - five years of foundational stage (3 years of pre-primary school and classes 1 and 2),
 - three years of preparatory stage (classes 3 to 5),
 - three years of middle stage (classes 6 to 8), and
 - four years of secondary stage (classes 9 to 12).
7. The Policy recommends that multiple public schools should be brought together to form a school complex. Teachers should be deployed with a particular school complex for at least five to seven years.
8. It suggests creating an independent State School Regulatory Authority for each state that will prescribe basic uniform standards for public and private schools.
9. It proposes setting up the National Higher Education Regulatory Authority (NHRA) to replace the existing individual regulators in higher education, including professional and vocational education.
10. Higher education institutions will be restructured into three types:
 - Research universities focusing equally on research and teaching;
 - teaching universities focusing primarily on teaching; and
 - Colleges focusing only on teaching at undergraduate levels.
11. It recommends establishing a National Research Foundation, an autonomous body, for funding, mentoring and building the capacity for quality research in India. The Foundation will consist of four major divisions: sciences, technology, social sciences, and arts and humanities.

12. It recommends creation of a National Education Commission or Rashtriya Shiksha Aayog, as an apex body for education, to be headed by the Prime Minister. This body will be responsible for developing, implementing, evaluating, and revising the vision of education in the country on a continuous and sustained basis.
13. The Policy reaffirmed the commitment of spending 6% of GDP as public investment in education.
14. It recommends National Mission on Education through ICT that will include virtual laboratories which will provide remote access to laboratories in various disciplines. A National Education Technology Forum will also be setup under the Mission, as an autonomous body, to facilitate decision making on the induction, deployment and use of technology.
15. For vocational education it recommends:
 - Higher Education Institutions to offer vocational courses that are integrated into the undergraduate education programmes.
 - National Committee for the Integration of Vocational Education.

How it ensure better learning?

1. The Policy recommends a restructuring of school years and the curriculum, in a wide-ranging manner, this would help if learning aspect through improved curriculum.
2. The policy envisions an India centred education system that contributes directly to better learning and transforming our nation sustainably into an equitable and vibrant knowledge society.
3. NEP emphasise that there should be no detention of children till class eight. This will minimise rote learning and instead encourage holistic development and learning.
4. It also envision to provide students better learning through better teachers by teacher training, where the existing B.Ed. programme will be replaced by a four-year integrated B.Ed. programme that combines high-quality content, pedagogy, and practical training.
5. The Policy recommends separating the regulation of schools from aspects such as policymaking, school operations, and academic development. This would enable teachers to focus on students and better governance in school, leading to better learning environment.
6. It emphasise on improved learning through a desirable student-teacher ratio of not more than 30:1.
7. The goal according to the policy, is to create holistic and complete individuals equipped with key 21st century skills such as creativity, scientific temper, communication, collaboration, multilingualism, problem solving, ethics, social responsibility, and digital literacy.

National Education Policy and Critical thinking:

Critical thinking is the process of active and skilful application, analysis, and evaluation of information gathered from, observation, experience, reasoning, or communication into actions. NEP promote this through:

1. The draft policy stipulates that the mandated contents in the curriculum will be reduced to its core, focussing on key concepts and essential ideas. This will reduce burden on children allowing them to learn and think freely developing critical thinking skills.
2. National policy include flexibility and wider scope at the secondary level, thereby creating a space for moral reasoning and a focus on the core concepts and key ideas in subjects.
3. It also contains provisions for vocational courses, and also a focus of assessment on understanding, that is important for critical and logical thinking.
4. Three language formula developing multi-lingual skills in child. Proficiency in languages help a child to get skills such as critical thinking, creativity, better communication, multilingualism, problem solving, etc.
5. Lesser burden of curriculum through its reorganisation and no detention policy would free young minds from burden of rote learning and thereby would help in critical thinking.

6. Restructuring of board exams providing options to students to choose from subjects would help students to pursue their interests and not burdened and forced by any subject. This will further enhance critical thinking.

Although National Education policy holds a potential to improve Indian education system but it will require political will and government spending. If properly implemented, it may help in better education. These include flexibility and wider scope at the secondary level, space for moral reasoning, re-emphasis on the true spirit of the three language formula, a focus on the core concepts and key ideas in subjects, vocational courses, and also a focus of assessment on understanding.

Q.16) Indian diaspora has an important role to play in West Asian countries' economy and society. Appraise the role of Indian Diaspora in West Asia in this context.

Answer:

Indian diaspora is emerging as a vital factor in our foreign policy. There was a visible shift in India's foreign policy since the 1970s. Events like 1970's global financial disruption and balance of payment crisis compelled India to alter its policy. Presently, there are over 31 million Indian Diaspora that is spread over more than 134 countries in the World. The Gulf is one of the strategically important regions where more than 8 million Indian diaspora community lives. The majority of these are in the six states comprising the Gulf Cooperation Council—Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates (UAE).

