

General Studies Paper-II

Question 1. "Increasing the age of the judges will help to a great extent in reforming the higher judiciary." Critically analyze. (150 Words)

Approach:

- Start your answer by mentioning some commission or bill which calls for increasing the age of judges.
- Discuss the need for increasing the age of judges.
- Discuss the positive consequences of increasing the age of judges.
- Conclude your answer by giving a way forward.

Answer:

The **Venkatachaliah Report (Report of the National Commission to review the working of the Constitution, 2002)** recommended that the retirement age of the Judges of the High Court should be increased to 65 years and that of the Judges of the Supreme Court should be increased to 68 years.

The **Constitution (114th Amendment) Bill was introduced in 2010** to increase the retirement age of High Court judges to 65. However, it was not taken up for consideration in Parliament and lapsed with the dissolution of the 15th Lok Sabha.

Need for increasing the age of judges:

- The **judge-population ratio in India is among the lowest** in the world at 19.66 judges per million (10 lakh) people as of today. In 2016, the U.K. had 51 judges per million people, the U.S. had 107, Australia had 41, and Canada had 75.
- It is also necessary to increase the number of judges in the pool to enable the judiciary to **deal with the enormous pendency of cases**.
- According to **National Judicial Data Grid data**, more than 2.84 crore cases are pending in the subordinate courts, 43 lakh cases are pending before the High Courts, and 57,987 cases are pending before the Supreme Court.
- Moreover, legislations provide for retired High Court and Supreme Court judges to **man tribunals till the age of 70 as chairman and 65 as members**. There is no reason why these judges should be retired so early.
- One aspect which has not been factored in is that as the **Indian economy grows**, the ratio of litigation to population will increase exponentially. Advanced economies such as Australia, Canada, France, the U.S., the U.K., and Japan have much **higher litigation-to-population ratios**.
- **Equality in retirement age of the judges of Supreme Court and High Court:** For one, it is high time that we did away with the disparity between the retirement ages of High Court and Supreme Court judges; High Court judges now retire at 62 and Supreme Court judges at 65. There is no good reason for this difference.

Positive Consequences

- This will have significant benefits. Senior serving judges will bring with them **years of experience**.
- It will ensure the continued presence of a **strong talent pool of experienced judges**.
- New judges can be appointed without displacing existing judges.
- It will address the **problem of mounting arrears**.
- It will be a buffer against **impending litigation explosion**.
- It will render **post-retirement assignments unattractive** and, as a consequence, **strengthen the rule of law and the independence of the judiciary**, both of which are crucial to sustain democracy.

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Negative Consequences

- **Chances of Misuse of the position:** The occupation of the seat for longer time can lead to chances of misuse of the position by the person Who holds it.
- **Missing Opinion of Young Generation:** The holding of the higher positions by seniors will lead to neglect of opinions and wishes of the new generation and will lead to lack of diversity of opinion of younger generation on important social topics.

Way Forward

- India faces the **perennial issue of backlog of cases**. Increasing the age of Judges will certainly help in addressing this issue. The retirement age of judges of the Supreme Court and High Courts could be increased, but with the **option of quitting before reaching the age of superannuation -- a practice prevailing in Zimbabwe**, where a top court judge is appointed to retire at 65 years but can opt to continue till 70.
- Moreover, merely increasing the retirement age of the Judges is **not a solution for problems** in Indian Judiciary. Other issues like **lack of transparency (particularly in the appointment of judges), under trials of the accused, lack of information and interaction among people and courts must also be addressed**.

Question 2. Doubts regarding the impartiality of the Election Commission might represent a threat to democracy. Explain. (150 words)

Approach:

- Give a brief introduction about the election commission.
- Explain the allegation of impartiality of the election commission with appropriate examples.
- Give a fair conclusion.

Answer:

The Election Commission of India is an autonomous constitutional authority responsible for administering Union and State election processes in India. The body administers elections to the Lok Sabha, Rajya Sabha, and State Legislative Assemblies in India, and the offices of the President and Vice President in the country.

Significance of Impartiality of the Election Commission:

Raising questions of propriety, Chief Election Commissioner (CEC) may be a severe threat to democracy. The office of Chief Election Commissioner is vested with the sole responsibility of the free and fair election. Free and Fair elections are the nerve center of the democratic form of governance. The Union Law Ministry act as the administrative authority of the office of the election commission.

The “directive” from the PMO and pressures exerted through the informal meeting with the CEC and two other Election Commissioners has raised concerns about the independent functioning of the Commission. The Election Commission is a constitutional authority whose responsibilities and powers are prescribed in the Constitution of India under Article 324.

The Election Commission is kept insulated in its performance of its functions from executive interference. It is the Commission which decides the election schedules for the conduct of elections, whether general elections or by-elections. Again, it is the Commission which decides on the location of polling stations, assignment of voters to the polling stations, location of counting centres, arrangements to be made in and around polling stations and counting centres and all allied matters. The decisions of the Commission can be challenged in the High Court and the Supreme Court of India by appropriate petitions. By long-standing convention and several judicial pronouncements, once the actual process of elections has started, the judiciary does not intervene in the actual conduct of the polls.

The EC communicates with the Government on election affairs through the bureaucracy, either through its administrative ministry, the Law Ministry, or the Home Ministry for the deployment of security personnel during

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elections. In such circumstances, the Home Secretary is frequently called before a full commission, which includes the three commissioners. The Law Ministry lays out the law for the country and is expected not to violate the constitutional safeguards assigned to the commission to protect its autonomy.

- During the 2019 Lok Sabha Elections, the EC gave a clean chit to Prime Minister of India who in an election rally had referenced his campaign with an appeal on behalf of the armed forces.
- The Election Commission of India took the view that the Prime Minister of India did not violate its rule book. The Commission overruled the opinion of the district election officers by stating that the Prime Minister did not seek votes by invoking the Balakot air strikes. This year, the Commission's belated decision in banning election campaigns in the midst of a rampaging pandemic, raised eyebrows. Nearly 66 former bureaucrats in a letter addressed to the President, expressed their concern over the working of the Election Commission which they felt was suffering from a credibility crisis, citing various violations of the model code of conduct during the 2019 Lok Sabha Elections.

Greater legal support is needed for the commission's mandate and the mechanisms that support it. Interference should be met with appropriate legal measures that safeguard the Election Commission's independence and impartiality.

Question 3. The I2U2 Initiative is referred to as the 'West Asian Quad'. Discuss the significance of the I2U2 Initiative in the context of India. (150 Words)

Approach:

- Start your answer by giving a brief about the I2U2 Initiative.
- Discuss the Significance of I2U2 for India.
- Conclude suitably.

Answer:

I2U2 was **initially formed in October 2021 following the Abraham Accords between Israel and the UAE**, to deal with issues concerning maritime security, infrastructure, and transport in the region.

At that time, it was called the '**International Forum for Economic Cooperation. That was referred as the 'West Asian Quad'**'.

I2U2 initiative is a new grouping of **India, Israel, USA, and UAE**.

In the grouping's name, '**I2' stands for India and Israel, whereas 'U2' stands for USA and the UAE**.

This is a great achievement that tells the geopolitical changes that are happening in the region.

This will not only revitalize and re-energize the system of alliances and partnerships around the world but also stitch together partnerships that did not exist previously or were not utilized to their full extent.

Significance of I2U2 for India:

Advantage of Abraham Accords: India will get the **advantage of the Abraham Accords** to deepen engagement with Israel without risking its ties with the UAE and the other Arab states.

Benefits Market: India is a **massive consumer market**. It's a massive producer of high-tech and highly sought-after goods as well. India will benefit from this grouping.

Alliances: It will help India in building alliances — **political alliances, and social alliances**.

Strengthen relationship with UAE: Membership of the I2U2 group suits India in many ways. It boosts the Comprehensive Economic Partnership Agreement (CEPA) signed last year between India and the UAE, which is the highest contributor of Foreign Direct Investment to India from the Gulf region. The CEPA is expected to increase the value of bilateral trade to US\$ 100 billion in five years. UAE is also home to 35 lakh Indians, roughly a third of the country's population, and a major source of labor.

