

Q.1

Inter-state border disputes between states is reflective of weakening federalism in the country.

Recent Karnataka - Maharashtra boundary dispute, Assam - Meghalaya boundary issue have raised concerns.

### Inter-state Border disputes



### Constitutional and legal framework

• Article 263 → Inter-state Council

→ for discussion, investigation and coordination on inter-state & issues where states have common interest.

• Zonal Council Act → provides for zonal

Councils for different zones to address the common issues facing the states.

These can be leveraged for discussion and building consensus on inter-state boundary issues.

Failure to resolve inter-state border disputes

- 1) Politicization of boundary issues → using it to gain political leverage → more violence & law & order issue
- 2) failure to utilize inter-state council for discussion & coordination
- 3) failed to build consensus among people
- 4) Ethnic rivalries creates more difficulty
- 5) Difficulty of terrain like forest, mountains → difficulty in demarcation.

More consensus based approach needed to address inter-state boundary issue to strengthen cooperative federalism

Q.2

Article 263 provides for Inter-State Council which can be established by president for creating consensus & coordination between centre & States, and between States.

Role of Inter-State Council for vertical Cooperation

- 1) Building consensus on issues like financial devolutions
- 2) Discussions on reform in legislative list under Schedule 7.
- 3) Building consensus on different political parties with diverging interest.
- 4) Opportunity for states to raise their grievances for more autonomy.
- 5) Building consensus on formulating laws on concurrent subjects like education  
Eg. NEP effective implementation

## Role of Inter-State Council in horizontal cooperation

- 1) Discussion and consensus on inter-State boundary disputes
- 2) Resolving inter-state water disputes
- 3) Sharing of best practices for achieving SDGs
- 4) Cooperation to tackle internal security issue like left wing extremism.
- 5) build consensus to demand more autonomy & resources from central government.
- 6) put united front against centralisation tendencies.

to realise its potential, it is necessary to give permanent status to inter-State Council as recommended by Sarkaria Committee

Q3 Public accounts Committee is a parliamentary  
Standing committee which acts as guardian  
of public purse.

### Functions of PAC

- 1) To examine the audit reports of CAG
- 2) To examine the expenditure from Consolidated fund of India and contingency fund of India.
- 3) To examine the expenditure on government welfare schemes
- 4) CAG act as guide, friend & philosopher of PAC

### Challenges faced by PAC

→ Post - mortem examination

- limited tenure of 1 year with members
- limited power to enforce its recommendations.
- limited role in authorising expenditure
- limited expertise with members

### Steps to revamp PAC

- Enact a longer tenure for members
- Provide expert assistance
- Discussion on its report should be mandatory in Parliament
- Should have concurrent power of examination
- All expenditure should be referred to PAC.

By enhancing its effectiveness, it can ensure considerable check on financial power of executive.

Q.4  
Urbanization is a driver of economic growth by being a national hub for economic activities and infrastructure development.

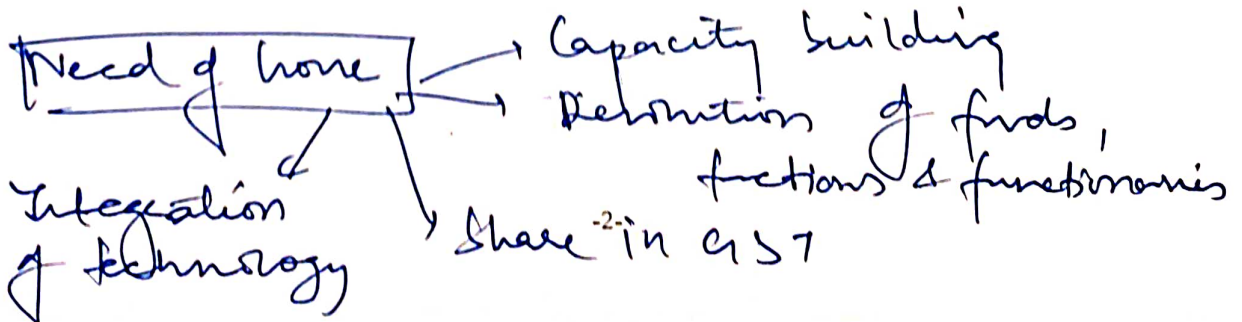
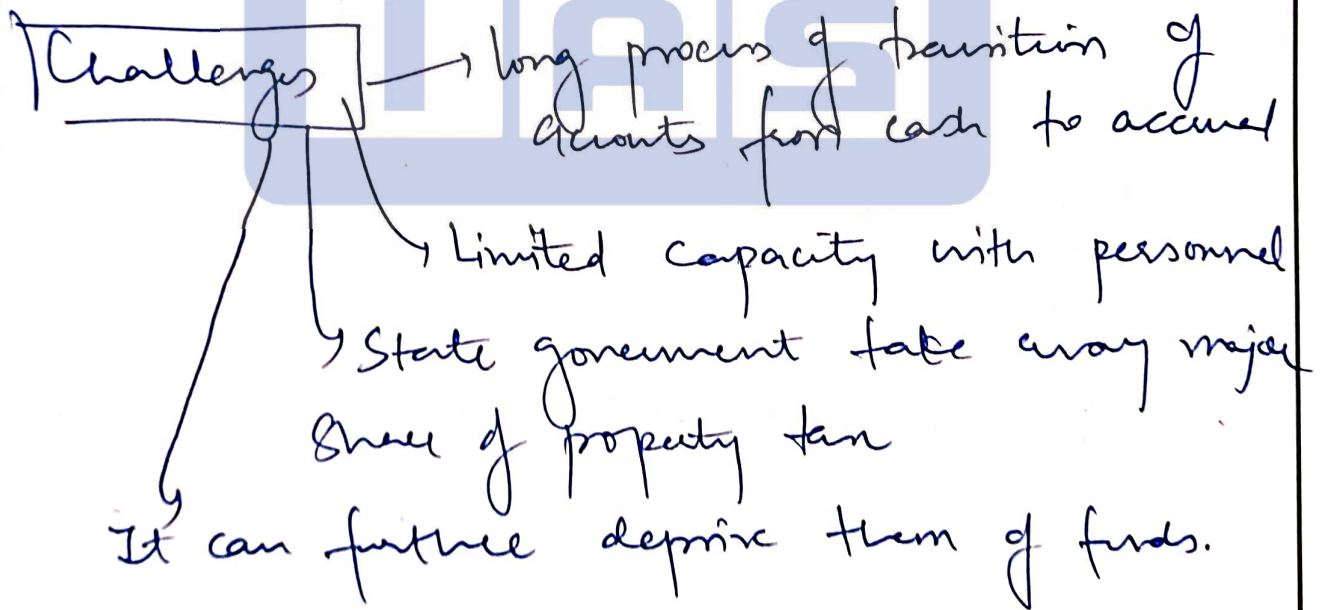
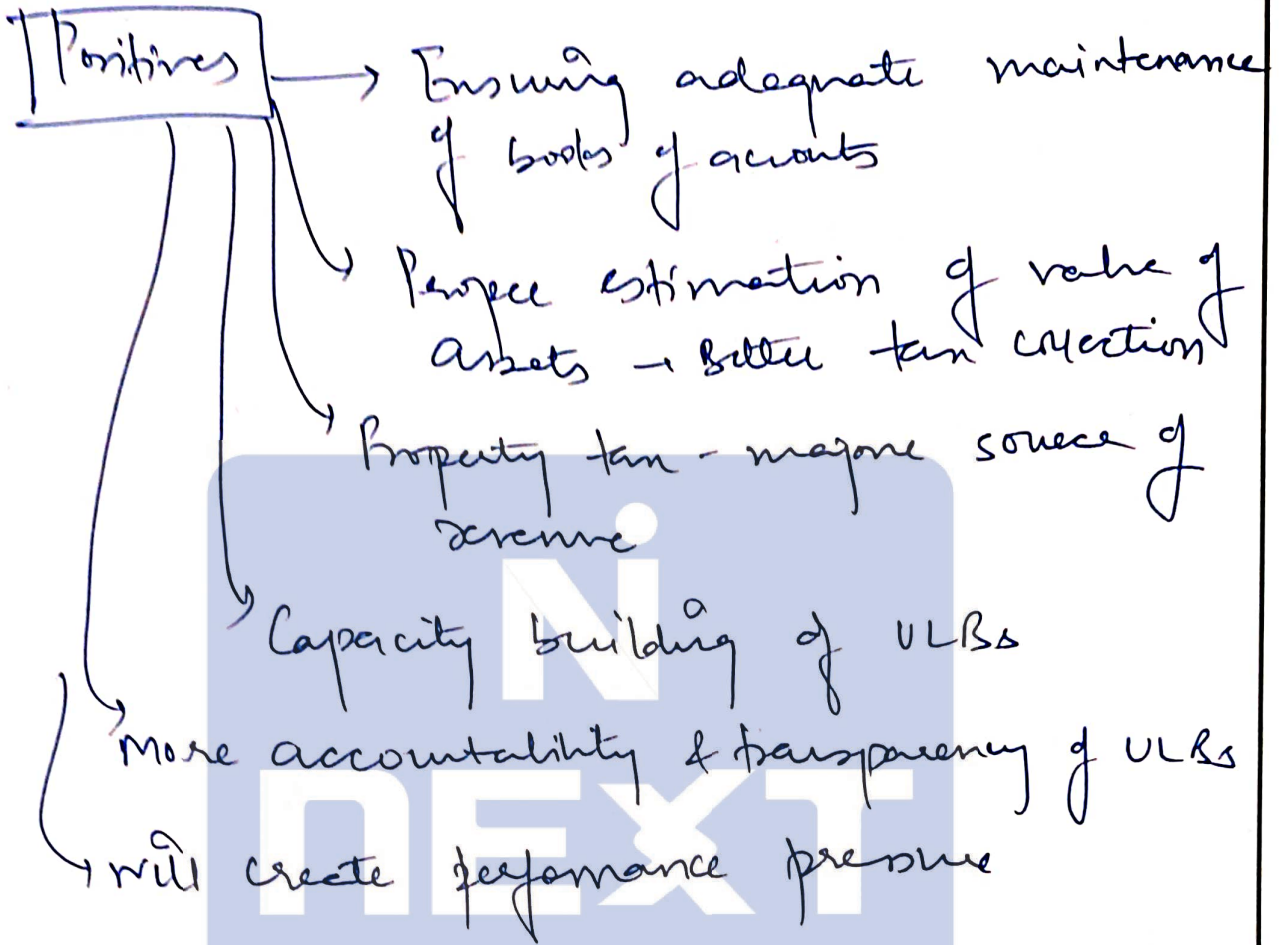
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fifteenth finance commission recommendation for reforms in ULBs

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- 1) Proper accounts should be kept on the basis of accrual system.
- 2) Revision of property tax rates in locality
- 3) Performance-linked grants will be provided
- 4) failure to implement reforms can mean non-deduction of funds.