Role of Indian Diaspora in the West Asian Countries Economy:

1. **Taxation:** Initially comprising primarily of unskilled and semi-skilled labor, this expatriate community is steadily encompassing small but growing numbers of skilled and professional migrants. Approximately six million Indians live and work in West Asia, mostly in the GCC countries. Income tax from the income of the diaspora spurs economic growth in the Gulf countries.
2. **Trade & Investment:** India shares civilizational ties with Iran. Their contemporary relations, however, have been especially relevant in India's energy security. This is reflected in the trade between the two countries, where the balance tilts for Iran through its oil sales to India. Between 2014 and 2018, the two countries signed a total of 21 Memorandums of Understanding (MoUs), many relating to the development of Chabahar.
3. **Providing Cheap labor:** A large influx of labor from India to the economies of the GCC, which account for nearly 9 million contributing significantly to both the economies of India and the Gulf.
4. **Economic and strategic benefits:** The Indian government came to the defense of India–Iran oil trade and the Chabahar investments amidst American pressure against Tehran. While these three sub–regions have gained the most, other regional players such as Turkey, Oman, Qatar, Jordan—and even Syria and Palestine—also benefited from the Indian government's expansion of its regional outreach.

Moreover, the Indian Diaspora also contributes to the West Asian Countries's economy in various ways like Tourism, Infrastructure, Foreign exchange which consequently helps to boost GDP growth substantially of the region.

The long-time presence of the diaspora helps to anchor bilateral relations. This provides tangible benefits, such as making it easier for Middle Eastern governments to justify to their populations the expansion of ties with Delhi in sensitive areas like defense cooperation.

Role of Indian Diaspora in West Asian Countries Society:

- The diaspora acts as a present-day reminder to the public in Middle Eastern countries of the historical and cultural links between the two regions.

- Members of the diaspora have an in-depth understanding of both cultures. It is of note that Kerala and other western Indian states (some of the largest providers of labor to the Gulf) were also the sites of some of the first interactions between the peoples of India and Arabia.
- Compared to other Indian states, Kerala has a history of relatively peaceful Muslim-Hindu-Christian relations, providing a good basis for co-existence and multicultural understanding.
- The scale of emigration to the Gulf is resulting in increased cultural exchange with Keralites back home, many of whom adopt culinary, linguistic, financial, and other practices of the region.

The region's heavy dependence on expatriate labor – ranging from the blue-collar low/ semi-skilled worker to the white-collar professional – is likely to remain in the coming decades, attempts at indigenization notwithstanding. While the enforcement of Nitaqat by Saudi Arabia did see many Indian workers make their way home, it also provided the opportunity for legalizing and regularizing worker permits and visas, which will be beneficial in the long run. As these countries' economies grow further, the place for the Indian migrant in West Asia will remain.

Q.17) India and EU ties have evolved significantly over the years. However, there still exist some gaps. In this context, discuss the areas of cooperation and concerns in India-EU relations.

Answer:

India and EU are natural partners who share a bond built on beliefs in values of “equality, democracy and a credible rule-based global order”. The partnership has gained substance and transformed into a strategic partnership.

Current Partnership:

- India is one among 10 select countries with whom EU has strategic partnership with.
- The EU is India's largest trading partner and investor.
- EU has invited India as an observer state at the next EU-African Union Summit.
- Both share similar ‘universal values’ of democracy, pluralism, respect for international institutions. Both have shared common interest in tackling issues like climate change.

Areas of Cooperation:

- Terrorism has become a common focus and both India and EU are willing to support each other's efforts in counterterrorism measures.
- Both are committed to sustainable, democratic, peaceful and prosperous Afghanistan.
- The EU and India work together on green technologies, etc. India and Germany on Solar Energy, India and France on Nuclear Energy.
- Joint Declaration on an India-EU Water Partnership (IEWP).
- Strengthen cooperation and work towards tangible outcomes on shared objectives of non-proliferation and disarmament, counter-piracy, counter-terrorism (including counter-radicalization) and cyber security.
- Both are committed to enhance maritime security by naval cooperation.

Areas of Concerns:

- India negotiators feel that Europeans are less flexible while Europeans think that India is not open to lift trade barriers and giving market access.
 - EU has expressed concerns about India's “protectionist” tone to “Atmanirbhar Bharat” slogan.
- Stalled negotiations for concluding BTIA (Broad based trade and investment Agreement) is a major area of concern.
- Concerns regarding “data secure” status to Indian companies under the GDPR regime.

- Moreover, uncertainty induced by Brexit is still prevailing in European and Indian markets.
- India and the EU should continue to welcome each other's leadership roles in the world, primarily because of commonly shared values of LEF (liberty, equality and fraternity). India and EU relations have a strong potential to prosper into a strong partnership in advocating open societies and inclusive globalization.