Provides a New Avenue to expand its cooperation with Washington: I2U2 is a winner for India at the diplomatic level too. It opens a window for India to play a greater global role with an enhanced profile in West Asia. It provides

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a new avenue to expand its cooperation with Washington beyond the Indo-Pacific without sacrificing New Delhi's strategic autonomy. It could also deepen ties with the Middle East, a strategically important region due to India's energy and economic interests.

Challenges for India in I2U2:

Balance relations with both Muslims world and Israel: The balancing of relations with both Muslim world countries and Israel a Jews-dominated country without losing strategic autonomy is a challenging task for India.

Security threats: The establishment of I2U2 as the Middle East QUAD could be seen by terror groups in the region as increasing influence of the west in the region and they would try to setup a parallel organization which would hamper the prime objectives of non-violence and peace of Indian foreign policy.

Instability in the Gulf region: In the case of withdrawal of the UAE from the alliance, it would project the whole organization as the outside alliance interfering in the internal affairs of the region.

Way Forward

- **Seizing the Opportunity:** India must navigate this area which is full of landmines, very cautiously because the fundamental interests of India: **energy security, food security, workers, trade, investment and maritime security lie in this region.**
- **Reassuring Other Partners in West Asia:** Two countries, specifically, need to be reassured that this new arrangement is not aimed at them: **Iran and Egypt.**
 - **For India, Iran is important** in relation to the present context of Afghanistan. **Egypt has friendly relations with all the four countries** in this alliance but it must be reassured that it will not be impacted economically or politically.
- **Mutual Cooperation Among the Four Countries:** **Balancing the rival countries diplomatically and strategically** in order to maintain friendly relations with each other can be done **through mutual cooperation among the four countries.**

Question 4. What challenges does the transgender community in India face? How much would The Transgender Persons (Protection of Rights) Bill, 2019 be able to do to solve these issues and provide this group with justice? (150 words)

Approach:

- Start your answer by defining the term 'transgender' and their status in Indian Society
- Discuss the challenges faced by this community
- Discuss the various provisions of the Bill
- Conclude suitably

Answer:

The term "transgender" is used most often to refer to people whose gender identity differs from their birth sex. The transgender community in India has long borne the brunt of male chauvinistic social prejudices and draconian laws that criminalized alternative sexuality.

The problems faced by the Transgender community in India include:

- **Discrimination:** They are discriminated against in terms of education, employment and access to public amenities. They are also treated badly by the police and are prone to struggle for social justice.
- **Lack of family support:** Once their identity is identified, they are forced and pressured to leave the parental home by society as they cannot be a part and parcel of normal community and class.
- **Unwanted attention:** People give unwanted attention to transgenders in public.

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- **Lack of medical help:** They are vulnerable to HIV, depression, hormone pill abuse, tobacco and alcohol abuse, penectomy, and problems related to marriage and adoption.

Provisions of The Transgender Persons (Protection of Rights) Bill, 2019:

- The Bill states that a transgender person shall have the right to **self-perceived gender identity and prohibits discrimination** on various grounds.
- Every transgender person will have the **right to be included in their household**, and in case the immediate family is unable to take care of the person, he/she may be placed in a rehabilitation center.
- The **government shall provide education, sports and recreational facilities for transgender people**. Provisions for separate HIV surveillance centers and sex reassignment surgeries should also be provided by the government, as per the Bill.
- In order to exercise the provisions and functions of the Transgender Persons (Protection of Rights) Act 2019, Government will set up **National Council for Transgender Persons (NCT)**. This body will advise, monitor and review the policies and schemes formulated by the central government for transgender people.

Despite its benevolent and holistic outlook, the Transgender Bill is being criticized because:

- It proposes a “screening committee” of experts for issuing identity certificates to individuals, which activists say could leave transgender people vulnerable to abuse.
- Begging is a primary source of livelihood for trans persons in India. By criminalizing the activity, the Bill pushes them into penury.
- The absence of any provision about education and affirmative action for the transgender community is another major shortcoming.

Sexual orientation and gender identity are integral to every person’s dignity and humanity and must not be the basis for discrimination or abuse in a democratic society. Thus, the Transgender Persons (Protection of Rights) Bill, 2019 is the right step in this direction.

Question 5. The National Commission for Scheduled Tribes (NCST) was established to advance the interests of STs, however throughout the past four years, it has been dysfunctional and has not produced a single report. Discuss NCST problems in this context and offer ideas for improving it. (150 words)

Approach:

- Start your answer by giving a brief about the National Commission for Scheduled Tribes (NCST).
- Discuss Duties and Functions of the NCST.
- Discuss the issues with the National Commission for Scheduled Tribes (NCST).
- Conclude your answer by giving a way forward.

Answer:

NCST was set up with effect from 19th February 2004 by amending Article 338 and by inserting a new article 338A in the Constitution through the **89th Constitution Amendment Act, 2003**. Hence, it is a **constitutional body**.

Article 338A inter-alia gives powers to the NCST to oversee the implementation of various safeguards provided to STs under the Constitution or under any other law for time being in force or under any other order to the Government and to evaluate the working of such safeguards.

Duties and Functions of the NCST

- To **investigate and monitor all matters relating to the safeguards** provided for the STs under the Constitution or under any other law for the time being in force or under any order of the Government.

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- To **inquire into specific complaints with respect to the deprivation of rights** and safeguards of the STs.
- To **participate and advise in the planning process of socio-economic development** of the STs and to evaluate the progress of their development.
- To present to the President, **annually and at such other times as the Commission may deem fit, reports** upon the working of those safeguards.
- To **discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Tribes** as the President may be subject to the provisions of any law made by Parliament by rule specified.

Issues with the NCST

- **Pending Reports:** In the financial year 2021-22, it has met only four times. Its rate of pendency of resolution of complaints and cases that it receives is also close to 50%.
- **Manpower and Budgetary Shortage:** The Committee expressed dismay over the near paralysis of the Commission's working with manpower and budgetary shortage.
 - The recruitment in the Commission was constrained because of lack of applicants as the eligibility bar was set too high and the rules being tweaked to enable many more candidates to apply.
- **Lack of Expertise:** The NCST does not have the required skill set to look into the cases related with grievances of scheduled tribes.
- It has been failed in its mission of taking Measures to safeguard rights of the tribal communities over mineral resources, water resources etc., as per law.

Way Forward

- The **vacancies should be immediately filled** as there should be no reason now for any further delay since the recruitment rules have been suitably revised.
- The budgetary allocation for the Commission needs to be reviewed so that its functioning is not made to suffer for lack of funds.
- The members of the commission should be given proper training to make them aware of various legal and constitutional provisions related to the welfare of STs.

Question 6. Describe what does social audit entails. Explain how social audit links policy objectives to outcomes. (150 words)

Approach:

- Start your answer by describing the social audit.
- Discuss the role of Social Audit in bridging the gap between objectives stated in the policy and desired outcomes.
- Conclude suitably.

Answer:

A social audit is a **way of measuring, understanding, reporting and ultimately improving an organization's social and ethical performance**. A social audit helps to narrow gaps between vision/goal and reality, between efficiency and effectiveness.

It is a technique to understand, measure, verify, report on and to improve the social performance of the organization.

Role of Social audit in bridging gaps between policy objectives and outcomes

- **Accountability:** Social audit fixes accountability of public servants, increases efficacy and effectiveness of local development programmes.

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- **Transparency:** Social audit measures enhance transparency by enforcing the right to information in the planning and implementation of local development activities. Transparency in public schemes reduces corruption and increases outcomes.
- **Encourages community participation:** Social audit creates awareness among beneficiaries and providers of local social and productive services. Local community becomes an important stakeholder in the success of public welfare schemes thus improving outcomes through periodic evaluation of outcomes of policies. For example, in MGNREGS Social Audits led to entries in job cards, increased knowledge about the wage payment slips and visible improvements were noticed in worksite facilities.
- **Empowering the marginalized:** It is important that marginalized social groups, which are normally excluded, have a say on local development issues and activities and have their views on the actual performance of local elected bodies. Through social audits these groups can have an impact on policy implementation and thus increasing outcomes.
- **Policy evaluation:** Social audit plays an important role, not in policy implementation but also in policy evaluation. Thus, the social audit also assesses the physical and financial gaps between needs and resources available for local development thus improving policies and outcomes.

