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UPSC

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- 1- Representation of People Act 1951 plays a vital role in shaping functioning of Election Commission of India under Article 324 to superintend and control conduct -
- Need to resolve ambiguity in disqualification
- i) The lack of holistic definition of what accounts disqualification leads to misutilization by stay orders from court
 - ii) In Lily Thomas Case, Supreme Court held revisiting section 8 to ensure clear cut guidelines on conduct of parties
 - iii) The need to resolve ambiguity will percolate to reduce money and muscle

power in election process.

14) T.N. Seshan stated its need to ensure effective working of election commissioner to uphold requirement of statute -

1) In Jan Chaukidari Case, Supreme Court state the need to revisit section 8 in order to ensure public trust on election process
Way forward

1) Upholding Law Commission guidelines in amending section 8 of RPA, 1951

11) Upholding A D R recommendation in making it more lucid and clear to implement

Thus revisiting section 8 can ensure effective working of election commission.

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2-

Constitution refers to a document that gives representation to constitutionalism through laying down proper mechanism and procedures

Constitution mere skeleton

- 1) Constitution provides guidelines to organs of government to work in desired manner like stating court to ensure complete justice.
- 11) They help in resolving ambiguity without stating actual demand like idea of procedure established by law versus due process of law.
- 111) It acts as means for citizen to gain his rights like using Right to Constitutional remedies.

Constitutionalism is a soul :-

I) In Britain though there is no written constitution but the working is based on rule of law

II) Constitutionalism acts as means to limit exercise of colourable practice as former CJI Gogoi stated as prime role of basic structure doctrine

III) It helps to overcome limitation of mere writing like Right to life under Art 21 also have right to die, marry, privacy etc

IV) Constitutionalism ensures adherence to democratic principles by timely elections and universal adult franchise

Thus constitutionalism is the true force to give livability to constitution

3- The electoral bonds was launched on recommendation of Saitley Committee as means to broaden source of funding and ensuring transparency in funding process.

Benefits:-

- i) It has ensured safety to donor under anonymity to contribute neutrally.
- ii) It has provided formal channel of funding to keep check on finances of political parties
- iii) It has ensured transparency in system with adequate benefit under relaxation from IT filing.

Bringing opaqueness

- i) ADR stated it as best means to

advocate black money and money laundering in election process

II) It has strengthened politics-corporate nexus under the veil of secrecy and unaccountability

III) It fails to account utilization by each individual (the actual capping by election Commission)

Way forward :-

I) Political parties must notify about its expense and balance sheet of electoral funding as stated by Vidhi Centre

II) The need to revisit structure to keep check on donor by competant independent authority to prevent black money

Thus restructuring electoral bonds is need of the hour.

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4 - The constitution through Art 44 as DPSP secure the right of Uniform Civil Court however it accounts into non-enforceable section of constitution.

Question of gender equality

i) The lack of gender sensitive laws under specific religion codes like issue of triple talag which Supreme Court held illegal

ii) The gender discrimination specially in matters of inheritance rights and patriarchal nature of laws

iii) The right of gender to marry of choice due excessive regulation under different religion

iv) Naz Foundation stated lack of inclusivity of rights of LGBTQ+ community

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Challenges:-

- I) Rajni Kothari stated that, it may lead to politicization of religion that can furtherance to communal issue.
- II) The major question of gender can be resolved through seperate act in this concern rather VCC.
- III) The lack of consensus from regional parties, who found it against their specific norms.
- IV) The fear of over-reaching the limit under Right To religion act.

Thus it is necessary that multi-stakeholder approach be advocated and formulation be taken only after majority consensus.

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The office of Governor refers to nominal head of state government, where the interest is vested under his seal.

Profound essence of Governor

- i) Sarkaria Commission stated Governor acts as bridge between Centre and federal units to ensure political continuity.
- ii) Governor is vested to promulgate ordinance under Art 213 in order to ensure law formulation at times of necessity.
- iii) Governor is vested with responsibility to check and balance working of state government with reserving bill for President.
- iv) Governor ensures true working of Universities under state by acting as chancellor.

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Issues with Governor post :-

- i) The doctrine of pleasure makes his office subordinate to Central Government
 - ii) The misuse of provision like President rule that was witnessed in late twenty century
 - iii) The misuse of veto power to policy paralysis and causing effective centralization
 - iv) The failure to implement true spirit of VIIth schedule area governance
- Way forward

i) follow recommendation of Punchhi Commission regarding tenure -

1) S-R. Bommai Case highlights role of Governor to act in interest of state.
Thus governor post holds importance.