## Role in promoting and revitalizing ULB





Q.5

Article 19(1)(a) provides free freedom of Speech and expression to its citizens to share their ideas, opinions & beliefs

Article 105 provides free parliamentary privileges where legislators have freedom of speech in parliament.

### Difference

fundamental right	Parliamentary freedom Privilege
→ Article 19(1)(a)	→ Article 105
→ Redressal of any breach by <u>supreme court</u> (Art 32)	→ Parliament itself can punish for breach of privilege.
→ Scope is interpreted by supreme court	→ Scope by parliament committee.
→ Reasonable restrictions like Sovereignty, Contempt of court	→ No Codified reasonable restrictions.
→ With government legislations and	→ No codified law on what constitutes

and Supreme Court  
judgements, basic  
framework is codified

→ Less possibility of  
misuse

freedom of speech under  
parliamentary privileges

→ More arbitrary → more  
chance of misuse.

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Maintain balance between parliamentary  
privilege and fundamental rights

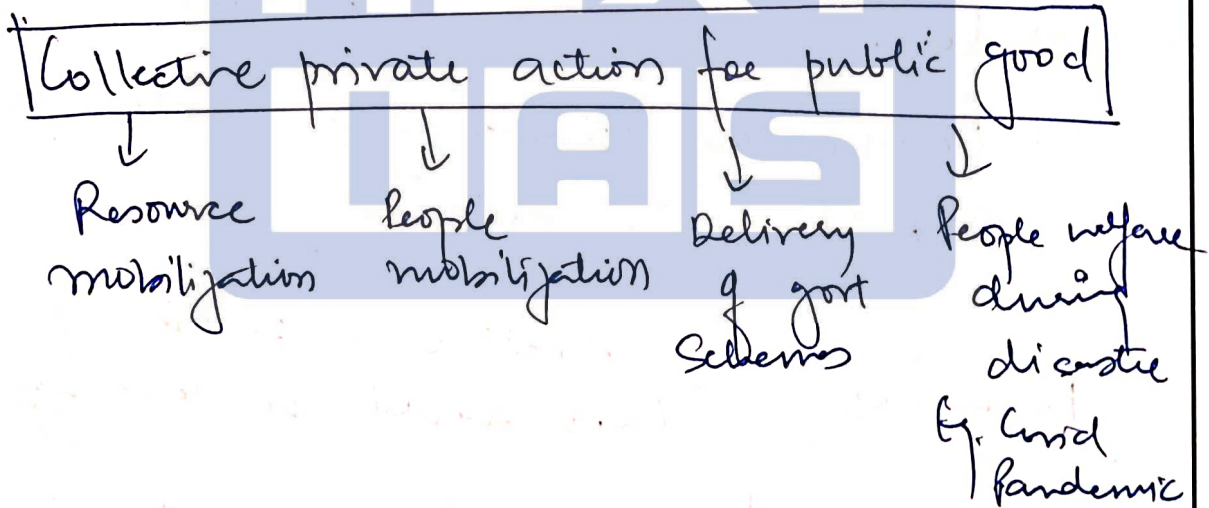
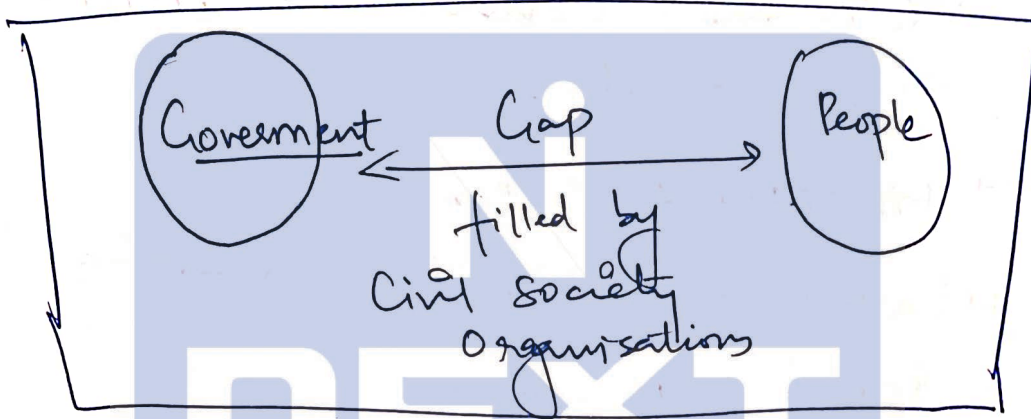
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- 1) Ensure sanctity of parliament.
- 2) Parliamentarians also citizens of country  
thus should have certain reasonable  
restrictions.
- 3) Codification of privileges → can't be  
misused to curb political dissent.
- 4) Citizens should have freedom of speech  
to criticise parliament for its inactions

There is urgent need for codification  
of parliamentary privileges to uphold  
democratic principle.

Q.6

Civil society organisations are the non-governmental institutions engaged in mobilisation of people and playing role in governance of country



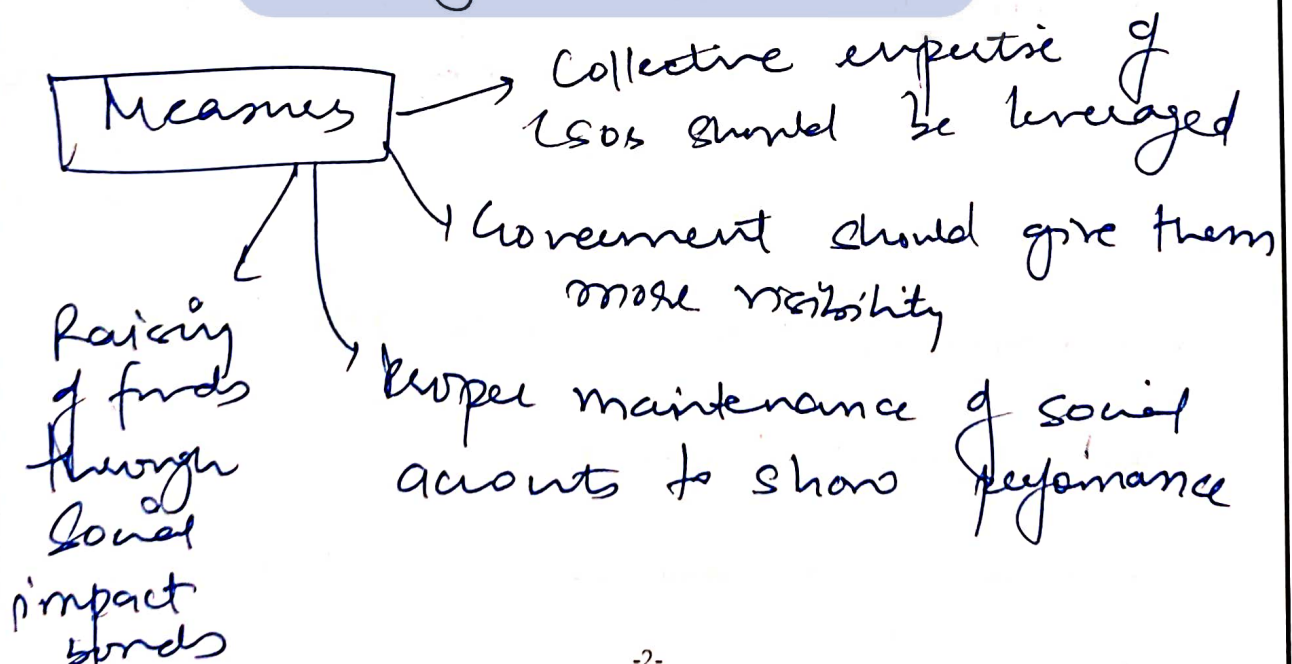
Challenges in local resource mobilization

- Lack of legitimacy among people
- Lack of awareness among people.

- Indifference of people towards public affairs
- Difficult to show performance → lack credibility.

### Difficulty in raising CSR funds

- CSR funds donated to PMNRF to avoid hassles.
- ~~Difficulty of expertise~~
- Lack of expertise in handling large sum of CSR funds.
- Lack of trust of corporates
- Companies utilising own routes for CSR to gain goodwill.



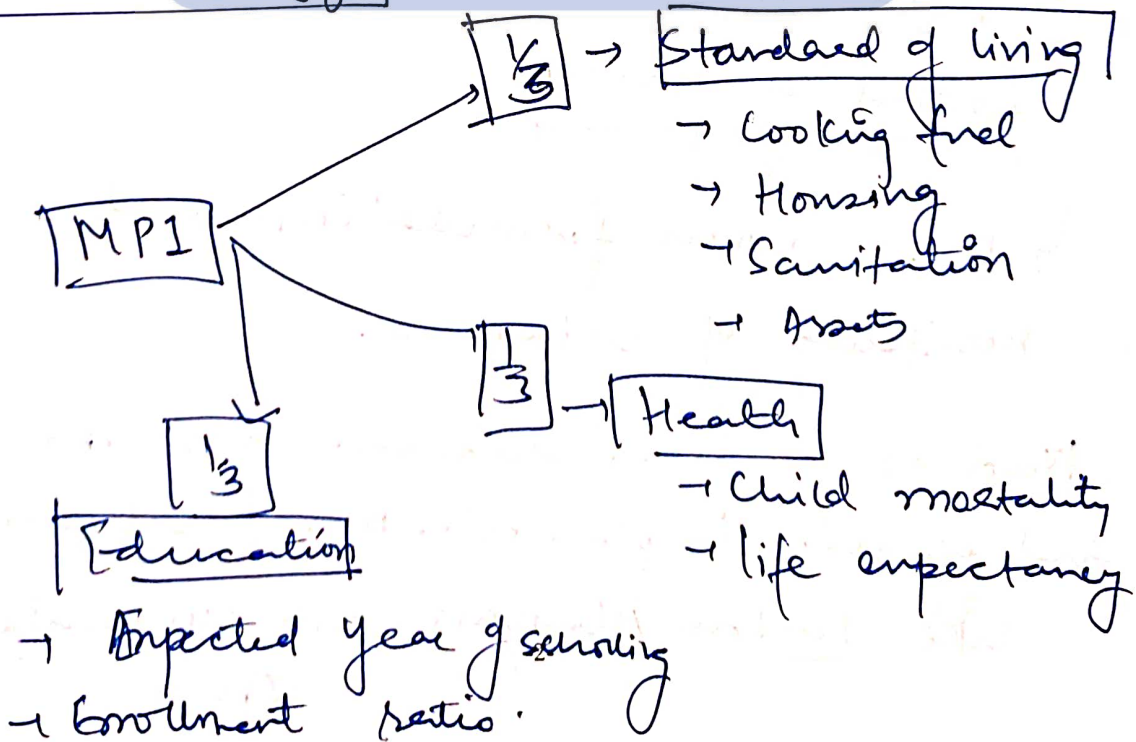
Q. 7

According to multi-dimensional Poverty index, 16.7% of India population is multi-dimensionally poor

Poverty assessment will facilitate more data-driven program design, implementation & monitoring of poverty-alleviation schemes.