Q.18) 21st century requires a reformed United Nations (UN) which represents contemporary global order and challenges facing it. Discuss. How far do you agree that India's permanent place in United Nations Security Council (UNSC) can be the first step towards restoring credibility of UN?

Answer:

UN reforms:

1. General Assembly Reforms: The UN General Assembly (UNGA) - only pass non-binding recommendations;
2. UN's Financial Crisis: wide mandate but little funds; Many countries do not fulfill their quota; excessive reliance on USA;
3. UN secretariat : Transparency reforms; making administration more transparent and efficient; provide emergency and transparency watchdog;
4. Functional reforms: providing more teeth to UN resolutions; reducing the role of veto and guiding decisions more based on consensus;

Need for UNSC reforms:

1. Global order – P5 represent the post World War II global order; modern days economic and military realities of countries like India, Germany are not reflected;
2. Representation: Europe is over represented (UK & France); No representation from Africa, South America;
3. Veto Power: Makes decision making extremely challenging; No resolutions against P5 can be passed;
4. Credibility; Taken a blow; failed to act on many global issues and conflicts like Syria, Palestine etc.

India and UNSC:

1. This would allow India to shape global rules; Check the dominance of West in UNSC;
2. India's has taken principled stand over issues like Syria etc.; these would restore credibility of P5;
3. India demand for veto reforms would check misuse of veto e.g. qualified Veto;
4. India leadership and trust amongst developing countries would boost the credibility of UNSC and UN;

Q.19) Parliamentary Committees play an essential role in ensuring accountability of the executive to the parliament. Discuss, in this context, the functions and utility of the Public Accounts Committee.

Answer:

A parliamentary committee is a small group of members of parliament elected/nominated by the speaker and assigned with a specific task.

Role of Parliamentary committees in ensuring accountability of the executive -

1. Detailed/in-depth scrutiny as meetings are not limited to sessions of parliament.

2. Closed door meetings → allows members to rise above party lines [no whips] + more grounded debate; less theatrics as no live streaming takes place.
3. Financial accountability → examine budget; demand of expenditure; allocation trends; policy priorities; spending at ministerial level.
4. Technical Expertise → can consult a range of stakeholders [scientist, domain experts] → understanding issues + facilitate informed debate.
5. Action Taken Report - government has to report back on action taken.

Public Accounts Committee – financial committee of parliament [22 members → 15 + 7]

1. Examine → annual audit reports → parliament.
2. watchdog → public purse by examining the audit report on appropriation accounts and finance accounts.
3. Accounts of State corporations, manufacturing units & trade concerns are examined by the committee.
4. Examines public expenditure from the point of view of economy, prudence, wisdom and propriety to bring out the cases of waste, loss, corruption, extravagance, and inefficiency.

Q.20) Recent events have highlighted the serious need to strengthen our healthcare infrastructure. How can the public health services be made more equitable, accessible, affordable and responsive?

Answer:

The Covid-19 pandemic has highlighted the importance of Public Healthcare systems. Currently, the private sector accounts for 70% of healthcare services in India. It only plays a supportive role while the major role to provide healthcare to the deprived is played by the public healthcare systems.

There is a need to address the constraints and revamp of the public health system in India which would not only enable improved handling of Covid-19, but would also have widespread positive impacts extending much beyond the Covid-19 situation.

Characteristics of a Public Health Care

- effective outreach
- timely testing
- early diagnosis
- rational treatment

Issues with current healthcare system

- **Limited facilities in Primary Healthcare Centres**
- **Supply-Side Deficiencies** à manpower, infrastructure and material
- **Inadequate Funding** à Expenditure on public health funding in India is very low (approximately 1.3% of GDP)
- **Poor standards and quality of Public Health System** à challenging to tackle **Non-communicable Diseases**.

Way Forward:

- **Focus On Public Health Expenditure**
- **Private Sector Regulation**
 - Regulate rates and standards of care in the private sector.
 - Proper implementation of the **Clinical Establishments (Registration and Regulation) Act (CEA)**.
- **Recommendations of the NITI Aayog:**
 - NITI Aayog's document, '**Investment Opportunities in India's Healthcare Sector**'.

- The document states that ‘in the hospital segment, the **expansion of private players to Tier 2 and Tier 3** locations, beyond metropolitan cities, offers an attractive investment opportunity’.
- **Manufacturing of medical devices and equipment**, diagnostic and pathology centres and miniaturized diagnostics have high growth potential.

Conclusion:

The Covid-19 pandemic has a clear message that neglecting public health systems can mean large-scale loss of lives. Therefore, public health services must be upgraded rapidly and massively as a topmost priority.