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6- Social accountability law refers to greater sense of accountability in accounting social capital development and principles of inclusive governance

Benefit of such law :-

i) It can promote reaching to last mile like PM PVTG development plan to ensure development of PVTG

ii) It will bring change to qualitative governance Eg:- Reducing hidden hunger through means like PM POSHAN

iii) It will advocate gender sensitivity with specific focus on women and transgender needs for effective implementation

iv) It will promote achieving demographic dividend to bring focus on social

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development through health, education
and skill development.

Challenges :-

- i) Lack of clear framework of formulating
such law for qualitative analysis
- ii) Ineffective capacity building programme
to take social responsibility
- iii) The need for effective decentralization
through funds, function and functionaries
Way forward

i) NITI Aayog stated linking SDG targets
to promote social accountability

ii) Bringing change in methods like
use of e-governance

As Amartya Sen, true development lies
in Capability building through social
accountability.

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7 -

In the backdrop of raising concern of hidden hunger as National Family Health Survey 5 identified nearly 50% children are malnourished.

Converge nutrition specific and sensitive

i) It will promote attitudinal change towards nutrition foods like millets that is seen as "poor's food"

ii) It will promote active mapping and implementation of benefits like food fortification under Mid day meal

iii) It can help in bringing change in agricultural practice from monocropping of rice and wheat to wider crops

iv) It will help better reach to marginalized section through means

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like distribution through PDS.

4) The 'eat fit campaign' highlighted that until nutrition sensitivity is not included, nutrition specificity will fail to ensure right balance way forward :-

1) NITI Aayog suggested role of local bodies in judicious campaigning and achieving perception management.

2) Vidhi Centre stated use of groups like Self Help groups to advocate sensitivity and bring grassroot changing in practice

Thus nutrition driven down will help India extract demographic dividend

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8 -

The importance of MGNREGA to provide 100 days of employment has helped many active job seekers but it failed to ensure effective utilization of this employment

Lynchpin of rural poverty alleviation

i) It has helped in providing income security to rural people

ii) It has provided alternative to resolve issue of agrarian distress

iii) It has helped gender empowerment by specific focus on women workers

iv) It has contributed in creation of infrastructure across rural region

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Challenges :-

- i) It has given rise to dependency culture for job requirement
- ii) It has led to huge fund diversion from meaningful budgetary allocation
- iii) It has failed to ensure effective skill development and job creating attitude
- iv) It has led to regionalism issue due disparity in fund mobilization

As Kasturirangan Committee recommended that the need lies in providing social capital as means to achieve Atmanirbhar Bharat.

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9-

In the backdrop of Covid-19, the Ukraine-Russia war and trade war have led to emergence of global divide largely seen through prism of China and USA.

India must leverage:-

- I) It provides India opportunity to diversify its engagement like FIPIC meet with Pacific Island nations.
- II) It has provided opportunity to represent voice to global South through responsible role.
- III) India can provide as new mediator in diversifying global world as witnessed through NAM in cold war.
- IV) India can secure its geo-political interest by leveraging on new

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means of engagement through
defence export, greentech technology partnership
and disaster management.

Current churn to India's rise :-

i) It has led to witness of India's global
responsibility through Vaccine Maitri
scheme and counter-terrorism drives.

ii) The non-alignment by India and
taking decision on its merit highlights
its constant support to multilateralism.

iii) The advocacy to soft-diplomacy
and UN role identify its potential
to seek over its geo-strategic interest

iv) With internationalization of Rupee
Thus India can advocate ~~the~~ as
future global responsible player

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Indo-German relations have gathered significance post Brexit and demand intersection of both nation in wider representation in UNSC.

Berlin gateway to EU

I) The historic ties both country enjoys as seen in time of reign of Hitler and for advocating against colonialism.

II) The geo-political similarity in advocating for democracy and multi-lateralism

III) In geo-economics convergence Berlin can help in re-negotiating India as alternative post fissure due China's debt trap diplomacy

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iv) Expanding engagements especially
in fields like research on climate
change and support for green
and clean technology

Challenges

- i) Low diplomatic engagements and
stagnant nature of trade
- ii) Germany apprehensive of India's
neutral stand in Ukraine war
- iii) The lack of convergence in fields
like technology, defence and space

Thus revamping soft diplomacy and
bilateral engagements is need of
time.

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In the backdrop of recent fissures emerged in Maharashtra politics in Shiva Sena Party has raised the curtains on anti-defection law.

Anti-defection law

It was passed under 52nd Constitution Amendment act as Xth Schedule to resolve the ongoing issue of Arya Ram, Gaya Ram.