The Social Audit process is intended as a means for social engagement, transparency and communication of information, leading to greater accountability of decision-makers, representatives, managers and officials. Thus, application of Social Audit holds tremendous potential in bridging gaps between policy objectives and outcomes.

Question 7. Analyze the National Human Rights Commission's (NHRC) contribution to the defence and advancement of human rights in India. (150 Words)

Approach:

- Start your answer by giving a brief about NHRC
- Discuss the mandate and objectives of NHRC
- Discuss a few shortcomings faced by the organization in carrying out its responsibilities
- Conclude by suggesting a few things to make the organization more robust and efficient

Answer:

The National Human Rights Commission is a unique expert body, which was created under the Protection of Human Rights Act, 1993, for examining and investigating the complaints relating to violations of human rights, as also the negligence on the part of any public servant in preventing such violation.

It is in conformity with the Paris Principles, which were adopted at the First International Workshop on National Institutions for the Promotion and Protection of Human Rights in October 1991.

NHRC's role in protecting and promoting human rights

NHRC plays an important role in protecting and promoting human rights in India in the following ways:

- It inquires into violation of human rights or abetment of such violation or negligence in the prevention of such violation by a public servant; either *sou motu* or on a petition by a victim or any person on his behalf, or on a direction or order of any court.
- It examines the conditions of prison inmates by visiting under intimation to the state prisons or any other institution of the state, where persons are detained or lodged for purposes of treatment, reformation or protection, and make recommendations in that regard.
- It reviews the constitutional and legal safeguards related to the protection of human rights and recommends measures for their effective implementation including acts of terrorism.
- It studies treaties and other international instruments on human rights and makes recommendations for their effective implementation.

Note:



- It spreads human rights literacy among various sections of society and promotes awareness of the safeguards available for the protection of these rights through publications, the media, seminars, and other available means.

Shortcomings faced by the NHRC

- NHRC has been termed as '**India's teasing illusion**' by Soli Sorabjee (former Attorney-General of India) due to its incapacity to render any practical relief to the aggrieved party.
- NHRC does not have any dedicated mechanism of investigation. In the majority of the cases, it asks the Central and concerned State Governments to investigate cases of the violation of Human Rights.
- NHRC can only make recommendations, without the power to enforce decisions.
- A large number of grievances go unaddressed because NHRC cannot investigate complaints registered after one year of the incident.
- The government often outrightly rejects the recommendations of NHRC or there is partial compliance with these recommendations.

Measures to strengthen NHRC:

- The efficacy of NHRC can be enhanced by the government if the Commission's decisions are made enforceable.
 - NHRC needs to develop an independent cadre of staff with appropriate experience and expertise.
 - It can also be given contempt powers to make authorities implement its recommendations.
- The National Human Rights Commission thus can play a vital role in influencing policy making and policy initiations and securing the right environment for protecting human rights

Question 8. Examine the concept of universal basic income in light of its probable advantages and con Consider the potential benefits and drawbacks of the idea of universal basic income in a developing nation like India. (150 words)

Approach:

- Describe in brief the concept of UBI.
- Give advantages of UBI in the Indian context.
- Analyze concerns about UBI.
- Conclude suitably.

Answer:

- Universal basic income is a periodic cash payment unconditionally delivered to all on an individual basis, without a work requirement.
- UBI has three components: universality, unconditionality, and agency by providing support in the form of cash transfers to respect, not dictate, recipients' choices.

Advantages of UBI

- **Poverty and vulnerability reduction:** Poverty and vulnerability will be reduced rapidly.
- **Choice:** A UBI treats beneficiaries as agents and entrusts citizens with the responsibility of using welfare spending as they see best; this may not be the case with in-kind transfers.
- **Better targeting of poor:** As all individuals are targeted, exclusion error (poor being left out) is zero though inclusion error (rich gaining access to the scheme) is 60 percent.
- **Insurance against shocks:** This income floor will provide a safety net against health, income and other shocks like present agrarian distress or economic slowdown.
- **Improvement in financial inclusion:** Transfers will encourage greater usage of bank accounts, leading to higher profits for banking correspondents (BC) and an improvement in financial inclusion.

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- **Psychological benefits:** A guaranteed income will reduce the pressures of finding a basic living on a daily basis.
- **Equity and social justice:** UBI will promote the idea of equity and state welfare for the poor which are constitutional goals given under DPSPs.
- **Administrative efficiency:** A UBI in place of numerous separate government schemes will reduce the administrative burden on the state. UBI is feasible only if the centre trims current subsidy and welfare expenditure ending schemes which are leaky and poorly targeted.

Concerns associated with UBI

- **High Fiscal cost:** Given the political cost of withdrawing UBI in case of failure once introduced, it may become difficult for the government to wind up. It will be difficult for government of the day to contain Fiscal deficit which may cause problems for economic stability.
- **Implementation problems:** Given the low financial access among the poor, a UBI may put too much stress on the banking system.
- **Conspicuous spending:** Households, especially male members, may spend this additional income on wasteful activities.
- **Moral hazard (reduction in labour supply):** A minimum guaranteed income might make people lazy and opt out of the labour market.
- **Gender disparity induced by cash:** Gender norms may regulate the sharing of UBI within a household – men are likely to exercise control over spending of the UBI. This may not always be the case with other in-kind transfers.
- **Exposure to market risks:** Unlike food subsidies that are not subject to fluctuating market prices, a cash transfer purchasing power may severely be curtailed by market fluctuations. Under the present system beneficiaries are provided food at subsidized prices irrespective of market fluctuations.

UBI is revolutionary concept especially in India considering India is facing challenges of poverty exclusion. If implemented effectively with view to avoid its disadvantages by focusing on reasonable percentage of population, UBI has potential to usher poverty free India.

Question 9. Education is a potent and pervasive tool for both individual and society change. In light of the aforementioned remark, consider the New Education Policy, 2020. (150 Words)

Approach

- Start the answer by briefly mentioning the objectives of the National Education Policy.
- Explain how National Education Policy can help in the furtherance of Individual & Social Transformation
- Conclude suitably.

Answer:

The National Education Policy (NEP) 2020 has been recently announced by the Government of India. NEP 2020 is novel in many ways that can help develop an individual and social transformation.

It recognizes the importance of formative years; it envisages making education more inclusive and aimed at transforming the Indian education system to meet the needs of the 21st Century.

NEP's Vision of Individual & Social Transformation:

- **Recognizing the Importance of Formative years:** In adopting a 5+3+3+4 model for school education starting at age 3, the policy acknowledges the formative years' primacy from ages 3 to 8 in shaping the child's future.
- **Encouraging Vulnerable Sections of Society:** Another laudable aspect of the scheme is vocational courses with an internship. This may encourage the vulnerable sections of society to send their children to school.
 - Also, it would help in the realization of the goal of the Skill India Mission.

Note:



- **Making Education More Inclusive:** The NEP proposes extending the Right to Education (RTE) to all children up to the age of 18.
 - Further, the policy seeks to leverage the huge potential of online pedagogy and learning methodologies to increase gross enrollment in higher education.
 - Moreover, technological solutions should be utilized for creating greater access to the socially and economically disadvantaged groups.
- **Ending Hindi vs. English Debate:** Most crucially, NEP, once and for all, buries the strident Hindi versus English language debate.
 - It emphasizes making the mother tongue, the local language, or the regional language the medium of instruction at least till Grade 5, which is considered the best medium of teaching.
 - This will integrate culture, language, and traditions with the learning so that children can assimilate it in an integrative manner.
- **Departure from Silos Mentality:** Another key aspect of school education in the new policy is the breaking of the strict division of arts, commerce, and science streams in high school.
 - This can lay the foundation for a multi-disciplinary approach in high education.
 - This will help change the present scenario where students are under societal pressure to pursue certain streams that may not be as per their choice.
- **Education & Social Justice:** NEP recognizes education as the most effective way for social justice. Thus, the NEP calls for an investment of about six percent of GDP jointly by the Center and the States.