NITI Aayog has come up with its own Multidimensional poverty index on line of ~~the~~ International - MPI

Methodology



By utilising this methodology, it can find out the head-count ratio and extent of poverty.

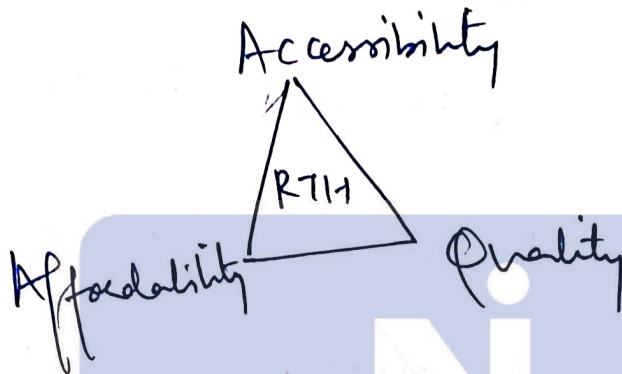
### Significance

- ↳ Giving decentralised data at state & district level
- ↳ Giving importance to non-income measures like education, health
- ↳ Help in formulating comprehensive poverty alleviation schemes
- ↳ Data on the both incidence and extent of poverty
- ↳ Data-driven formulation and monitoring of schemes.

Need is to have regular assessment and effective implementation of schemes like Poshan Abhiyan, RTE, Ujjwala  
Yojna

8

Right to health means having a legal right to access affordable and quality healthcare anytime, anywhere



Constitutional provision → Under Article 21  
(Right to life) → Right to health is inherent

Legal precedents → Policy measures like  
Ayushman Bharat, Right of persons  
with disabilities Act 2013

International commitments → UN-SDG - 3  
(Good health & well being), UN declaration  
on human rights

This providing robust foundation for right to health.

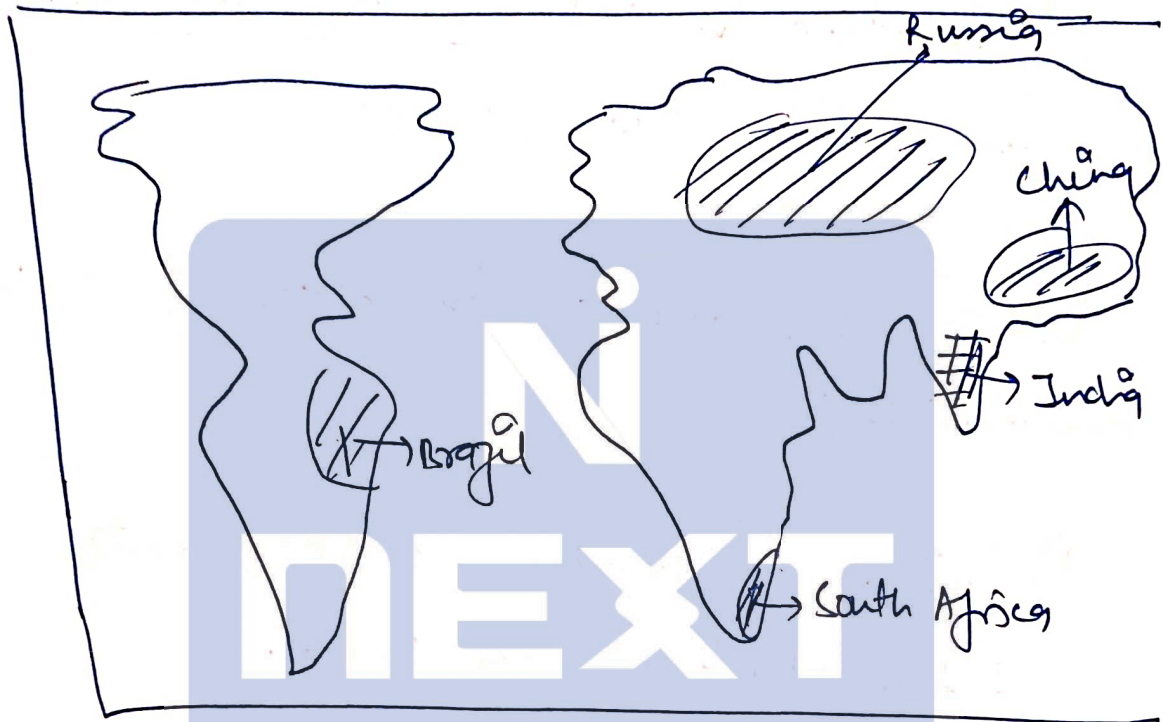
## Lack of explicit legal recognition

- ↳ limited funding capacity → just 1.5% of GDP is spent
- ↳ Shortage of doctors & para-medical staff
- ↳ Weakness of primary health care centres
- ↳ limited health care infrastructure
- ↳ Skewed health access → 80% of doctors in urban areas
- ↳ large & growing population → thus more burden on state.
- ↳ lack of political will.
- ↳ Health is a state subject thus need to build cooperation.

Measures → Strengthen PHC mechanisms  
→ Address horizontally like nutrition, health, sanitation  
→ Effective implementation of govt. schemes like Ayushman Bharat, generic drugs, poshan Abhiyan, Swachh Bharat



Q9) BRICS is a multilateral forum of developing countries cooperating on economic, political & strategic issues



BRICS countries

Collective Strength — cooperation on myriad issues

- Creating an inclusive financial infrastructure like contingent reserve arrangement
- Reducing hegemony of dollar in international trade by using BRICS currency

- Cooperation on development by creating NDB for loans & grants
- Cooperation on climate change, terrorism
- Cooperation for reforms in multilateral forums like UN, WHO

Limited influence on trajectory of bilateral relationship

- 1) failure to address & cooperate India-China border issue.
- 2) failure to utilise trade potential with BRICS countries
- 3) Diverging interests like Russia-China and India-US
- 4) Difficult to build consensus on definition of terrorism

Need of the hour is to utilise BRICS platform for enhancing trade and strategic relationships bilaterally.

Q.10

Recently demands raised for amendment to Indus Water Treaty 1960 backed by World Bank to enable sharing of water of Indus between India and Pakistan

### Present mechanism

- Western Rivers → Indus, Jhelum, Satluj. to Pakistan
- Eastern Rivers → Ravi, Chenab & Beas to India
- India can use western river water for run of river hydroelectric projects & agriculture purpose
- Permanent Indus Commission for information sharing and cooperation on disputes

Possible implication of amendment on water-sharing

- 1) India can get clear standards on sum of river projects → avoid frequent conflicts with Pakistan Eg. on Kishanganga & Rattole dam project
- 2) Address the dimension of climate change which may change the water flow
- 3) India will utilise more of its share in Indus river (presently only 90%.)
- 4) India can leverage its upper-riparian status
- 5) ~~Clear~~ Clear mechanism on amount of water sharing can be framed out.

Indus water treaty is a landmark in India-Pakistan relations and river water is a sensitive subject, Cooperation and consensus is way forward for water sharing.

Q.11

Indian & US Constitution has been founded on the bedrock of balance between parliamentary sovereignty and judicial supremacy.

### India

- India has a balance between parliamentary sovereignty and judicial supremacy
- SC has power to declare laws as void which are unconstitutional → Judicial review
- Parliament can enact laws and even amend Constitution without violating basic structure.

### → Case laws

- Keshwanand Bharti case (1973) → SC formulated the basic structure doctrine to protect the foundational principles
- Minesra Mills case → Constitution founded on the bedrock of balance between

fundamental rights and Directive principle of state policy

→ KS Puttaswamy judgement → declared privacy as a fundamental right under Article 21.

→ IR Coelho case → declared that laws put under Ninth schedule after 1973 will not be provided blanket protection in violation of fundamental rights.

USA

→ US constitutional framework provides for unlimited power of judicial review

→ Judiciary can declare any law as unconstitutional which it considers arbitrary and encroaching.

→ Parliamentary sovereignty principle is weak in US constitution

→ Recently US Supreme Court overturned its earlier Roe vs Wade judgement taking away abortion rights from women.

## Judicial Review

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anything  
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The power and authority of Supreme court to examine the constitutionality of legislative enactments.