Impact relations between parties and individual

i) The PRS legislature stated the fall of effective debates, discussions and deliberation due force of following whip.

ii) It has put chilling effect on individual rights and use of parliamentary privileges for the sake of parties whims.

iii) It has led to benefit for ruling party as Vidhi Centre observed in working

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of speaker in favour of ruling parties.

iv) It has reduced intra-party deliberation as members are forced to follow whip irrespective of choices.

v) The impact in working on parliamentary committees to ensure effective checks and balance as individuals are directed to ensure parties wish like in case of recent cryptocurrency bill.

Benefits as intended.

i) It has brought stability in party politics and reduced horse trading.

ii) It has provided right to nominated member to take bound choose party.

iii) It has prevented issue of merger or dissolving party into factions.

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iv) It has prevented issue of back door
politics and empowered oppositions
also.

Way forward

i) Upholding demand of Law Commission
to shift power of speaker to Election
Commission

ii) In Kihoto Hollohan case, Supreme
Court put speaker's decision under
judicial review and asked for time-frame
conduct

iii) NITI Aayog suggested reform in
voluntary system of defacting party.

Thus taking adequate measures to resolve
unintended consequence of policy
paralysis be focussed.

12 - The doctrine of basic structure was formulated in Keshavananda Bharti Case to limit the amending power of constitution

Judiciary more powerful

- i) In Minerva Mills case, supreme court held that basic structure itself a part of this doctrine and hence limiting legislature to act against it
- ii) Critics asserts the issue of ^{no} limited subject in basic structure makes it in benefit of judiciary's whimses.
- iii) The lack of accountability on action of judiciary on its utility due lack of clear guidance on using it
- iv) The judicial activism to judicial

Overreach as Supreme Court taking over
role of legislation like in NALSA
judgement.

However, need of it :-

- i) Former justice Lodha stated that "need
of basic structure has emerged from
society"
- ii) It hasn't diluted constitutional supremacy
rather advocated for its protection.
- iii) The prudence of its utility is seen
in reversing authoritarianism through
Minerva Mills Case against 42nd Amendment
Act
- iv) It has ensured adherence to key
essential features like safeguarding
federalism in S.R. Bommai Case.

- v) It has ensured achieving true needs of constitution of complete justice by judiciary
- vi) It has advocated significant checks and balance against practice of colorable legislation like I.C. Coelho Case against IXth Schedule.

Way forward :-

- i) Vidhi Centre stated it as necessity evil for ensuring constitutionalism
- ii) It is necessary to act thorough it only when circumstances require in accountable ways.

Thus basic structure has ensured adherence to true constitutional features of India.

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Fundamental right advocated under
part III of the constitution formulates
vital restriction on state to ensure
political rights of citizen

Not just gift bestowed :-

- i) In A.K. Gopalan Case, Supreme Court
stated fundamental rights are sacrosanct
and thus can't be amended
- ii) In Mareka Gandhi Case, Court held that
fundamental rights are fundamental in
terms it is available to all against state
and thus took due process of law
- iii) It is necessary to ensure citizen's
right to live with dignity like in Subramaniam
Puttuswamy case for privacy

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14) The right to constitutional remedies under Article 32 ensures that such rights are safeguarded for all. Individual poses them independently.

i) It acts as negative restriction whereby state can't take away.

ii) The wider connotation seen in understanding Article 21 highlights its true essence like in Sabarimala case for women's right.

iii) It has ensured that state take proactive measures like abolition of untouchability and ensure Right To Equality under Article 14.

Need for reasonable restriction

i) Supreme Court in case against right to strike held that one's right can't

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Compromise on others right and hence
securing interest of commutators and
others.

11) The necessity on restriction like
Freedom of speech in defending sovereignty
and integrity is necessary to ensure
public trust

11i) The positive discrimination while
restricting better-off section under Article
15 and 16 is necessary to undo historic
injustice

14) The need for restriction in matters of
Right to religion to prevent excessive
proselytizing practice

Thus reasonable restriction are desirable
to true implementation of fundamental
rights.

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14- S.R. Bommai Case upholds landmark in securitizing federalism and secularism as basic structure of constitution.

Paradigm shift in union-state relations:-

- I) It has brought subsequent means in application of President rule only in written and proven circumstances
- II) It has brought application of President rule under judicial review.
- III) It has laid emphasis on office of governor to act in discretion only in limited circumstances like giving primacy to floor test.
- IV) It has put checks and balance on use of doctrine of pleasure in post of

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Governor and emphasized on implementing rule of 5 years tenure.

v) It has called for rationalization of distribution under VIIth schedule and provided for judicial review in shifting of any subject.

vi) It has further upheld that secularism is part of basic structure to counter the issue of politicization of religion.