The new National Education Policy 2020 is novel. It aims to make the education system holistic, flexible, multidisciplinary, aligned to the needs of the 21st century and the 2030 Sustainable Development Goals.

Question 10. "Sri Lanka is going through the worst economic crisis which it has ever faced". In this context discuss the reasons behind the Sri Lankan crisis and opportunity for India in Sri Lankan crisis. (150 Words).

Approach:

- Start your answer by giving a brief about the Sri Lankan Crisis.
- Discuss the reasons behind the Sri Lankan Crisis.
- Discuss the challenges faced by India due to Sri Lankan Crisis.
- Conclude your answer by giving a way forward.

Answer:

Sri Lanka, a country of 22 million people, is **under the grip of an unprecedented economic turmoil**, the worst in seven decades, leaving millions struggling to buy food, medicine, fuel and other essentials.

Following the **political and economic instability**, hundreds of anti-government protesters stormed into the Sri Lankan President's residence demanding his resignation.

Reasons Behind Sri Lankan crisis

- **Sri Lankan Civil War:**
 - Sri Lanka's **budget deficits** were high during the war and the **global financial crisis of 2008** drained its **forex reserves** which led to the country borrowing a USD2.6 billion loan from the **IMF** in 2009.
 - It **again approached the IMF in 2016** for another USD1.5 billion loan, however the conditionalities of the IMF further deteriorated Sri Lanka's economic health.
- **Economic Factors:**
 - **The Easter bomb blasts of April 2019** in Churches in Colombo resulted in 253 casualties, dropping the number of tourists sharply, and leading to a decline in foreign exchange reserves.

Note:



- The **newly led government by Gotabaya Rajapaksa** in 2019 promised lower tax rates and wide-ranging SOPs for farmers during their campaign.
 - The quick implementation of these ill-advised promises further **exacerbated the problem**.
- The **Covid-19 pandemic** in 2020 made the bad situation worse like exports of **tea, rubber, spices and garments** suffered.
- The Crisis in Sri Lanka is triggered due to a **shortage of foreign exchange** (forex) reserves, which have dropped by 70% over the last two years to just USD 2 billion by the end of February 2022.
- **Sudden Move to Organic Farming:**
 - In 2021, **all fertiliser imports were completely banned** and it was declared that Sri Lanka would become a 100% **organic farming** nation overnight.
 - This **overnight shift to organic fertilisers** heavily impacted food production.
- **China's Debt Trap:**
 - Sri Lanka has **borrowed heavily from Beijing** since 2005 for infrastructure projects, many of which became White Elephants (no longer needed/ useful).
 - **Sri Lanka's total debt to China stands at USD 8 billion**, almost one sixth of its total external debt
- **Current Political Vacuum:**
 - Prime Minister Wickremesinghe and President Gotabaya Rajapaksa **signalled the willingness to resign** making way for an all-party government to take over.

Challenges faced by India due to Sri Lanka Crisis

- **Economics:**
 - Sri Lanka's share in India's total exports has **declined** from 2.16% in FY15 to just 1.3 per cent in FY22.
 - **Automotive firms** like Tata Motors and TVS Motors have stopped exports of vehicle kits to Sri Lanka and halted production at their Sri Lankan assembly units due to its unstable forex reserves and fuel shortages.
- **Refugee:**
 - Whenever a political or social crisis has occurred in Sri Lanka, India has **witnessed a large influx of ethnic Tamil community refugees** from the Sinhala Land to India through the Palk strait and Gulf of Munnar.
 - However, India may find it difficult to handle such an influx and needs a robust policy in place to handle the crisis.

Opportunities lying for India in the Sri Lankan Crisis

- **Tea Market:** Amid the sudden halt of **tea supply** by Sri Lanka to the global tea market, **India is keen to plug the supply gaps**.
- **Apparel Market:** Many apparel orders from the United Kingdom, European Union, and Latin American countries **are now being diverted to India**.
- Sri Lanka has been a **strategically important partner for India**. India can make use of this opportunity to **balance its diplomatic ties with Sri Lanka**, which have been distant owing to **Sri Lanka's proximity with China**.
 - As the disagreement between Sri Lanka and China intensified on the fertiliser issue, **India's fertiliser delivery to Sri Lanka on the latter's request is seen as a positive development in the bilateral relations**.
- Extending diplomatic ties with Sri Lanka will **ease India's effort to keep the Sri Lankan archipelago out of China's 'string of pearls' game in the Indo-Pacific**.
 - To the extent India can extend help to alleviate the hardships of Sri Lankans, it should be done with due care keeping in mind that the optics of its aid matters too.

Way Forward

- **Implementing Democracy in True Spirit:** There is a need for **strong political consensus in Sri Lanka** for better crisis-management. Militarisation of Administration can be reduced.

Note:



- **Support from India:** India, which has followed the “**Neighbourhood First policy**” to cement bonds with its neighbours, can walk that extra mile to help Sri Lanka out of the current crisis and help Sri Lanka towards realising its potential, to reap the rewards of a stable, friendly neighbourhood.
- **Bailout from International Monetary Fund:** Sri Lanka has approached the IMF for the bailout. The IMF can support Sri Lanka’s efforts to overcome the current economic crisis.
- **Prospects of Circular Economy:** With reference to economic instability in Sri Lanka, the dependence on imports can be minimised by the circular economy, it will offer a sustainable alternative to aid a recovery.

Question 11. What are the key achievements of the Goods and Services Act (GST) in the last five years and highlight the major challenges with the GST System. Discuss (250 Words)

Approach:

- Start your answer by giving a brief about GST
- Discuss the achievements of the GST in the last five year.
- Discuss the reforms needed in the GST
- Conclude suitably

Answer:

Half a decade ago, on July 1, 2017, India welcomed its biggest change in its indirect tax system with the Goods and Services Tax (GST), which revamped the country’s entire indirect tax structure and significantly modified tax administration and compliance.

Achievements of the Goods and Services Tax Act

- **Digitization in compliance:** Automation of tax compliances by the government has been a massive win and has worked efficiently, especially in comparison with the erstwhile regime. This has been possible because of the introduction of a ‘one-stop-shop’ portal i.e., the GST Network (GSTN), for all compliances under GST.
- **Use of technology tools:** The first phase was focused on building the core functionalities needed by taxpayers and officers. With that in place, GSTN’s next focus was to leverage technology and data available to improve compliance, detect frauds and support policymaking. To this end, GSTN formed a Business Intelligence and Fraud Analytics (BIFA) unit in March 2019, which employed artificial intelligence and machine learning to develop the BIFA tool which has emerged as one of the major triumphs in the last five years of GST.
- **Cooperative federalism:** The GST Council is a true testament to the fiscal federal and consensus-based structure, which is a cornerstone of the GST regime. The central and state governments have been working together on critical legal issues.
- **Enlargement of the tax base:** In general, GST has reduced the overall indirect tax burden on consumers and made Indian products more competitive in international markets. There has been a phenomenal enlargement of the tax base, resulting in increased revenue collection.
- **GST eliminates the cascading effect of tax:** GST is a comprehensive indirect tax that was designed to bring indirect taxation under one umbrella. More importantly, it is going to eliminate the cascading effect of tax that was evident earlier. Cascading tax effect can be best described as ‘Tax on Tax’.

Areas of improvement

- **Need for unlocking credit:** The purpose behind implementation of GST was to ensure seamless tax credits across the entire value chain without any losses. However, the credit restrictions carried forward from the erstwhile regime add to cost of businesses, blocking precious working capital for companies. The issue of inverted duty structure also continues to be a hurdle as a refund of input services is currently not allowed.