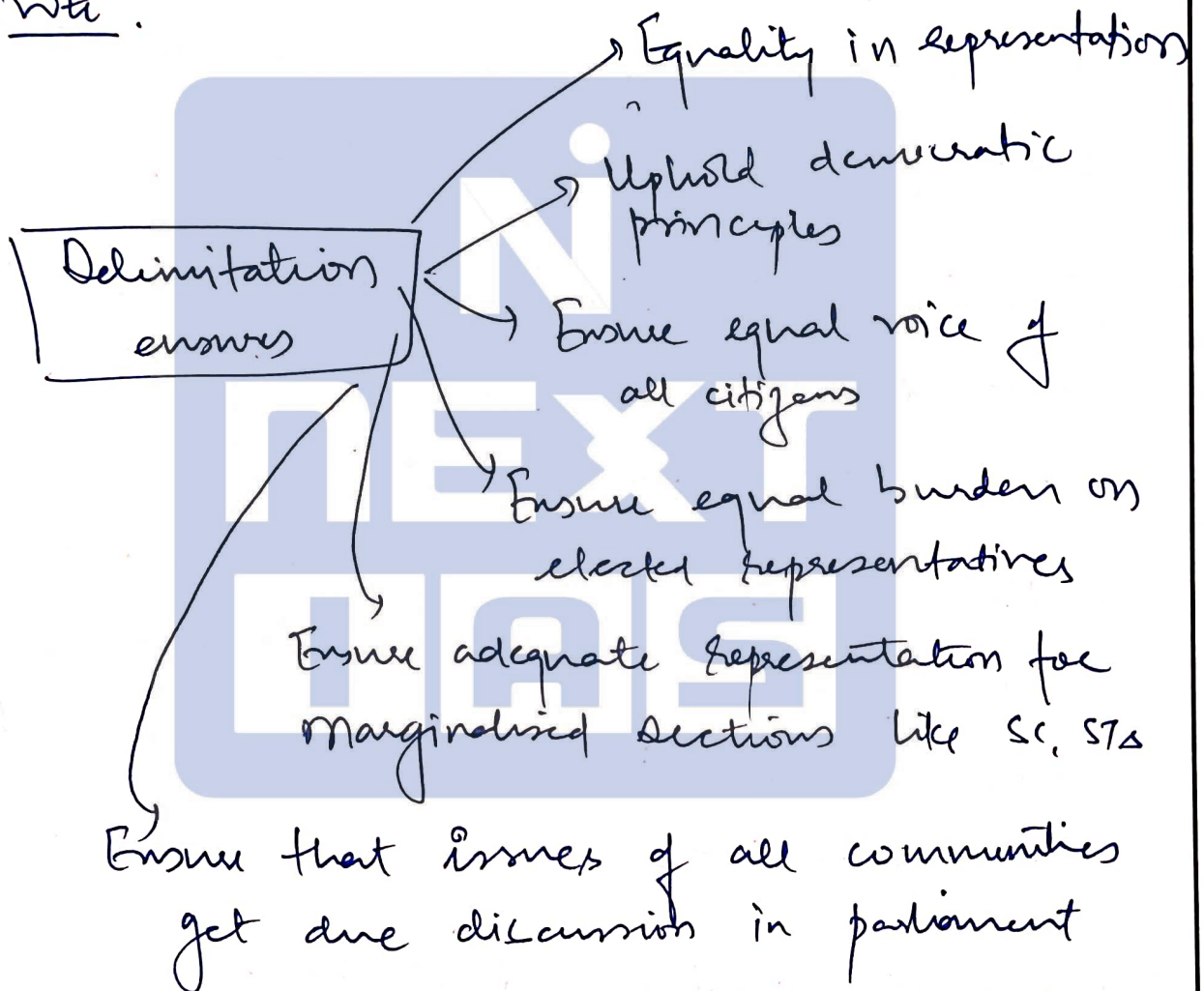
Scope of Judicial Review wider in India or not

- As compared to US, India has limited power of Judicial Review (Article 13)
- Indian constitution provides for procedure established by law thus law which is not arbitrary is constitutional
- US constitution provides for due process of law thus law which is irrational, arbitrary & invasive can be declared unconstitutional

But with doctrine of Basic Structure, using Article 32 (Judicial activism role through PILs), Supreme court of India has expanded the scope of Judicial Review in India.

Q.12

Delimitation is the territorial division of constituencies for the purpose of elections of representatives to uphold principle of fair representation and one person one vote.



Challenges of misrepresentation in constituencies

Due to implementation of 86th Amendment Act and unbalanced population growth,



There is considerable inequality in territorial representation

- Concern for the representatives as some have to manage large population
- Affect the governance delivery capacity
- Skewed representation in parliament and state legislature
- Lack of diversity in representative population may foment separatist tendencies
- Lack of political representation may create feeling of marginalisation
- It might become difficult for poor and backward to elect their representatives
- May sideline the issues faced by communities like lack of education and health.
- Government might misuse it to curb political dissent

Don't write anything this margin

## Population based delimitation creating federal tensions

→ More role of central agencies in delimitation  
→ Not giving adequate scope for state government to voice its opinion in delimitation.

→ Imbalanced population growth and thus those who have more population gain more seats Eg. UP, Bihar

→ Those states which have been successful in its population limiting measures are at disadvantage Eg. Southern states like Kerala, Karnataka

→ This creates federal tension in terms of allocation of seats in Lok Sabha.

→ Thus 86<sup>th</sup> amendment Act enacted to freeze the allocation based on 1971 census

But with rising population, need to correct the inadequate representation.

Q.13 Supreme Court has declared free and fair elections as an essential component of basic structure doctrine.

Thus it has time and again played an important role in strengthening the hands of election Commission (Article 324) to ensure free and fair elections in country.

### Role of Supreme Court

→ Declaring free and fair elections as part of basic structure

→ Lily Thomas case → declared that any legislator convicted for an offence involving punishment of more than 2 years would be immediately disqualified.

→ Recent SC judgement → Election  
Commissioner would be appointed on  
the recommendation of a committee  
consisting of Par Bhai Minister, leader  
of Opposition of Lok Sabha and Chief Justice  
of India

→ SC directive to political parties to  
declare the criminal antecedents of  
their candidates on their website  
and newspaper → to check criminalisation  
of politics.

→ SC directive that political parties should  
be brought under RTI act as a public  
authority

→ SC is looking at the electoral bonds  
Scheme which brings anonymity in  
election funding.

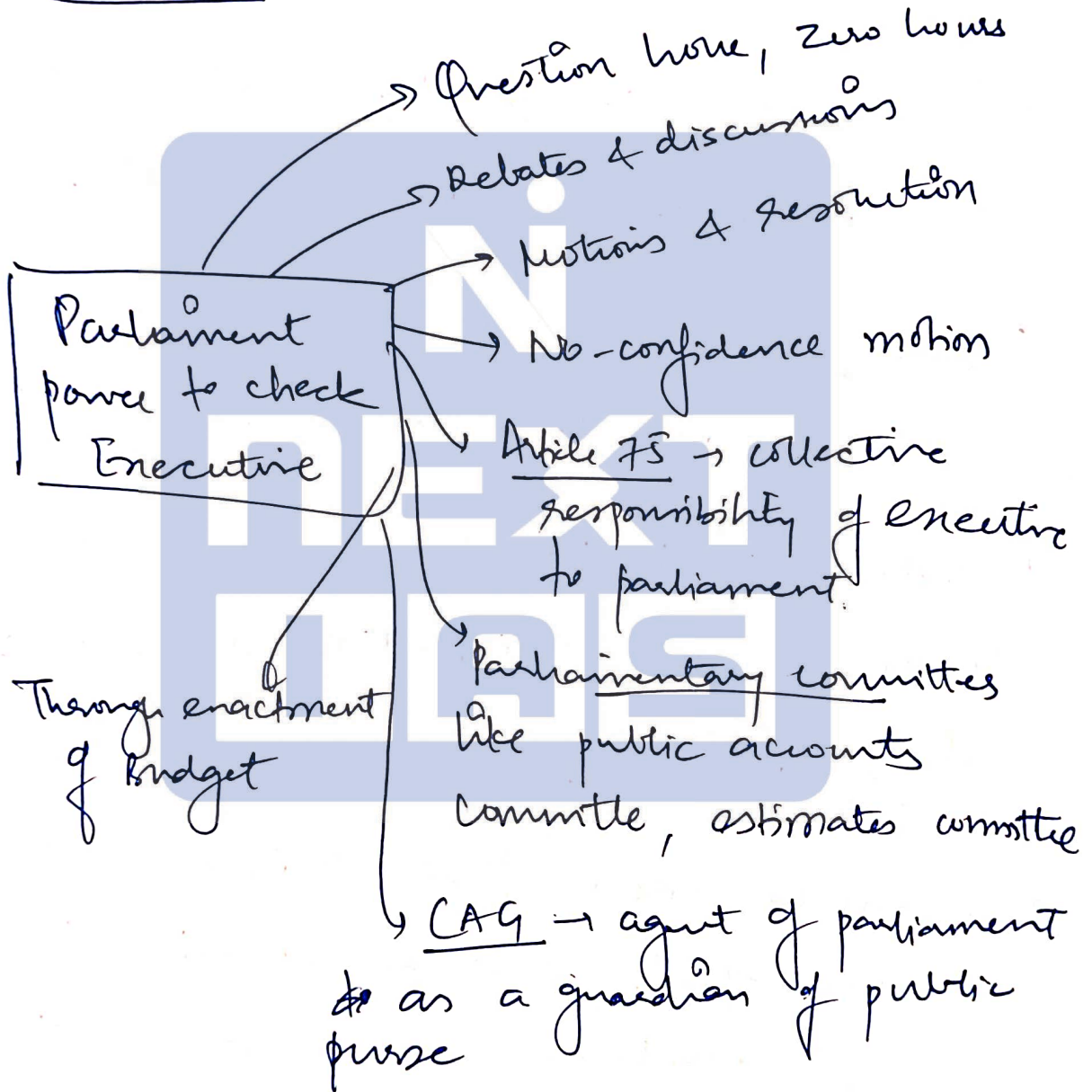
## Further steps required

- Election Commission should be given power to derecognize the political parties for unethical activities.
- Legal mandate to Model Code of Conduct and power to EC to enforce it.
- Power of EC to curb instances of hate speech, fomenting communal tensions.
- Election Commission should be given power of disqualification under Anti-defection law.
- SC should direct that political parties disclose their electoral contribution through electoral bonds to election commission.

All these steps can go a long way in ensuring free and fair elections and upholding democratic values.

Q.14

Indian constitution provides for separation of power between different branches of government to ensure checks and balances.



Declining role of Parliament to keep check on executive

→ Decline in number of sittings of parliament.

→ Decline in referring of bills to parliamentary committee (only 117 in 17th Lok Sabha)

→ Anti defection law prevents individual legislators to raise their opinions and grievances.