Impact on federal structure

i) Post the judgement, PRS legislative stated drastic fall in rate of President rule

ii) It has brought substantial change in regards to post of Governor and adherence to floor test guidelines

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iii) Through judicial activism, it has prevented the cause of centralization of power and provided subsequent efforts in decentralization

iv) Even the same spirit is highlighted through recommendation of Sarkaria Commission and Punchi Commission

v) NITI Aayog stated its utility in bringing the culture of cooperative federalism

Thus S-R. Bommai Case is one of bulwark of cases in ensuring spirit of constitutionalism

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Article 40 of constitution that emphasize on Panchayat Raj system highlights the socio-economic aspiration of effective decentralization through DPSP.

Political decentralization follow finance and functional decentralization:-

- i) As local bodies acts as major bridge between people and state, thus adequate functional power will ensure true spirit of decentralization
- ii) The financial decentralization as per Vidhi Centre improves the scope for financial accountability on state
- iii) The functional decentralization will ensure true policy implementation

on the basis of principle of subsidiarity.
iv) Such decentralization will ensure
greater transparency and responsibility
as means for direct evaluation for citizen
impediments faced

i) Economic Survey stated 'low equilibrium
trap' leads to minimize financial
decentralization

ii) Centre for political research observed
ineffective capacity of functionaries
to ensure judicious finance management.

iii) The issue of low confidence and
prevalence of corruption reduce effective
functional devolution

iv) Niti Aayog stated the tussle on
party politics like corrupt true

nature of decentralization of funds
and function

Way forward

- i) Learning from best practice like Karnataka separate cadre for Panchayat to empower functionaries
 - ii) Vidhi Centre stated advocating e-governance tools for better monitoring of fund utilization
 - iii) The system of bond like Benglore city to ensure fund on basis of evaluation and willful contribution
 - iv) The timely implementation of voluntary guidelines under 73rd CAA for effective functional devolution
- Thus empowering Panchayat ensures true democratic decentralization .

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Achievement of Sustainable development goals provides holistic advocacy to inclusive development, whereby the active role of multiple stakeholders holds vitality.

Multi-stakeholder holds the key

- i) It helps in advocating holistic participation of all sections like Naz Foundation for LGBTQ+ community
- ii) It challenges social marginalization like SEWA against patriarchy and women driven development
- iii) It helps to advocate active role of citizens like Kudumbashree for promoting social capital across Kerala.
- iv) It ensures social auditing and promote good governance by effective

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checks and balance, like MAVIM in
Maharashtra on local bodies

Help to foster achieving SDG goals

i) It can reduce poverty by reaching
to last mile and disadvantaged section
like TRIFED for tribal upliftment

ii) It can help achieving zero hunger
like use of multi-stakeholders in
implementing PM POSHAN.

iii) In achieving the true health outcome
under Atmanirbhar Bharat package
like role of insurance sector.

iv) In providing access to qualitative
education like Pratham NGO in
rural India and monitor through
ASER report

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v) Advocating for clean and green environment like role of World Wildlife foundation to promote sustainable management of forest

vi) Achieving social justice to all section through NALSA judgement and providing legal support to all Way forward :-

i) Implementing mechanism like aspirational district program by NITI

Aayog

ii) Perception management to advocate active citizen role through media

Thus multi-stakeholder approach holds cruciality to achieve SDG targets.

17 -

In the backdrop of low female rate participation due prevalence of gender discrimination at workplace POSH Act was formulated to bring parity in work culture.

Success in raising awareness

- i) Neera Chandokhe stated its benefit is seen through lens of increasing working women in night shift across corporates.
- ii) It has brought gender sensitive infrastructure through different toilets etc.
- iii) It has contributed active women participation to advocate right for other women by being part of investigation committee
- iv) It has directly contributed into

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Right to Life and dignity to women
in work space.

Factors hindered its outreach

- i) The McKenzie report stated the issue of prior-compromise with victim results into lack of reporting.
- ii) The lack of gender sensitive investigation and onus of evidence lies on victim.
- iii) The lack of clarity in defining what accounts harassment and awareness to women.
- iv) The failure to account new forms of harassment like cyber-bullying within workplace.
- v) The issue of 'legal terrorism' due to misutilization of law for vested gains.

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Strategy to bridge gap and comprehensive protection in unorganized sector :-

- i) The raise of awareness and mandatory taking MoU on adherence to norms of POSH Act by workers
- ii) Creating dedicated committee under Ministry of Women to take up surprise visit and driving awareness campaign
- iii) Using active role of media and Civil society to advocate about POSH Act.
- iv) Empowering police to sensitive handling and investigation under POSH Act.

Thus reaching to last mile through awareness and securitization of victim holds importance

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18- In the backdrop of recent Karmayogi mission that advocates for changing rules-based system to roles based system of governance as need of achieving good governance.

Need for new types of civil services :-

- i) The emergence of new facets like cyber space and metaverse that advocates specialized governance
- ii) The fast development under Industrial Revolution 4.0 for technological driven civil services and e-governance
- iii) The proactive civil services from rigid iron cage to public cause driven for social equality and justice
- iv) Bringing attitudinal changes from

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excessive objectivity to compassionate
governance leading to ethical governance.

Challenges faced in service delivery

- i) The excessive boundation of rules and strict hierarchy that demotivates for timely promotion
- ii) The generalist nature of training rather than specialist nature
- iii) The huge vacancy especially in middle level creates huge void of effective service delivery
- iv) Amnesty International stated the issue of societalization of corruption that promotes corruption as way of life in civil services

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v) The baludom culture due lack of facets towards innovative governance due excessive accountability.

Way forward:-

- i) The need to realign nature of training like Japanese module based on micro-accountability
- ii) The need to provide timely vacations and conducting recruitment drives to reduce excessive pressure
- iii) Plugging gaps through lateral entry as advocated by IInd ARC reforms

Thus neo-liberal reforms can help in achieving minimum government and maximum governance.

19-

With India emerging as new voice of Global South accounts for re-establishing ties with China to advocate for true voice of Asia and developing world in international affairs

Challenges in Indo-China relations

- 1) The Chinese expansionist policy through belt and road initiative is directly affecting India, like developing road in disputed line of control region.
- 11) The changing focus with India moving west and China towards East highlights divergence in geo-politics.
- 111) The apprehension across geo-economic stance whereby China advocating debt-trap diplomacy, while India for

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concessional line of credit.

iv) The neighbourhood issue due to
geo-strategic advantage in the region
near line of actual control.

Many areas of convergence :-

i) Both states are emerging as key
location for economic trade at global
level and can complement each other
aspiration.

ii) The multi-lateral engagement across
BRICS, SCO highlights scope for
reestablishing diplomatic engagements.

iii) China forms important arm of
India's neighbourhood first policy
and thus means to establish talks
and channels of soft diplomacy

- iv) Both nations have shown commitment for emerging technologies and green energy, which opens new platform for bilateral engagements
- v) The historic continuity and cultural similarity regarding Buddhism provides as means for cultural diplomacy
- Way forward
- i) The bilateral cooperation from both section be restored
- ii) Beginning former platforms of negotiations and dialogues to resolve concerning areas of divergence
- Thus revamping Indo-China relations advocates for greater future of Asia.

UPSC

Candidate must adhere to the word limit specified in the question.
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20- The global shift of engagement from Atlantic region to Indo-Pacific region in international relations have direct impact on India's aspiration.

Zone of diverging interest and priorities

i) The emergence of new blocs China and USA in the region is seen as means for neo-cold war era.

ii) The Chinese expansionist tendencies through 9-dash lines and artificial islands is directly challenging peace in the region.

iii) The militarization of region as seen through emergence of blocks like AUKUS and military presence through string of pearls.

Candidate must adhere to the word limit specified in the question.
Any page or portion of the page left blank must be clearly struck off.

iv) The diverging geo-economic policies through Beijing Plan and New Washington plan for gaining strategic benefit.

v) The emergence of asymmetric warfare through cyber attacks, drones, surveillance etc across the region.

Global Security Initiative

i) It can supersede QUAD due to wider representation and focus on wide areas of collaboration.

ii) It aims for infrastructural development and cooperation in fields like new technology.

iii) The support to initiative from key players like Russia that holds prominent position in regional geo-politics.

iv) The support from various small island nations.

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Candidate must adhere to the word limit specified in the question.
Any page or portion of the page left blank must be clearly struck off.

However,

- i) It lacks the experience and formalistic nature of engagement like QUAD.
- ii) QUAD advocates more on targeted approach with nations having common approach towards China.
- iii) The geo-political continuity in terms of democratic principles and focus on supply chain resilience.
- iv) The wider experience of cooperation through timely military exercises and intelligence sharing.

Thus future lies in more multi-lateral engagements in the region.