Note:



- **Dispute resolution:** While much has been accomplished in terms of technology and compliance, legal disputes relating to GST are still at a nascent stage. There have been multiple instances of inconsistent judgments passed by regional advance ruling benches. Such contrary judgments have resulted in unnecessary litigation for several businesses.
- **Expanding GST tax network:** With petroleum outside the ambit of GST, a large part of the economy is still outside the tax net. Inclusion of petroleum products under the GST net would reduce costs for companies as taxes would then become fully fungible.
- **Use of Blockchain Technology:** While GSTN has revolutionized the GST landscape, blockchain technology has enormous potential to resolve glitches and improve efficiency in GSTN, since the unreliability of the GST network for small businesses at remote locations still continues to be a challenge.
- **Taxation of Virtual Digital Assets:** The government, in its recent Budget, also announced that cryptocurrencies would be taxed under income tax at a rate of 30%. The GST law on supplies related to NFT, on the other hand, does not (yet) provide any explicit guidance in this area.
- **Ease of doing business (EODB) changes:** While technology under GST has kept pace with the requirements of government and industry alike, compliance provisions are still playing catch-up. For instance, the GST law requires the setting up of a principal office in each state where supplies are made from.

Change is definitely never easy. The government is trying to smoothen the road to GST. It is important to take a leaf from global economies that have implemented GST before us, and who overcame the teething troubles to experience the advantages of having a unified tax system and easy input credits.

Question 12. BRICS has made progress, but it now faces a number of obstacles. Discuss the actions that should be implemented in this situation to ensure the group's sustainability. (250 words).

Approach

- Start your answer by writing about the success of the BRICS group.
- Discuss the challenges confronting the BRICS in the present times.
- Suggest a way forward for maintaining the relevance and utility of the group in the future.

Answer:

BRICS represents 42% of the world's population, 30% of the land area, 24% of global GDP and 16% of international trade. It acts as a bridge between Global North and South.

The BRICs called for the reform of multilateral institutions in order that they reflect the structural changes in the world economy and the increasingly central role that emerging markets now play.

Challenges With the BRICS

- **Marred by Various Issues:** Group has seen conflicts such as China's aggression in eastern Ladakh last year brought India-China relations to their lowest point in several decades.
 - There is also the reality of the strained relations of China and Russia with the West, and of serious internal challenges preoccupying both Brazil and South Africa.
 - On the other hand, China's image at global level has also been tarnished due to Covid-19.
- **Heterogeneity:** It is claimed by critics that heterogeneity (variable/diverse nature of countries) of the BRICS nations with its diverse interests possess a threat to the viability of the grouping.
- **China Centric:** All the countries in the BRICS group trade with China more than each other, therefore it is blamed as a platform to promote China's interest. Balancing trade deficit with China is a huge challenge for other partner nations.
- **Global Model for Governance:** Amidst, global slowdown, trade war and protectionism, the critical challenge for the BRICS consists in the development of a new global model of governance which should not be unipolar but inclusive and constructive.

Note:



- **Not Been Effective:** The five-power combine has succeeded, albeit up to a point. However, China's economic rise has created a serious imbalance within BRICS. Also, the group has not done enough to assist Global South in winning optimal support for their agenda.

Way Forward

- **Cooperation Within the Group:** BRICS need to shed the centrality from China and create a better internal balance, reinforced by the urgent need for diversification and strengthening of regional value chains, all exposed during the pandemic.
- BRICS did well in its first decade to identify issues of common interests and to create platforms to address these issues. For BRICS to remain relevant over the next decades, each of its members must make a realistic assessment of the initiative's opportunities and inherent limitations.
- **Commitment to Multilateral World:** BRICS nations need to recalibrate their approach and to recommit to their founding ethos. BRICS must reaffirm their commitment to a multi-polar world that allows for sovereign equality and democratic decision-making.
- They must build on the success of the NDB and invest in additional BRICS institutions. It will be useful for BRICS to develop an institutional research wing, along the lines of the OECD, offering solutions which are better suited to the developing world.
- BRICS should consider a BRICS-led effort to meet their commitments under the Paris Agreement on climate change and the UN's sustainable development goals.
- BRICS nations should strive for peaceful and politico-diplomatic settlement of crisis and conflict in various regions of the world.

Question 13. The Special Category Status (SCS) is a classification given by the Centre to assist in the development of some states characterized by a number of features necessitating special consideration." In this context discuss the benefits that come up by conferring SCS status, also discuss the criteria for granting this status and issues associated with SCS status. (250 Words)

Approach:

- Start your answer by giving a brief about the Special Category Status.
- Discuss the criteria for granting Special Category Status.
- Discuss the benefits that are available to the Special Category Status states.
- Discuss the issues with Special Category Status.
- Conclude your answer by giving a way forward.

Answer:

The **Constitution does not include any provision for categorisation of any State in India as a Special Category Status (SCS) State.** But, recognising that some regions in the country were historically disadvantaged in contrast to others, Central plan assistance to SCS States has been granted in the past by the erstwhile Planning Commission body, National Development Council (NDC).

The NDC granted this status based on a number of features of the States which included:

- Hilly and difficult terrain
- Low population density or the presence of sizeable tribal population
- Strategic location along international borders
- Economic and infrastructural backwardness
- Non-viable nature of State finances

Note:



Special Category Status for plan assistance was granted in the past by the National Development Council to the States that are characterized by a number of features necessitating special consideration. Now, it is done by the central government.

The 14th Finance Commission has done away with the 'special category status' for states, except for the Northeastern and three hill states.

Benefits that are available to special category status states:

- 90% of the state's expenditure on all centrally sponsored schemes and foreign aid is borne by the central government, while the remaining 10 percent is given to the state as an interest-free loan.
- The Special category States (SCS) are given **preferential treatment in getting central funds**.
- They are given **concession on excise duty** to attract industries to the state.
- The Centre's gross budget also goes to special category states to the tune of 30 percent.
- In these states, **debt-swapping schemes and debt relief are available**.
- To attract investment, states with special category status are **exempt from customs duties, corporate taxes, income taxes, and other taxes**.
- In special category states, unused money from a financial year does not lapse and is carried forward to the next year.

Lacunae in the working of Special Category status:

- There has been persistent disagreement among states regarding criteria for assigning SCS status.
- Despite being awarded SCS states such as Jammu and Kashmir, Uttarakhand, etc., they still lag behind non-category states like Haryana, Punjab.
- Since the 14th finance commission, the amount of proceeds received by states has increased (42%). In the present context, the structure does not seem relevant.
- Special status for any new state will result in demands from other states and dilute the benefits even further.
- When a borrower defaults, state government guarantees pose a challenge to Debt Sustainability.

Way forward

- The principle used for granting the SCS should be generally agreed upon among states.
- The benefits of SCS may act as a stimulus, but the rest depends on the state's economic policies; therefore, it is important to follow sound economic policies.
- In order to leverage their exclusive resources, states must understand their industrial strengths and create a policy environment that leverages them instead of relying on the Centre

Question 14. "Economic inclusion and social transformation are both made possible by information and communication technologies (ICTs)." Discuss the role of ICTs in bringing about economic inclusion and social transformation in developing economies. (250 words).

Approach:

- Start your answer by defining and linking ICT, e-Governance and inclusive growth.
- Discuss the merits of ICTs and e-initiatives with socio-economic dimensions.
- Discuss the new emerging challenges of the ICT sector.
- Conclude your answer by mentioning the need for citizen-centric governance.

Answer:

Note:



- E-Governance is the **application of Information and Communication Technology (ICT) to the processes of government functioning in order to bring about 'Simple, Moral, Accountable, Responsive and Transparent' (SMART) governance.**
- This SMART governance model should lead to inclusive growth that creates opportunity for all segments of population and distributes the dividends of increased prosperity fairly across society. **Thus, e-Governance helps in socio-economic development and sustainable growth for all.**

Following are the applications of e-governance which illustrate economic inclusiveness in bringing social transformation in Indian society:

➤ **Economic dimensions**

○ **Reviving agriculture sector:**

- Digitization of land records via Bhoomi Rashi portal.
- Geographic Information Systems (GIS) has helped improve productivity, and empowered farmers by using sustainable, economical and eco-friendly technology.