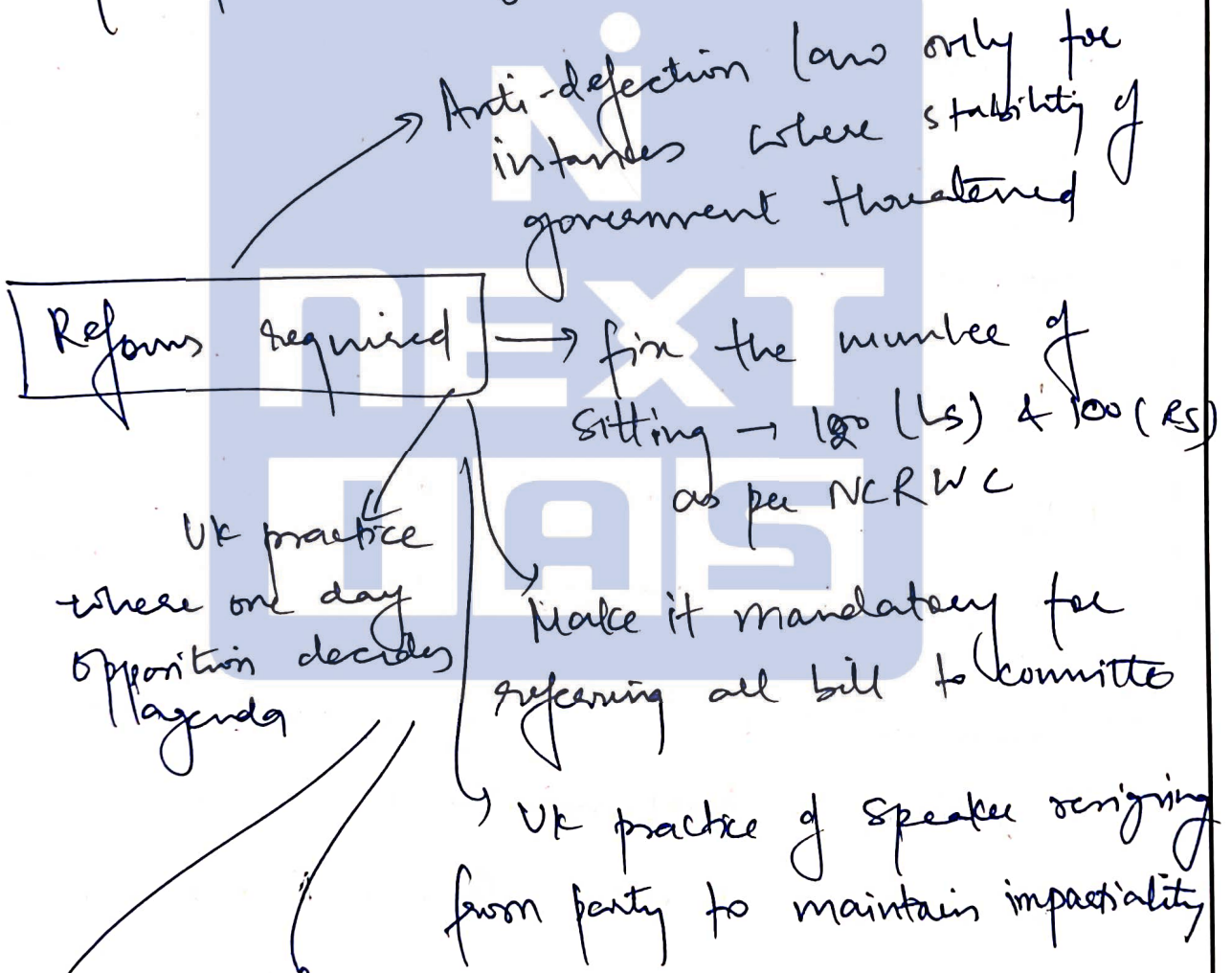
→ Increase in subordinate legislation

→ Passage of bills as money bills thus undermining Rajya Sabha Eg. Aadhaar Bill

→ Increased use of ordinance route (Art 123) to bypass parliamentary scrutiny for controversial issue (Eg. NCT of Delhi Amendment Bill)

→ More disruptions and unparliamentary behaviour → declining productivity of parliament

- Partisan role of speaker by not giving adequate time to opposition.
- Absolute majority of ruling party thus unlimited power.
- This undermines the fundamental principle of separation of power



Research support to members for better discussion & debate

Consensus among parties to check behaviour of its members.

Parliament is temple of democracy and a fundamental institution to keep check on executive.



Q.15

National Commission of Women is a Statutory body to advance the objective of protection and promotion of women interests in the country

Role of National Commission of Women in shaping discourse on gender sensitive laws

- 1) Criminal Amendment Act 2013 after Nishchaya case to provide strict punishment in gender violence & rape cases.
- 2) Instrumental for formulation of Nishchaya fund to provide for One stop centres, fast track courts for gender related cases.
- 3) Played important role in bringing POSH Act 2013 to protect women from sexual harassment at workplace. in line with Vishakha guidelines.

4) Crucial role for the effective implementation of Dowry prohibition Act, Domestic violence Act

5) Raising awareness among the women about the legal protections available

6) Provide financial, legal & psychological support to aggrieved women.

7) Create pressure on parliament to enact women reservation bill (33% reservation in legislatures)

8) further laws like Equal remuneration, paternal leaves etc require - effort of Govt.

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Elevation of National Commission of women as constitutional body

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→ Increased stature and authority as Constitutional body.

- Mandatory for government to consult it before enacting gender-sensitive laws
- Constitutional mandate creates more pressure & sense of responsibility.
- It will have its own sources of fund (Charged under Consolidated fund of India)
- Security of tenure to chairpersons and members → enable independent functioning
- Will have power of civil ~~case~~ court to carry out investigations and enforce.
- It can recommend compensations to victims and actions on culprits.
- Appointment process would be apolitical thus able, competent and independent people.

Strengthening the National Commission of women can go a long way in realising SDG-5 of gender equality.

Q.16

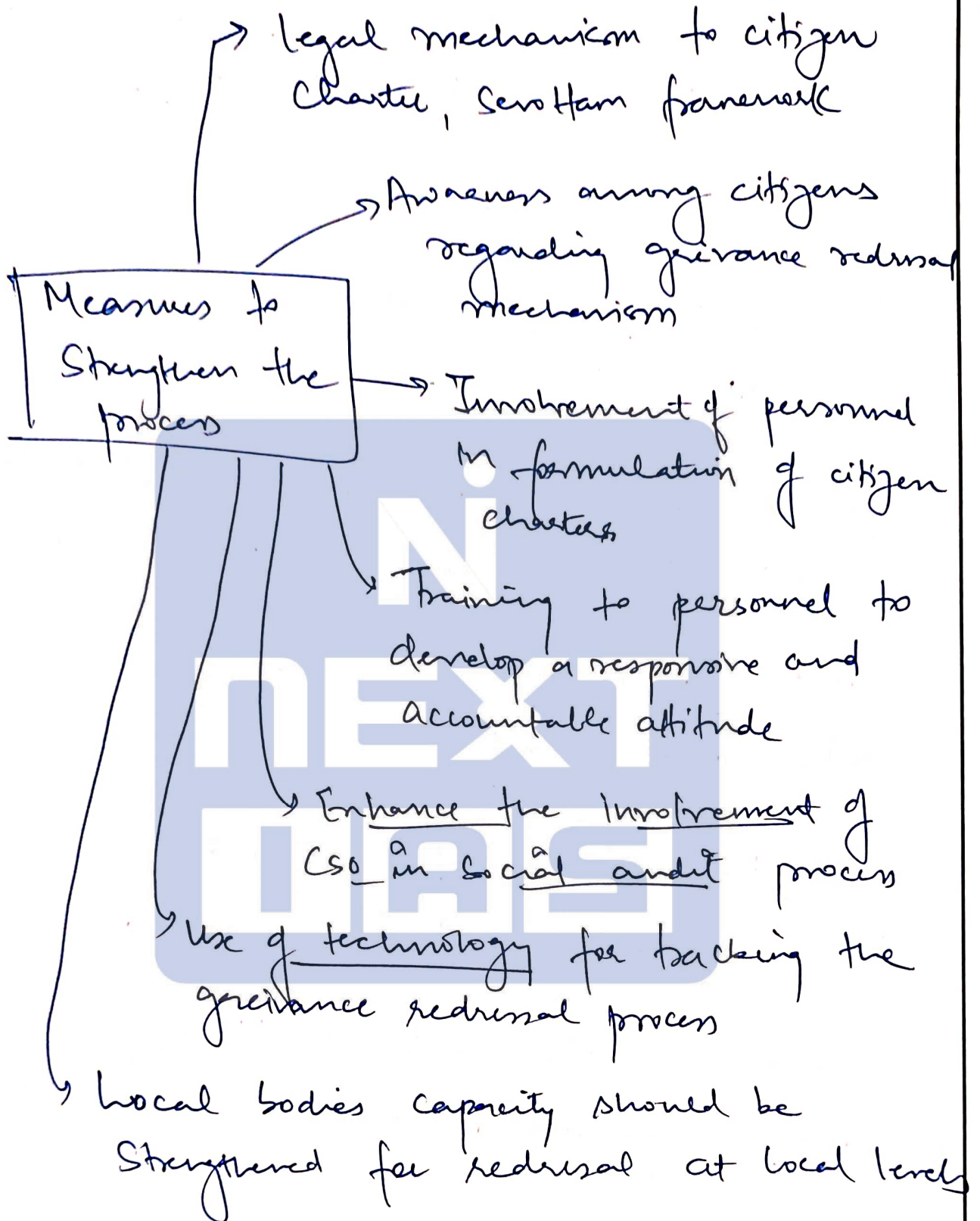
The motto of minimum government and maximum governance has been given by the Prime Minister to ensure a good governance framework in country

Satisfactory and timely redressal of grievances is cornerstone of governance

- Ensure transparency in functioning of administration
- Ensure accountability for their actions and inactions
- Ensure citizen participation in governance process
- Ensure responsive governance
- Enable getting feedback from citizen to improve public service delivery.

Challenges in current grievance redressal mechanism

- 1) Lack of legislative backing to grievance mechanism like citizen charter.
- 2) Lack of awareness among citizens.
- 3) Lack of training and capacity building of personnel.
- 4) Bureaucratic & paternalistic attitude of administration → prevent accountability.
- 5) Poor enforcement of existing mechanisms like social audit.
- 6) Scrutton framework is still only a theory concept, not implemented.
- 7) Lack of involvement of NGOs, Civil Society organization to seek accountability.
- 8) Poor work culture of red tapism, rules & regulations and delay.



Timely redressal of grievances can enhance people's trust and confidence and can ensure a Jan Bhagidari movement for good governance.

Q.17 Corruption is the misuse of one's position and resources for serving self interest. It is like a termite which weakens the system from within.