○ **Financial literacy and inclusion:**

- PMGDISHA (Pradhan Mantri Gramin Digital Saksharta Abhiyan) to make at least one person per family digitally literate.
- Aadhaar Enabled Payment System (AEPS) facilitates banking services and digital payment.
- Digital payment: Many innovative digital payment tools, namely BHIM-UPI, Bharat QR Code, National Electronic Toll Collections, etc, have been implemented.

○ **Quality employment:**

- UMANG mobile application for availing government services through backend integration with several government applications and databases.
- Digitization of EPFO records: access to view one's pension amounts and deposits, people feel more assured that their funds are safe and can monitor their fund status.

➤ **Social dimensions:**

○ **Affordable education:**

- National Scholarship Portal as a single online platform integrating multiple scholarship schemes to facilitate application submission, verification and disbursement of funds through Direct Benefit Transfer (DBT).
- SWAYAM – a massive online open courses (MOOCs) platform which offers more than 2000 programmes.
- National Knowledge Network (NKN) to interconnect all institutions of higher learning and research with a high-speed data communication network to facilitate knowledge sharing and collaborative research.

➤ **Quality Healthcare:**

- **e-Hospital:** facilitates automation in hospitals through 20+ modules of Hospital Management Information System namely patient registration, IPD, pharmacy, blood bank, etc.
- **'Mera Aspataal' Application:** Allows patients to provide feedback on service quality at hospitals and ultimately help establish a patient driven, responsive and accountable healthcare system.

➤ **Inclusion of marginalized sections:**

- Non-visual display access (NVDA), an open-source screen reading software, available in 7 Indian languages facilitates the differently abled to access services.
- Jeevan Pramaan facilitates pensioners to submit their life certificate digitally from anywhere, anytime basis.



Note:



➤ **Facilitating participatory governance/ Resolving citizens grievances:**

- MyGov portal facilitates participatory governance by providing a common digital platform, where citizens can share their views on government programmes and schemes.
- Real Time Governance initiative of Andhra Pradesh government to resolve citizen grievances and monitor infrastructure projects, incidents and weather & climatic events across the state in real time, leveraging technology services.

Thus, e-governance can facilitate economic inclusiveness and bring social transformation in India.

Emerging Challenges for ICT sectors

- **Cybersecurity:** The cybersecurity challenge is two-fold: Cyberattacks are growing in size and sophistication; Millions of cybersecurity jobs remain unfilled. Not only there aren't enough IT professionals with cybersecurity expertise, but also there are huge cybersecurity skills gaps. It's also identified as the most challenging hiring area in IT.
- **Decline in Spending:** Future challenges for IT and outsourcing companies stems from a decline in spending on IT projects by companies around the world, especially in such sectors as travel and tourism, hospitality, and aviation, which have lost 80 percent to 90 percent of their revenues. Less-troubled sectors, such as banks and financial services firms, are in cash-conservation mode and looking to delay new IT projects.
- **Work-from-Home Issues:** IT services and outsourcing companies in India struggled to shift their workforce to a remote-work setting following the nationwide lockdown. Companies scrambled to provide computers to hundreds of thousands of employees; overcome low Internet bandwidth; and get permission from clients to allow working from home, which was earlier barred due to security concerns.
- **Analytics and data management:** Aside from cybersecurity and cloud computing, this is the biggest skill gap area for IT departments. Organizations are struggling to manage a wealth of new data. By 2025, It is estimated the world will create and replicate 163 zettabytes (ZB) of data, 10 times the number that was created in 2016. New data is constantly accumulating, creating a host of storage and security risks that must be addressed.

Digital India programme helped India harness digital technologies to bring about a positive change towards good governance. The aim of any e-Governance initiative should be to ensure citizen participation and empowerment with the technology that is transformative, affordable and sustainable. Thus, digital empowerment is necessary to achieve the motto of 'Maximum Governance, Minimum Government'.

Question 15. "During the recent BIMSTEC Summit in Sri Lanka the member countries adopted the charter, now the BIMSTEC has an international personality". Do you think it has emerged due to the failure of SAARC? (150 Words)

Approach:

- Start your answer by giving a brief about BIMSTEC.
- Discuss the reasons behind the emergence of BIMSTEC.
- Discuss the potential of BIMSTEC.
- Conclude suitably.

Answer:

The **Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC)** is a regional organisation comprising seven Member States: five deriving from South Asia, including **Bangladesh, Bhutan, India, Nepal, Sri Lanka and two from Southeast Asia, including Myanmar and Thailand.**

During the recent 5th BRICS Summit in Colombo, Sri Lanka (Host for the Fifth Summit). The signing of the **BIMSTEC Charter** was the main outcome of this summit.

- Under this Charter, the members were expected to meet **once every two years.**
- With the Charter, the **BIMSTEC now has an international personality.** It has an **emblem; it has a flag.**

Note:



This sub-regional organisation came into being on **6 June 1997 through the Bangkok Declaration.**

The reasons behind the **emergence of BIMSTEC lie in the failures of SAARC in various areas. The factors which have led to the downfall of SAARC are the same factors that have helped in the rise of organizations like BIMSTEC, BBIN, etc.**

Factors that led to emergence of BIMSTEC/Failures of SAARC

Failed to Attain its Objectives: While SAARC has established itself as a regional forum, it has failed to attain its objectives. Numerous agreements have been signed and institutional mechanisms established under SAARC, but they have not been adequately implemented.

Low Trade: The South Asia Free Trade Agreement (SAFTA) is often highlighted as a prominent outcome of SAARC, but that, too, is yet to be implemented. Despite SAFTA coming into effect as early as 2006, the intra-regional trade continues to be at a meagre 5%.

Mutual Mistrust: SAARC has eight member countries: Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri Lanka. While the organisation was intended to enhance regional cooperation in South Asia, from its very inception, member countries treated it with suspicion and mistrust.

Irregular Summits: The first SAARC meeting took place in Dhaka in 1985, and there have been 18 summits till date. However, the organisation has not had a smooth run. In the 30 years of its history, annual SAARC summits have been postponed 11 times for political reasons, either bilateral or internal.

Lack of Consensus on Threat Perception: SAARC has also faced obstacles in the area of security cooperation. A major hindrance in this regard has been the lack of consensus on threat perceptions, since member countries disagree on the idea of threats. For instance, while cross-border terrorism emanating from Pakistan is a major concern for India, Pakistan has failed to address these concerns.

Asymmetry between India and other Members: The asymmetry between India and other member countries in terms of geography, economy, military strength and influence in the global arena make the smaller countries apprehensive. They perceive India as “Big Brother” and fear that it might use the SAARC to pursue hegemony in the region. The smaller neighbouring countries, therefore, have been reluctant to implement various agreements under SAARC.

Potentials of BIMSTEC:

- **The bridge between South and South East Asia** represents a reinforcement of relations among these countries.
- Platform for **intra-regional cooperation between SAARC and ASEAN** members.
- Home to around 1.5 billion people that constitute around 22% of the global population.
- With a combined gross domestic product (GDP) of 2.7 trillion economy, BIMSTEC Member States have been able to sustain an average 6.5% economic growth trajectory in the last five years.
- A fourth of the world’s traded goods cross the bay every year.
- Important Connectivity Projects:
 - Kaladan Multimodal Project – links India and Myanmar.
 - Asian Trilateral Highway - connecting India and Thailand through Myanmar.
 - Bangladesh-Bhutan-India-Nepal (BBIN) Motor Vehicles Agreement - for seamless flow of passenger and cargo traffic.

The BIMSTEC represents a perfect alternative to the SAARC which has remained ineffective in its functioning from its very inception. The BIMSTEC will help in promoting trade, commerce, peace and cooperation in the region which SAARC has failed to do.

Question 16. “During the covid-19 World Health Organization’s (WHO) role came under severe criticism for its inefficient handling of the situation”. Discuss (150 Words)

Approach:

- Start your answer by giving a brief about WHO.

Note:



- Discuss the Criticism of the Role of WHO during Covid-19.
- Discuss Arguments against criticism of WHO.
- Conclude suitably.

Answer:

World Health Organization (WHO), the United Nations' specialized agency for Health was founded in 1948.

It is an inter-governmental organization and works in collaboration with its member states usually through the Ministries of Health.

The WHO provides leadership on global health matters, shaping the health research agenda, setting norms and standards, articulating evidence-based policy options, providing technical support to countries and monitoring and assessing health trends.

Criticism of the Role of WHO during Covid-19:

- **Preparedness:** The WHO's 2018 annual review of priority diseases confirmed that the coronavirus family of diseases should be included on a list of priorities requiring urgent research and development, which was chosen in 2015
- **Delay in Declaration Covid-19 was declared as the Public Health Emergency of International Concern (PHEIC):** Covid-19 was declared as the Public Health Emergency of International Concern (PHEIC) when the confirmed cases increased 10-fold in 18 countries. The WHO delayed declaration of Covid-19 as a pandemic.
- **Alleged Favoritism China:** When it came to sending an inquiry team to China, the WHO exhibited little haste.
- **Not supporting the application of trade and travel limitations:** The WHO advised the international community to avoid fomenting fear and stigma by imposing travel restrictions, rather than promoting their usage.

Arguments against criticism of WHO:

- WHO lacks the necessary tools for political opposition to governments.
- The countries have framed the pandemic in geopolitical terms from the start and held China responsible for the tragedy. In actuality, the WHO struggled mightily to maintain the United States and European nations' adherence to its recommendations. Active nations were able to stop the spread, including South Korea and Germany.
- The WHO's attempts to speed up the development of coronavirus vaccinations and treatments ought to be commended.
- The WHO has received high accolades for its efforts to share knowledge and combat internet deception and misinformation.
- The WHO has the authority to recommend conventions, agreements, public health procedures, and international nomenclatures. It lacks the authority to bind or punish its members, unlike organisations like the World Trade Organization (WTO).

The WHO's credibility and stature have taken a significant hit as a result of the criticism it is currently receiving. The politicisation of the WHO is still a major worry, but it also offers a chance to reconsider the underlying principles of the larger global governance system. Thus, there should be sufficient reforms in the functioning of WHO to fix the problems in its working.

Question 17. "Over the years the freebies have become an integral part of the politics in India; be it for making promises in the electoral battles or providing free facilities to remain in power". Critically analyse. (250 Words)

Approach:

- Start your answer by giving a brief about Freebies.
- Discuss the Positives of freebies.
- Discuss Negatives of Freebies.
- Conclude your answer by giving a way forward.

Note:



Answer:

Political parties promise to offer free electricity/water supply, monthly allowance to unemployed, daily wage workers and women as well as gadgets like laptops, smartphones etc. in order to secure the vote of the people.

The states have become habituated to giving freebies, be it in the form of loan waivers or free electricity, cycles, laptops, TV sets and so on.

Rationale for Freebies

Facilitates Growth: There are some examples which show that some expenditure outlays do have overall benefits such as the Public Distribution System, employment guarantee schemes, support to education and enhanced outlays for health, particularly during the pandemic.

Boosts Industries: States like Tamil Nadu and Bihar are known for giving women sewing machines, saris, and cycles, but they buy these from budget revenues, contributing to the sales of these industries.

Essential for Fulfilling Expectations: In a country like India where the states have (or don't have) a certain level of development, upon the emergence of the elections, there are expectations from the part of people which are met by such promises of freebies.

Helps Lesser Developed States: With the states that have comparatively lower level of development with a larger share of the population suffering from poverty, such kind of freebies become need/demand-based and it becomes essential to offer the people such subsidies for their own upliftment.

Arguments against Freebies

Macroeconomically Unstable: Freebies undercut the basic framework of macroeconomic stability; the politics of freebies distorts expenditure priorities and outlays remain concentrated on subsidies of one kind or the other.

Impact on States' Fiscal Situation: Offering freebies, ultimately, have an impact on the public exchequer and most of the states of India do not have robust financial health and often have very limited resources in terms of revenue.

Against Free and Fair Election: The promise of irrational freebies from public funds before elections unduly influences the voters, disturbs the level playing field, and vitiates the purity of the poll process. It amounts to an unethical practice that is similar to giving bribes to the electorate.

A Step Away from the Environment: When the freebies are about giving free power, or a certain quantum of free power, water and other kinds of consumption goods, it distracts outlays from environmental and sustainable growth, renewable energy and more efficient public transport systems.

Debilitating Effect on Future Manufacturing: Freebies lower the quality and competitiveness of the manufacturing sector by detracting from efficient and competitive infrastructure that enable high-factor efficiencies in the manufacturing sector.

Destroys Credit Culture: Giving away loan waivers in the form of freebies may have undesired consequences such as destroying the whole credit culture and it blurs the very basic question as to why is it that a large majority of the farming community is getting into a debt trap repeatedly.

Way Forward

Realising Economic Impacts of Freebies: It is not about how cheap the freebies are but how expensive they are for the economy, life quality and social cohesion in the long run. We must strive instead for a race to efficiency through laboratories of democracy and sanguine federalism where states use their authority to harness innovative ideas and solutions to common problems which other states can emulate.

Judicious Demand-Based Freebies: The judicious and sensible offering of freebies or subsidies that can be easily accommodated in the states' budget do not do much harm and can be leveraged.

Differentiating Subsidies and Freebies: There is a need to understand the impacts of freebies from the economic sense and connect it with the taxpayer's money. It is also essential to distinguish between subsidies and freebies as subsidies are the justified and specifically targeted benefits arising from demands.

Note:



Question 18. “Simultaneous elections in India represents the idea of One Nation One Election but it comes with Numerous challenges”. Discuss. (250 Words)

Approach:

- Start your answer by giving a brief about simultaneous elections.
- Discuss the arguments in favour of simultaneous elections.
- Discuss Arguments Against simultaneous elections.
- Conclude suitably.

Answer:

The idea of simultaneous elections has been around since at least 1983, when the Election Commission first mooted it. However, until 1967, simultaneous elections were the norm in India.

However, due to the premature dissolution of some Legislative Assemblies in 1968 and 1969, the cycle got disrupted.

As a result of premature dissolutions and extension of terms of both the Lok Sabha and various State Legislative Assemblies, there have been separate elections to Lok Sabha and States Legislative Assemblies, and the cycle of simultaneous elections has been disturbed.

Arguments For Simultaneous Election

A NITI Aayog paper says that the country has at least one election each year; actually, each state has an election every year, too. In that paper, NITI Aayog argued that multiple elections incur many direct and indirect disadvantages.

Incalculable Economic Costs of Elections: Directly budgeted costs are around Rs 300 crore for a state the size of Bihar. However, there are other financial costs, and incalculable economic costs.

Loss of Working hours: Each election means government machinery misses out on their regular duties due to election duty and related work. These costs of the millions of man-hours used are not charged to the election budget.

Policy Paralysis: The Model Code of Conduct (MCC) also affects the government’s functionary, as no new significant policy can be announced and executed after the elections are announced.

Administrative Costs: There are also huge and visible costs of deploying security forces and transporting them, repeatedly.

Arguments Against Simultaneous Elections

Federal Problem: Simultaneous elections are almost nearly impossible to implement, as it would mean arbitrarily curtailing or extending the term of existing legislatures to bring their election dates in line with the due date for the rest of the country. Such a measure would undermine democracy and federalism.

Against Spirit of Democracy: Critics also say that forcing simultaneous elections is against democracy because trying to force an artificial cycle of elections and restricting the choice for voters is not correct.

Regional Parties at Disadvantage: Regional parties are supposed to be at a disadvantage because in simultaneously held elections, voters are reportedly likely to predominantly vote one way, giving the dominant party at the Centre an advantage.

Diminished Accountability: Having to face the electorate more than once every 5 years enhances the accountability of politicians and keeps them on their toes.