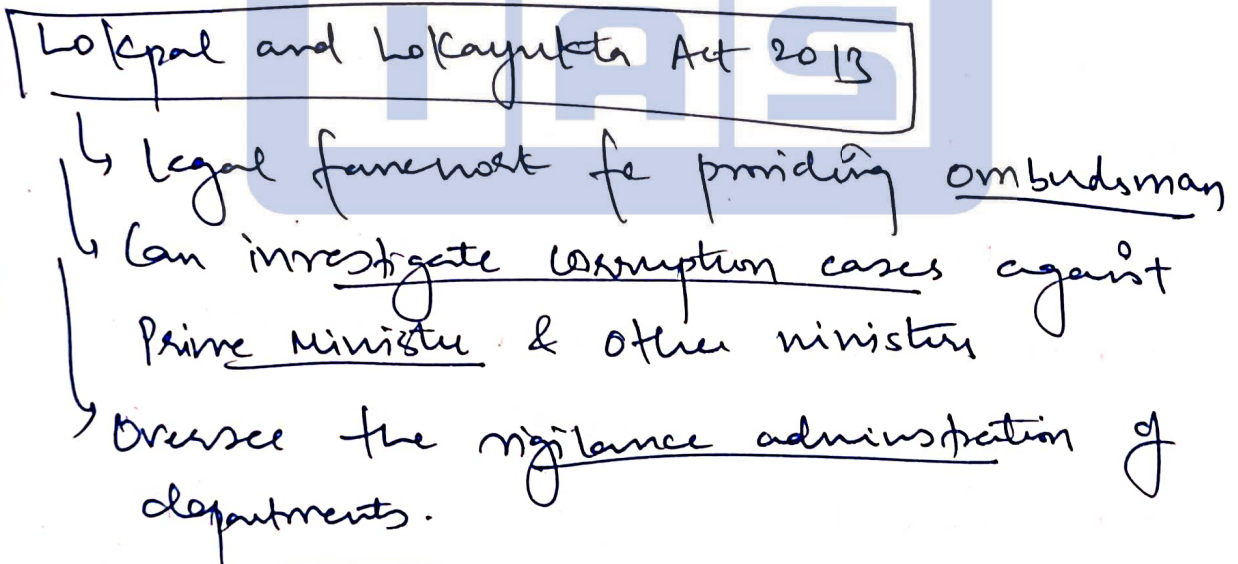
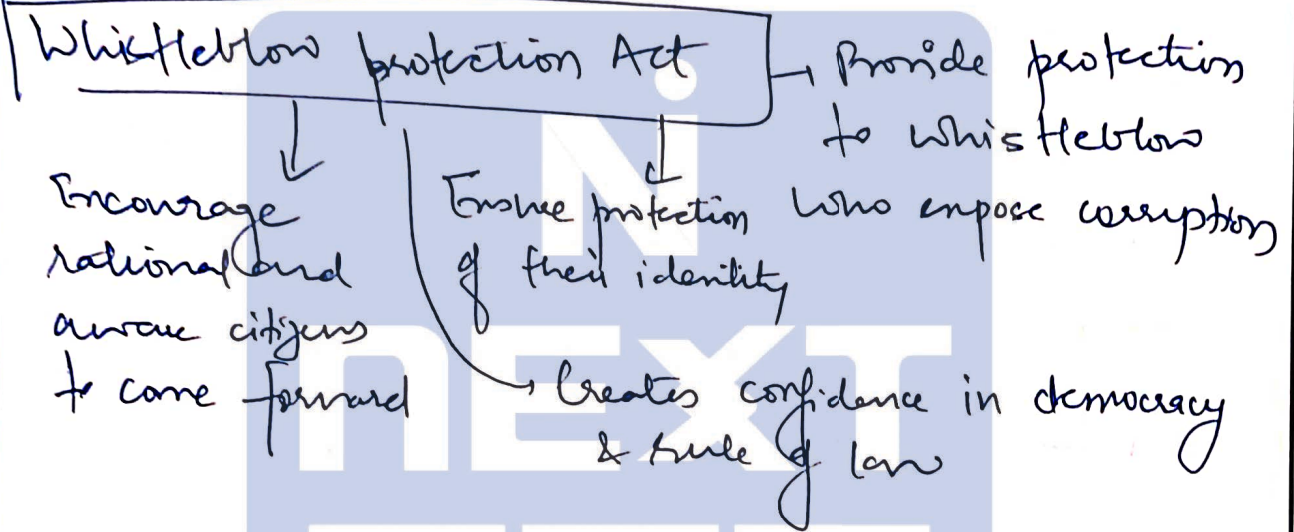
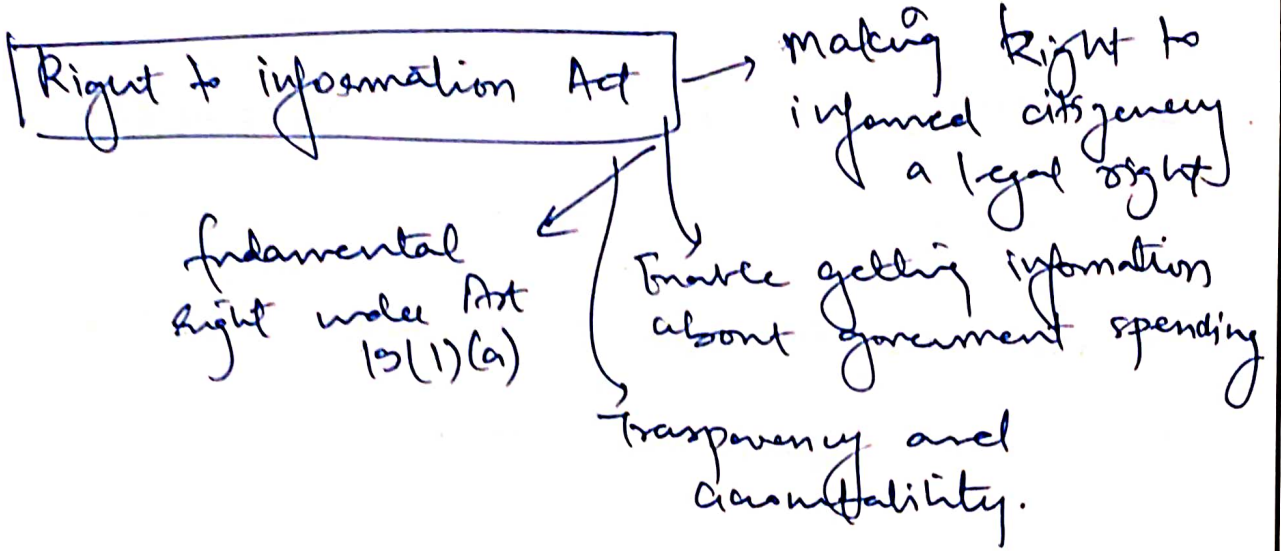
Corruption - Corrodes the fabric of governance

- Poor delivery of govt. welfare schemes
- Encroaching of rights of poor & marginalised
- Playing with safety of people
- Against rule of law, justice, fairness

Corruption - Erodes public's faith in democratic institutions

- Create culture of corruption
- People lose trust over democratic inst<sup>n</sup>
- Indifference to public affairs
- Reflected in low voter participation.

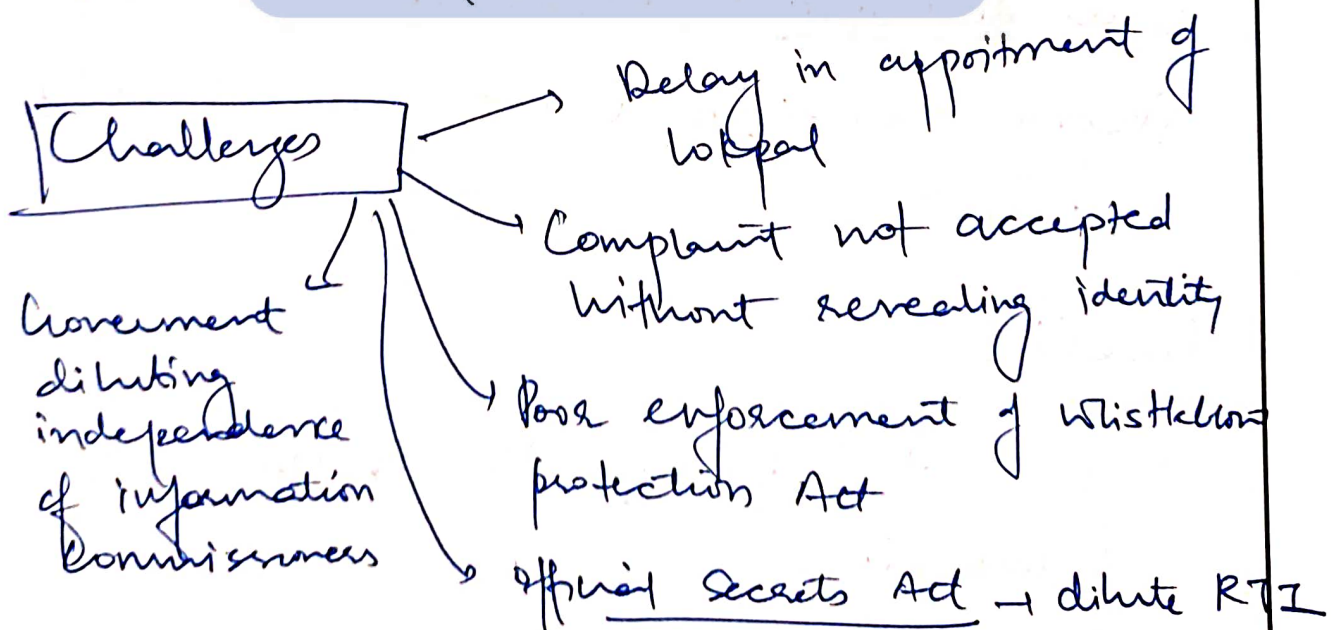
Existing mechanism for tackling corruption



Potential for harmonizing the RTI, WBPA and Lokpal Act 2013



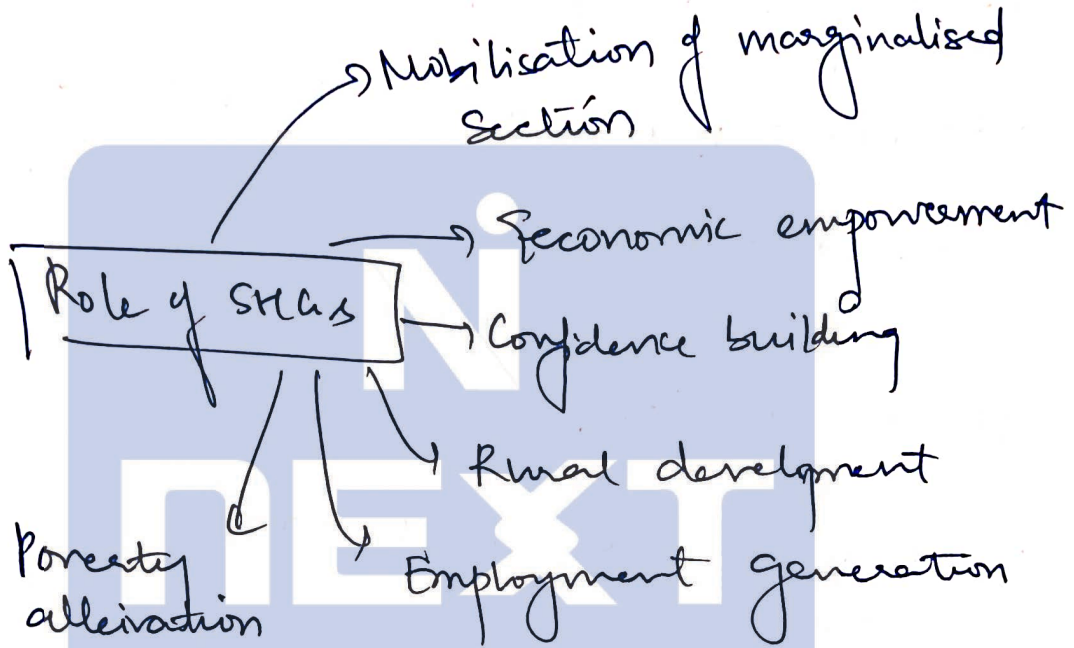
- Ensure a holistic framework to address corruption
- RTI → get information, Whistleblower Act protection when use that information to expose corruption
- Local Act → power to local to investigate the case based on the information and also provide protection to whistleblower identity.
- Strengthen the fight against corruption culture
- Provide an effective deterrent and punishment for corruption.



but if these three laws are combined, put a strong fight against corruption.

Q.19

Self help groups are community based institutions aimed to mobilize their funding and involvement in income generating activity.



SHGs can be used as a platform for skill development, entrepreneurship and income generation among marginalised sections.

### Benefits

→ Grassroot institutions thus better reach of initiatives

- Consensus based approach thus better acceptance
- Skill development in local crafts and activities → better capacity building
- Peer learning model can be adopted
- SHG - Bank linkage program can be leveraged → funds → promote entrepreneurship and income generation
- Easy to access loans on the basis of collective guarantee
- Collective expertise of all members → better success of entrepreneurial venture  
eg. Lijjat Papad → more income generation.

### Challenges

- limited capacity with SHGs
- limited access to funds for entrepreneurship

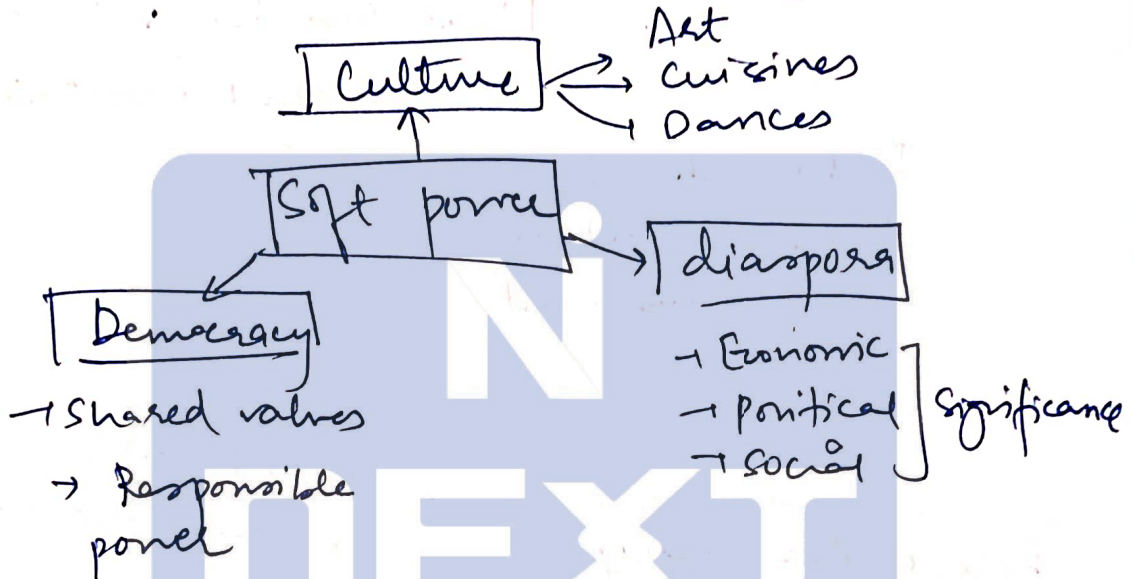
- Difficult to build consensus
- Mostly involved in low income, primary activity based occupations.
- Dual household burden on women
- Most SHGs limited to rural areas thus urban poor neglected.
- limited role of NGOs in mobilisation and capacity building of SHGs
- Lack of collateral hurdle in getting access to loans

But if the potential of SHGs is realised fully then they can be instrumental in poverty alleviation measures.

Government schemes like NRLM, Standup India scheme should be leveraged to enhance capacity of SHGs.

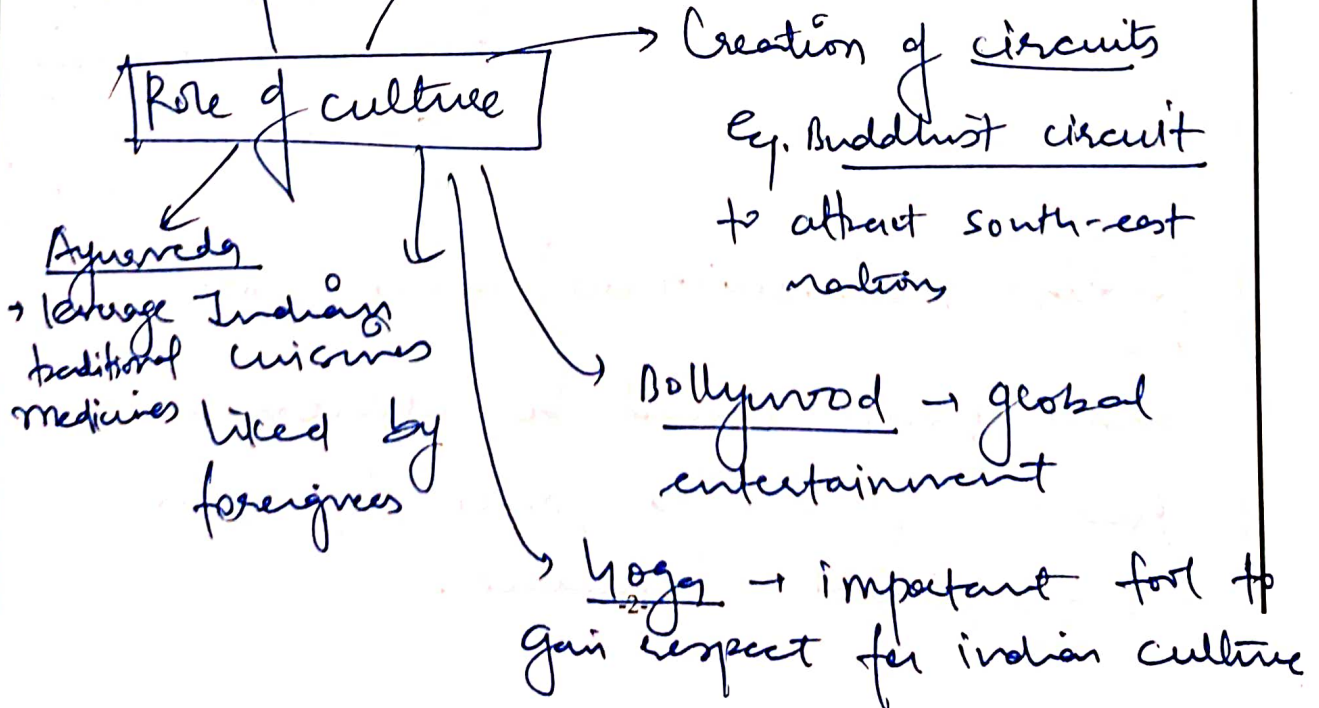
Q.19

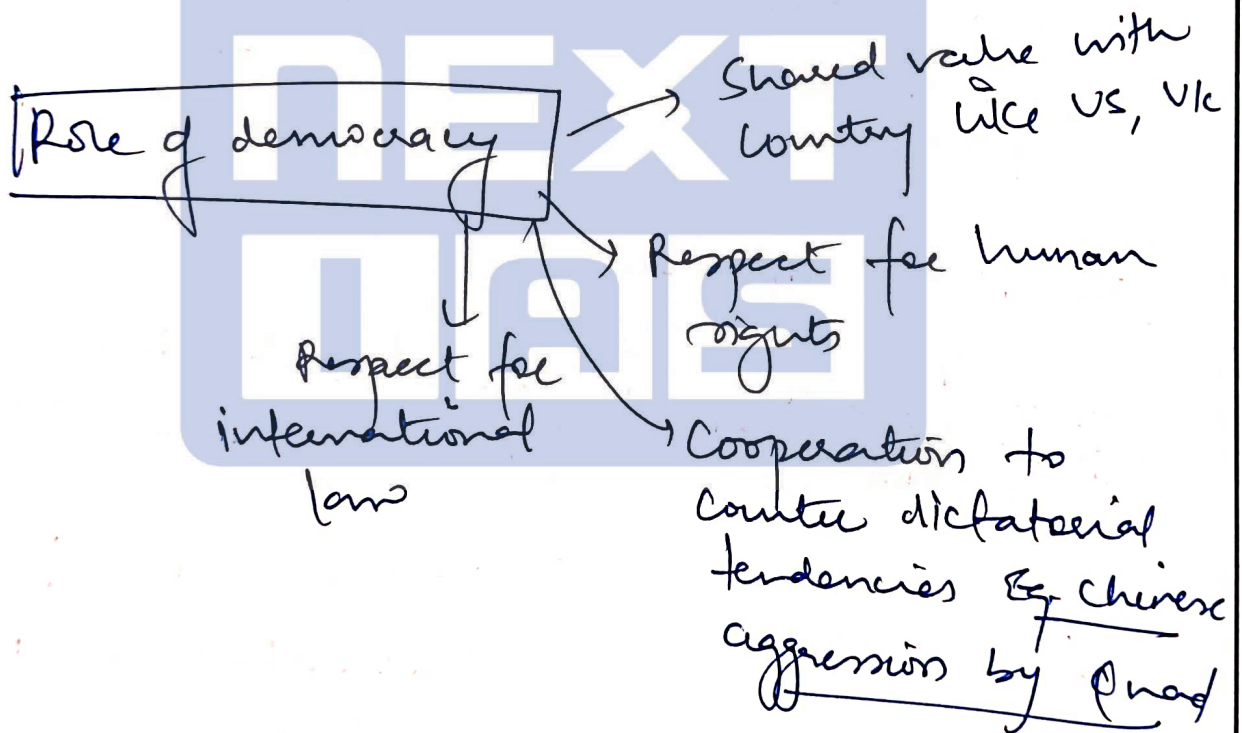
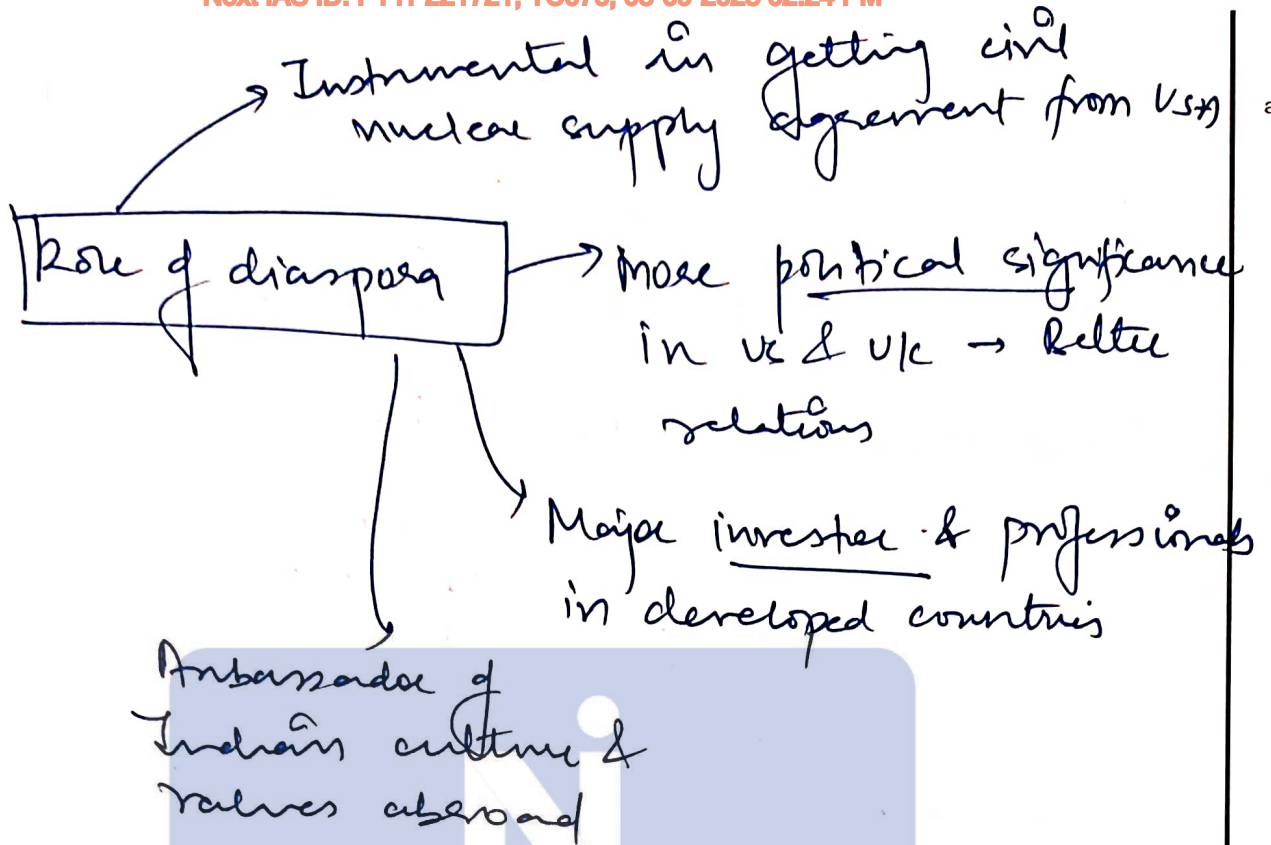
Soft power diplomacy is the use of influence and attraction as a measure and means of diplomacy rather than hard measures like military



Soft power diplomacy

Ideas like Atithi devo Bhava, Vasudha Kutumbhan → Enhance the tourism potential of Taj Mahal





**India - positioning as 'Smart power'**

Smart power would be converging the use of soft & hard power to gain international influence.

## Positives

- Quad, BIMSTEC, BRICS → cooperating in multilateral frameworks
- Successful in getting Yoga recognised in UN
- Military exercises with countries to enhance interoperability  
Eg. Malabar
- Economic trade agreement  
Eg. India - Australia, India - UAE.
- G20 → presenting itself as a voice of developing countries

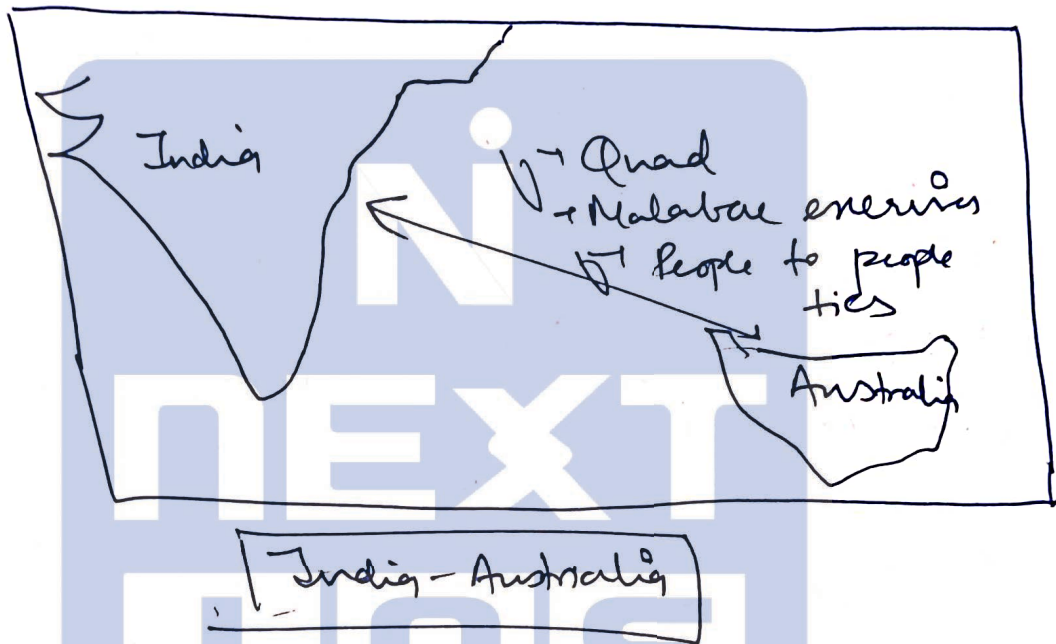
## Challenges

- failure to realise the potential of tourism.
- China is taking away India's leverage in Buddhism
- Inadequate military modernisation & indigenisation
- limited economic capacity
- difficulty in managing relations between divergent powers
- failure to realise potential of diaspora

India needs to enhance its economic & diplomatic capacity to raise its global profile.

Q.20

Recently, India and Australia relations have gained new significance with signing of early harvest agreement and high level political encharges



Converging interest between India and Australia

- Shared values of democracy, human rights
- Vision of free, open and inclusive indo-pacific region
- Wanted to have rules-based international order



→ Contain the aggression of China in Indian Ocean & Pacific region.

→ People to people connections → Indian diaspora in Australia for education and livelihood

### Long-lasting trade relations

→ Early harvest agreement signed between two countries

→ Negotiations for full fledged free trade agreement

→ Access to natural resources like coal, Uranium, lithium for India

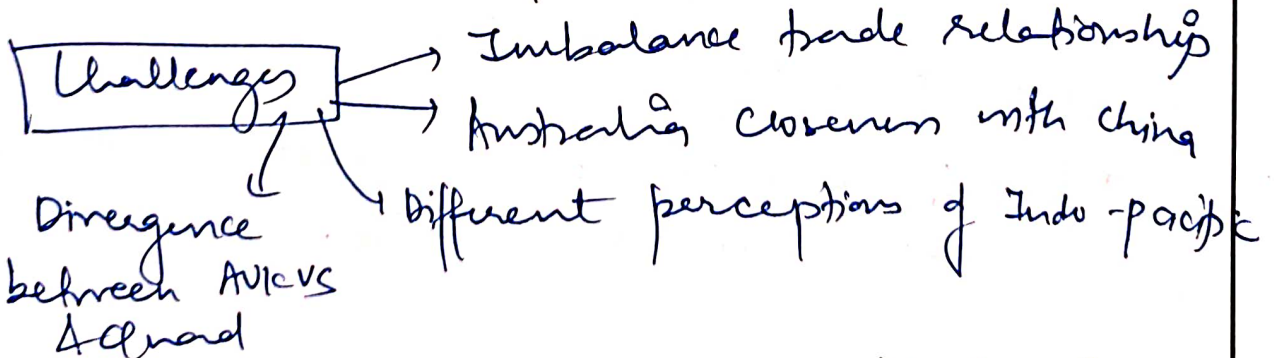
→ Leverage Indian diaspora for FDI, investments

→ Ease the movement of ~~service~~ service professionals like IT professionals, yoga instructors, chefs

→ India can realize its vision of Atmanirbhar Bharat & major exporter.

## Strategic collaboration

- Contain the aggression of China in South China sea & Indian Ocean
- Cooperating in Quad for a rules based order
- Joint military exercises like Malabar for interoperability
- Cooperation for maritime security (Piracy, drug trafficking) through intelligence sharing, domain awareness
- Quad + strategy to involve other regional countries like Indonesia, Singapore
- Cooperation on renewable energy, disaster resilience
- Cooperation on countering terrorism.
- Cooperation for reforms in UN



India should leverage existing bilateral mechanism to further relationship with Australia.

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