It is obvious that the Constitution and other laws would need to be amended for implementing simultaneous elections. However, it should be done in such a way that it doesn’t hurt the basic tenets of democracy and federalism. In this context, the Law Commission has suggested an alternative i.e., categorising states based on proximity to the next general election, and having one round of State Assembly polls with the next Lok Sabha election, and another round for the remaining States 30 months later. But there is still no guarantee that mid-term polls would not be needed.

Note:



Question 19. “The Tribunals help to reduce the workload of courts and to expedite decisions, but they are falling in their mission of speedy justice”. In this context discuss the idea of National Tribunals Commission (NTC) as a panacea of the problems faced by the tribunals.

Approach:

- Start your answer by giving a brief about tribunals.
- Discuss the issues with the tribunals.
- Discuss the idea of the National Tribunals Commission (NTC) and its positive impact on the working of tribunals.
- Conclude your answer by giving a way forward.

Answer:

A tribunal is a **quasi-judicial institution that is set up to deal with problems such as resolving administrative or tax-related disputes**. It performs a number of functions like adjudicating disputes, determining rights between contesting parties, making an administrative decision, reviewing an existing administrative decision and so forth.

Tribunals were not part of the original constitution, it was incorporated in the Indian Constitution by 42nd Amendment Act, 1976. It incorporated articles 323-A and 323-B which deals with following matters:

- Article 323-A deals with Administrative Tribunals.
- Article 323-B deals with tribunals for other matters.

Issues with the Tribunals in India

Lack of Independence: According to the Vidhi Centre for Legal Policy report (Reforming The Tribunals Framework in India) the lack of independence is one of the key issues plaguing tribunals in India. At the outset, the system of appointment through selection committees severely affects the independence of tribunals.

Problem of Non-Uniformity: Added to this is the problem of non-uniformity across tribunals with respect to service conditions, tenure of members, varying nodal ministries in charge of different tribunals. These factors contribute significantly to malfunctioning in the managing and administration of tribunals.

Institutional Issues: Executive interference in the functioning of tribunals is often seen in the provision of finances, infrastructure, personnel and other resources required for day-to-day functioning of the tribunals.

National Tribunals Commission & Its Impact

The **idea of an NTC was first mooted by the Supreme Court in L. Chandra Kumar v. Union of India (1997)**. NTC is envisaged to be an independent umbrella body to supervise the functioning of tribunals, appointment of and disciplinary proceedings against members, and to take care of administrative and infrastructural needs of the tribunals.

Uniformity: NTC will support uniform administration across all tribunals. It could set performance standards for the efficiency of tribunals and their own administrative processes.

Ensuring Separation of Powers: Giving the NTC the authority to set members' salaries, allowances, and other service conditions, subject to regulations, would help maintain tribunals' independence. The NTC could pave the way for the separation of the administrative and judicial functions carried out by various tribunals.

Expansion of Services: A 'corporatised' structure of NTC with a Board, a CEO and a Secretariat will allow it to scale up its services and provide requisite administrative support to all tribunals across the country.

Autonomous Oversight: NTC could function as an independent recruitment body to develop and operationalise the procedure for disciplinary proceedings and appointment of tribunal members. An NTC will effectively be able to bring in uniformity in the appointment system meanwhile ensuring that it is independent and transparent.

Way Forward

Legal Backing: Developing an independent oversight body for accountable governance requires a legal framework

Note:



that protects its independence and impartiality. Therefore, the NTC should be established via a constitutional amendment or be backed by a statute that guarantees it functional, operational and financial independence.

Learning From NJAC Issue: NTC will need to adhere to the standards set by the judiciary in maintaining its independence. Due to an overwhelming executive role, the National Judicial Appointments Commission (NJAC) was seen to be severely compromising the independence of the judiciary. Thus, the executive as well as the bar, being relevant stakeholders, should form a part of any NTC, but it needs to give primacy to judicial members.

Doing Away with Re-Appointments: The NTC must also do away with the system of re-appointment of tribunal members due to its impact on the independence of the tribunal.

Question 20. “The Parliamentary Opposition plays a crucial role in preserving the true essence of democracy and raising the concerns of a larger number of people in the country.” In this context discuss the significance and issues with the present parliament opposition. (250 Words)

Approach:

- Start your answer by giving a brief about Parliamentary opposition.
- Discuss the significant role of opposition.
- Discuss issues with the Parliamentary Opposition.
- Conclude your answer by giving a way forward.

Answer:

Parliamentary opposition is a form of political opposition to a designated government, particularly in a Westminster-based parliamentary system. The title of **“Official Opposition”** usually goes to the largest of the parties sitting in opposition with its leader being given the title **“Leader of the Opposition”**.

Significant Role of Opposition:

- The opposition reacts, questions, scrutinises the government on a day-to-day basis in parliament and its committees and outside the parliament, in the media and among the masses.
- The role of the opposition is to ensure that any government maintains the constitutional guardrails.
- Whatever a government adopts as a policy measure and legislation, the opposition views it from an essentially critical gaze.
- Moreover, in parliament, the opposition goes beyond merely following the government and raises, demands and appeals for the specific needs of their constituencies, amendments and assurances using various parliamentary devices.
- The parliamentary Opposition in history had imparted creativity and ingenuity to India’s parliamentary democracy.

Issues with the Parliamentary Opposition

- The contemporary crisis of the opposition is primarily the crisis of its effectiveness and electoral representation of these parties.
- There is also a lack of trust and absence of leadership in the political parties.
- The opposition parties are always stuck with clustered forms of representativeness limited to some specific social groups and are unable to extend this umbrella beyond a few identities.
- The representational assertion enabled the opposition to be formed, expanded and consolidated. However, the inability of this phenomenon to realise substantive representation within all sections of society contributed to the shrinking of the opposition’s space.
- A key failure of the opposition in the past few years has also been its failure to set the political agenda and persuade fence-sitters to their side. This is reflected in its inability to corner the government on its numerous failures.

Note:



Way Forward

Reviving Opposition: There is a need to revive and reconstitute parties in villages, blocks and districts as opposed to dictating from the top. The opposition parties require a sustained perennial campaign and mobilisation. There is no shortcut or “artificial stimulus” that could build an effective opposition.

Strengthening the Role of the Opposition: In order to strengthen the role of the opposition, the institution of ‘Shadow Cabinet’ can be formed in India. Shadow cabinet is a unique institution of the British cabinet system formed by the opposition party to balance the ruling cabinet.

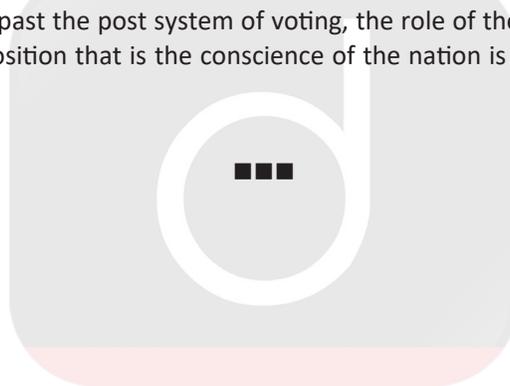
Intrinsic Factors to Strengthen Opposition: The intrinsic factors go beyond just weaving an opposition by uniting several parties to electorally replace the ruling party. The need is to revamp the party organisation, to go for mobilisation and acquaint the masses with respective party programmes and also to adopt mechanisms for a timely evaluation of internal democracy in the parties.

Responsibility of Representation: At this juncture, an important responsibility lies with the Opposition to ensure coordination on common issues, strategise on parliamentary procedures and above all, endeavour to represent the suppressed voices.

Lessons from Legacy: The parliamentary opposition in India has much to learn from its own legacy. It can draw from its lessons to position itself as the representative voice of democratic and egalitarian urges.

Role of Ruling Party Members: While the opposition needs to take up the responsibility to challenge and probe the government, the idea of representation requires that all the MPs are sensitive to public opinion.

As a polity following the ‘first past the post system of voting, the role of the opposition is especially significant. Engendering a parliamentary opposition that is the conscience of the nation is important for India to function as a true democracy.



Note:

