UPSC Mains 2015 GS II

Year-wise PYQ pack · WRAP model answers with canonical links

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https://wrapexams.com/upsc/mains/gs-2/2015/

Q1 · 12 marks

Discuss the possible factors that inhibit India from enacting for its citizen a uniform civil code as provided for in the Directive Principles of State Policy.

GS II · 2015 · Transparency and e-Governance

Revision summary

Article 44 directs a uniform civil code but Article 37 keeps it unenforceable in court.

Hindu Code statutes already unify a large share of family law; Muslim, Christian and Parsi laws remain separate, with a secular option in the Special Marriage Act, 1954.

Articles 25 and 26, custom, and tribal practice make a single book of rules politically hard.

Shah Bano and the 1986 Act turned personal law into a vote question.

Courts can urge a code; only Parliament can enact one after an open, gender-just draft.

Introduction

Article 44 asks the State to secure for the citizens a uniform civil code throughout the territory of India. Marriage, divorce, inheritance and adoption still sit in community personal laws. A discussion of why a code has not been enacted must treat legal diversity, fundamental rights, federal politics, and the memory of Shah Bano as real constraints, not as a single conspiracy.

Body

What Article 44 asks and what the law now is

- Article 44 is a Directive Principle; Article 37 says it is not enforceable in a court, so Parliament may delay a code without a writ that forces one.
- Hindus, Buddhists, Jains and Sikhs were largely brought under the Hindu Marriage Act, 1955, the Hindu Succession Act, 1956, and related Hindu Code statutes; Muslims, Christians and Parsis still use their own marriage and succession statutes or uncodified personal law.
- Special Marriage Act, 1954, already offers a secular civil option, so a uniform code is not the only path to a civil marriage; many citizens simply do not use that option.
- Goa retains a Portuguese-origin civil code for residents of the State, which shows that uniformity is possible in a limited territory but has not been copied by the Union for the whole country.

Social and religious factors

- Personal law is experienced as part of religious identity under Articles 25 and 26, not only as a private contract, so a sudden Union code is read by some groups as an attack on faith rather than as gender justice.
- India is a country of many schools of family law, customary tribal practices, and regional usage; a single book of rules would still need space for custom, or it would collide with Sixth Schedule and tribal areas.
- Literacy, access to lawyers, and the hold of community panchayats mean that even a well-drafted code would not, by itself, change how marriages are made and broken in villages.
- **Women's groups are not of one mind:** some want a gender-just uniform code; others fear that a majoritarian draft would freeze conservative Hindu norms as the national model.

Political and federal factors

- The Shah Bano judgment (1985) and the Muslim Women (Protection of Rights on Divorce) Act, 1986, taught parties that personal-law change can become a communal vote question, so cabinets prefer silence to a Bill.
- Family law is in the Concurrent List; States and communities would fight over every clause, and a Union government that needs State allies will not spend political capital on it.
- No all-party white paper has built a draft that minority bodies, women's organisations and State governments have all seen and argued line by line.
- Law Commission work and academic drafts exist, but they are not a Cabinet Bill with a statement of objects that the House can vote.

Courts and the limits of a judicial push

- Sarla Mudgal v. Union of India (1995) and John Vallamattom v. Union of India (2003) asked Parliament to consider a uniform civil code; the Court cannot enact one in place of the legislature.
- Judicial remarks keep the debate alive, yet they also raise the fear that a code will come as a court-driven Hindu-majority project rather than as a negotiated statute.
- **A fair discussion therefore lists many inhibitors together:** unenforceable Directive Principles, plural personal laws, Articles 25 and 26, federal politics, the 1986 Act, and the absence of a publicly negotiated draft.
- The way forward is stepwise gender-just reform of each personal law, wider use of the Special Marriage Act, and a published model code for debate, not a slogan without a Bill.

Flow diagram

Article 44 DPSP -> Plural personal laws

Article 44 DPSP -> Arts 25 and 26 identity

Plural personal laws -> No Union UCC Bill

Arts 25 and 26 identity -> No Union UCC Bill

Shah Bano and 1986 Act -> No Union UCC Bill

No Union UCC Bill -> Stepwise gender-just reform

Conclusion

India has not enacted a uniform civil code because Article 44 is non-justiciable, personal laws are tied to religious identity, and the politics after Shah Bano still punish any party that tries a sudden Union statute. A code worthy of Article 44 will come only when gender justice is drafted in the open and voted in Parliament, not when it is only demanded in a judgment.

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Q2 · 12 marks

The concept of cooperative federalism has been increasingly emphasised in recent years. Highlight the drawbacks in the existing structure and extent to which cooperative federalism would answer the shortcomings.

GS II · 2015 · Federal Structure and Devolution

Revision summary

- **India's federal text is Union-heavy:** lists, Article 356, All-India Services and tied schemes.

Vertical fiscal imbalance and a weak Inter-State Council were core drawbacks of the old structure.

NITI Aayog, 42 per cent devolution and a GST Council are the main cooperative answers of recent years.

Cooperation eases planning and tax-sharing; it does not rewrite emergency power or the Governor.

Forums need money and convention, or cooperative federalism stays a slogan.

Introduction

- **India is a Union of States with a strong Centre:** a long Union List, All-India Services, and Article 356. In recent years the Union has named cooperative federalism as the method for GST, the Fourteenth Finance Commission, and NITI Aayog. Drawbacks in the old structure are real; cooperation answers some of them and leaves others in the text of the Constitution.

Body

Drawbacks in the existing structure

- The Union List and the Concurrent List, with Union override under Article 254, let New Delhi occupy fields that States treat as their daily work: education, forests, and labour being the usual examples.
- Centrally sponsored schemes, until recently designed in the Planning Commission, tied State budgets to Union guidelines and matching shares, so States spent on Union priorities rather than on their own Assembly mandate.
- Article 356, even after S.R. Bommai v. Union of India (1994), remains a political weapon; fiscal dominance through the Finance Commission grant conditions and GST architecture can also squeeze State autonomy without a formal emergency.
- All-India Services, the Governor, and Union agencies in policing and investigation create a permanent Centre footprint inside the State executive.
- Inter-State Council under Article 263 has met too rarely to be a working federal cabinet; disputes on rivers, migration and tax still go to politics or to the Supreme Court rather than to a standing cooperative forum.
- **Vertical fiscal imbalance is structural:** States spend on health, education and law and order, while the most buoyant taxes were, until GST, designed and collected more easily at the Union level.

What cooperative federalism has begun to answer

- Cooperative federalism means the Union and the States set shared goals and share money and data, instead of the Union commanding and the State complying.

• Replacement of the Planning Commission by NITI Aayog (2015) was sold as a shift from plan-allocation hierarchy to a think-tank and a Chief Ministers' forum; it can ease one-size plans if States actually sit in the Governing Council as equals.

• The Fourteenth Finance Commission raised States' share in the divisible pool to 42 per cent, which is a structural answer to vertical imbalance and gives Assemblies more untied money.

• **A dual GST with a GST Council is cooperative in design:** States vote on rates and the Union cannot lightly ignore the Council if the constitutional amendment holds that bargain.

• Inter-State Council revival, NITI working groups, and Disaster Management structures show that some Union-State work is now done in committees rather than only by ministry letters.

How far cooperation still falls short

• NITI Aayog does not allocate plan funds as the Planning Commission did; without money, a forum can become a seminar, and States still face Union ministries on centrally sponsored schemes.

• GST cooperation can freeze State tax experiments; compensation politics can recreate dependence in a new form.

• Article 356, Governors, and All-India Services are not rewritten by a slogan of cooperation; they need convention and, where needed, statute.

• River boards, police modernisation, and language issues still show competitive and even coercive federalism when party colours differ between Raisina Hill and the State capital.

• Cooperative federalism therefore answers a good part of planning and tax-sharing drawbacks, and it does not by itself cure emergency powers, gubernatorial discretion, or Concurrent List occupancy.

What would make the answer fuller

• Regular Inter-State Council meetings with published minutes, a permanent GST Council bargain that States trust, and fewer CSS strings on the 42 per cent devolution would match the rhetoric.

• Punchhi and Sarkaria recommendations on the Governor and on Article 356 remain the unfinished federal homework.

Flow diagram

Drawbacks lists money Art 356 -> Old Planning CSS hierarchy

Cooperative federalism -> NITI Aayog

Cooperative federalism -> 14th FC 42 percent

Cooperative federalism -> GST Council

NITI Aayog -> Partial answer

14th FC 42 percent -> Partial answer

GST Council -> Partial answer

Drawbacks lists money Art 356 -> Lists Governor 356 remain

Conclusion

The existing structure is centralised in lists, money, services and emergency power. Cooperative federalism through NITI Aayog, higher Finance Commission devolution and a GST Council answers the planning and tax-share problems in part. It will answer the rest only when forums have money, the Governor is a constitutional figure, and Article 356 stays a last resort.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2015/the-concept-of-cooperative-federalism-has-been-increasingly-emphasised-in-recent-years-highlight-the-drawbacks-in-the-existing-structure-and-extent-to-which-cooperative-federalism-would-answer-the-shortcomings/

Q3 · 12 marks

In the absence of well - educated and organised local level government system, Panchayats and Samitis have remained mainly political institutions and not effective instrument of governance. Critically Discuss.

GS II · 2015 · Governance and Policy

Revision summary

The 73rd Amendment created panchayats; many still work as patronage and party offices.

Low literacy, weak gram sabhas and short training make elected bodies dependent on the bureaucracy.

- **Article 243G and the three Fs are the larger constraint:** an educated sarpanch cannot govern a function the State has not given.

Finance Commission grants and examples such as Kerala show organisation and money can improve service.

Education is necessary; devolution and a local cadre make panchayats governments.

Introduction

The Constitution (Seventy-third Amendment) Act, 1992, gave panchayats constitutional status, five-year terms, reservations, and the Eleventh Schedule of 29 subjects. Many gram panchayats and panchayat samitis still work as election machines and patronage desks. A critical discussion must test whether education and organisation are the missing pieces, or whether funds, functions and functionaries are the deeper gap.

Body

Why they often look like political institutions

- Reservations for women, Scheduled Castes and Scheduled Tribes have brought new faces into office; party and caste brokers still sit behind many chairs, so the ward meeting can look like a booth committee rather than a local cabinet.
- Where the sarpanch cannot read a budget or a scheme guideline, the secretary and the block officer write the agenda, and the elected body only stamps it.
- Panchayat samitis and zila parishads are used to distribute MGNREGA lists, housing cards and party tickets; that is politics with a statutory seal, not planning of water, roads and schools as a government.
- Parallel bodies, user committees and State missions often spend the money that the Eleventh Schedule names as a panchayat function, so the elected council has a flag and no file.

Education and organisation are real constraints

- Low functional literacy among many first-generation elected members makes audit, procurement and the Right to Information a specialist craft, not a councillor's daily tool.
- Gram sabhas are poorly convened, poorly minuted, and poorly attended; without that organised base, the panchayat cannot claim a mandate for hard choices on tax or on targeting.
- Training under State institutes of rural development is short, irregular, and lecture-heavy; it does not create a standing local civil service around the elected body.
- Without organised records, GIS maps, and a professional accountant, a panchayat cannot run as a government even if every member has a degree.

The statement is incomplete if it stops at education

- Article 243G leaves devolution of the 29 subjects to the State legislature; an educated sarpanch still cannot run drinking water if the pipe and the engineer belong to a State parastatal.
- State Finance Commissions are late; own taxes are thin; tied Union and State schemes arrive with guidelines. Governance fails for want of the three Fs, not only for want of a graduate chairperson.
- The Fourteenth Finance Commission's basic grants to gram panchayats show that money plus simple accounting can improve service even where education is modest, if the State does not claw the grant back.
- Kerala's People's Plan and some southern and north-eastern practices show that organisation, staff devolution and a real gram sabha matter as much as formal schooling of members.
- Proxy leadership of women and SC/ST seats is a social power problem; literacy classes help, but police and election officers must also stop illegal proxies.

How they can become instruments of governance

- Devolve a clear basket of Eleventh Schedule functions with matching staff and an untied share of State tax, then train members on that basket, not on general civics alone.
- Make the gram sabha statutory calendar public, webcast or wall-paint the budget, and punish non-convening as a disqualification risk.
- **Build a local cadre:** accounts, engineering and data at cluster level, so samitis are organised offices, not weekly durbars.
- A critical view therefore agrees that weak education and weak organisation keep many panchayats political, and it adds that without functions and money they cannot become governments even if every member is well schooled.

Flow diagram

Weak education organisation -> Panchayat as political machine

Functions funds functionaries held by State -> Panchayat as political machine

Training gram sabha staff -> Local government

Article 243G real devolution -> Local government

Conclusion

Panchayats and samitis often remain political institutions because members are under-trained, gram sabhas are weak, and parties capture the chair. Education and organisation are necessary. They are not sufficient until States transfer the Eleventh Schedule with funds and functionaries so that the elected body actually governs.

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Q4 · 12 marks

Khap panchayats have been in the news for functioning as extra - constitutional authorities, often delivering pronouncements amounting to human right violations. Discuss critically the actions taken by the legislative, executive and judiciary to set the things right in this regard.

GS II · 2015 · Federal Structure and Devolution

Revision summary

Khap panchayats are not Part IX bodies; their punishment of adults violates Articles 14, 19 and 21.

The legislature has mostly left the field to the IPC; a dedicated honour-crime statute is still missing.

The executive has circulars and CrPC powers; local police often share the khap's social world.

The Supreme Court in Lata Singh, Arumugam Servai and Bhagwan Dass has treated khap violence as crime and demanded State protection.

The remaining work is prevention, safe houses and prosecution, not another statement that khaps are extra-constitutional.

Introduction

Khap panchayats are clan councils, not constitutional panchayats under Part IX. They have issued diktats on marriage, dress and "honour", including social boycott and violence. A critical discussion must show what each organ has done, and that the gap is enforcement on the ground rather than a missing Article in the Constitution.

Body

Why khaps are extra-constitutional

- Law-making and punishment belong to the legislature, the courts and the police under the Constitution; a caste council has no power to ban a marriage, exile a family, or order a killing.
- Articles 14, 19 and 21 protect adult choice, association and life; khap decrees that police "honour" against those rights are unconstitutional on their face.
- Confusion with statutory gram panchayats helps the khap look like local government; it is a social body, and its writ is not law.

Legislature

- There is no dedicated Union statute named for khap panchayats; the Indian Penal Code already covers murder, assault, criminal intimidation, unlawful assembly and conspiracy when a diktat becomes a crime.
- The Protection of Women from Domestic Violence Act, 2005, and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, apply when the victim fits those statutes, but they were not drafted as anti-khap codes.
- Some State assemblies, especially in the north, have debated or drafted honour-crime bills; progress has been slow, and political fear of Jat and other vote banks has delayed a clear statutory ban on unlawful caste assemblies that issue marriage fatwas.

• Parliament has not yet passed a stand-alone honour-killing law with a special offence, burden of proof, and duty on the village officer to report a khap meeting that threatens a couple.

• Legislative action is therefore mostly the general criminal law; the critical gap is a targeted statute and a duty to prevent, not only to punish after a death.

Executive

• Police circulars in Haryana, Uttar Pradesh and Rajasthan have at times told stations to record threats, give protection to runaway couples, and video-record khap meetings; practice is uneven when the local officer shares the khap's caste.

• District magistrates can bind over under the CrPC, prohibit assemblies, and use the police to stop a gathering that threatens violence; that power is used after media attention more often than as routine prevention.

• NHRC, State human rights commissions, and women's commissions have issued notices; they cannot replace an FIR and a charge sheet.

• Rehabilitation of couples, safe houses, and witness protection remain thin, so even a good circular fails when the pair must return to the same village.

• The executive's record is stronger on paper than in the thana; that is the main critical finding.

Judiciary

• Lata Singh v. State of Uttar Pradesh (2006) directed police protection for an adult woman who chose her partner and treated honour violence as a crime, not as a private caste matter.

• Arumugam Servai v. State of Tamil Nadu (2011) held that khap-type panchayats which instigate violence against inter-caste couples are illegal, and that States must protect such couples; it asked for disciplinary action against officers who fail.

• Bhagwan Dass v. State (NCT of Delhi) (2011) treated honour killing as a rarest-of-rare setting in that fact situation, signalling that "honour" is an aggravation, not a defence.

• High Courts have quashed illegal fiats and granted habeas relief when families or councils confine adults; the Supreme Court has also been seized of petitions seeking a special law and guidelines (including the Shakti Vahini litigation).

• Courts have thus named khaps unlawful and bound the police; they cannot patrol every village, and delayed trials still let the social order win.

Critical balance

• All three organs have spoken against extra-constitutional punishment; none has yet built a daily prevention machine of special offence, protected housing, and accountable police.

• A rights-based answer is to enforce existing IPC and constitutional rights at once, and to add a clear statutory duty on collectors and station house officers when a khap announces a diktat.

Flow diagram

Khap extra-constitutional diktat -> Arts 14 19 21

Legislature IPC no special law -> Uneven police protection

Lata Singh Arumugam Servai -> Uneven police protection

Uneven police protection -> Prevention plus prosecution

Conclusion

Khaps have no constitutional authority to punish. Legislatures still rely mainly on the IPC; executives issue circulars that the thana often dilutes; courts in Lata Singh, Arumugam Servai and Bhagwan Dass have been the clearest. Things will be set right when prevention, protection and prosecution move together, not when only a judgment names the khap illegal.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2015/khap-panchayats-have-been-in-the-news-for-functioning-as-extra-constitutional-authorities-often-delivering-pronouncements-amounting-to-human-right-violations-discuss-critically-the-actions-taken-by-the-legislative/

Q5 · 12 marks

Resorting to ordinances has always raised concern on violation of the spirit of separation of power doctrine. While noting the rationales justifying the power to promulgate, analyse whether the decision of the Supreme Court on the issue have further facilitated to resorting to this power. Should the power to promulgate the ordinances be repealed?

GS II · 2015 · Separation of Powers

Revision summary

Articles 123 and 213 exist for immediate law when the legislature is not sitting.

An ordinance is temporary and must be laid; re-promulgation without the House is a fraud on the Constitution after D.C. Wadhwa.

A.K. Roy treated ordinance power as legislative and made necessity hard to review on merits.

Court doctrine has not encouraged re-promulgation; weak review of first-time "satisfaction" still lets politics use the tool.

The power should not be repealed; it should be fenced by Wadhwa, privilege, and a published necessity record.

Introduction

Articles 123 and 213 let the President and the Governor promulgate ordinances when the House is not in session and immediate action is needed. Every large ordinance season revives the charge that the executive is making law without the legislature. The power has a constitutional rationale; the Supreme Court has tried to police abuse; repeal would be the wrong cure.

Body

Rationales that justify promulgation

- Parliament and State legislatures cannot sit every day; a war, a market failure, a tax leak, or a court-fixed deadline may need a rule with the force of law before the next sitting.
- Article 123 requires the President's satisfaction that circumstances exist which render it necessary to take immediate action; the ordinance has the same force as an Act, but it is temporary and must be laid before the House.
- If not approved within the stated period after reassembly, it lapses; that design treats the ordinance as a bridge, not as a parallel Parliament.
- Federal and Westminster practice elsewhere also knows temporary executive legislation subject to later legislative control; India wrote that logic into the text rather than leaving it to convention alone.
- Abolition would leave a gap when the House is dissolved or prorogued and a genuine emergency in the legal sense of speed, not only Article 352, arises.

How the power is abused

- Re-promulgation without laying, as in Bihar's practice condemned in D.C. Wadhwa v. State of Bihar (1987), turns a bridge into a wall against the Assembly.

- The Union has, in recent years, used ordinances on land, coal, insurance and arbitration when the Rajya Sabha arithmetic was hard, which looks like bypass rather than necessity.
- Satisfaction is political; if courts treat it as wholly unreviewable, the executive writes law for six months at a time and dares the House to disapprove.

Have Supreme Court decisions facilitated more resort?

- D.C. Wadhwa held that successive re-promulgation without placing the ordinance before the legislature is a fraud on the Constitution; that decision restricts, rather than facilitates, habitual use.
- A.K. Roy v. Union of India (1982) accepted ordinance power as legislative in character when the conditions of Article 123 are met, and it did not open a wide merits review of necessity; that caution can make cabinets bolder, because "satisfaction" is hard to upset.
- R.C. Cooper and later cases still allow limited judicial look at mala fides and at whether the preconditions exist; they do not give the Court a veto on every ordinance's policy.
- Krishna Kumar Singh (the Bihar ordinance chain) kept the Wadhwa line against colourable re-promulgation; it did not invite the executive to issue more first-time ordinances.
- **The fair analysis is mixed:** the Court has not facilitated re-promulgation, and it has not built a strict day-to-day test of "immediate action", so politically convenient first ordinances still issue. The facilitator is parliamentary arithmetic and Cabinet will, more than a pro-ordinance judgment.

Should the power be repealed?

- **Repeal would be unwise:** genuine recesses and genuine urgency would then have no legal tool short of an emergency proclamation or an illegal executive order.
- The remedy is to keep Articles 123 and 213, enforce Wadhwa against re-promulgation, require a published statement of necessity, and treat repeated ordinances on the same subject as a breach of privilege and of constitutional morality.
- A constitutional amendment could add an express bar on re-promulgation and a short mandatory sitting, rather than delete the power.
- Should the power be repealed? No. Should unreviewable, repetitive ordinances continue? Also no.

Flow diagram

> Arts 123 and 213 -> Necessity when House not in session
>
> Necessity when House not in session -> Ordinance as temporary law
>
> DC Wadhwa -> Bar on re-promulgation
>
> Ordinance as temporary law -> Must face the House
>
> Bar on re-promulgation -> Must face the House
>
> Repeal -> Gap in genuine urgency

Conclusion

Ordinance power exists because the House is not always in session and the law may need immediate force. The Supreme Court in Wadhwa blocked the worst re-promulgation; it has not handed the Cabinet a free pass, but it has also not strictly tested necessity, so political use continues. The power should be retained and fenced, not repealed.

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Q6 · 12 marks

What are the major changes brought in the Arbitration and Conciliation Act, 1966 through the recent ordinance promulgated by the President? How far will it improve India's dispute resolution mechanism? Discuss.

GS II · 2015 · Indian Constitution

Revision summary

The parent statute is the Arbitration and Conciliation Act, 1996; the 2015 Presidential ordinance amends it.

It introduces a twelve-month award limit, fast-track procedure, indicative fees, and stricter arbitrator neutrality.

Section 11 is narrowed to the arbitration agreement; Section 34 public policy is cut down; stay of the award is no longer automatic.

Interim relief is pushed toward the tribunal once constituted.

Improvement will be real if courts apply the new Sections 34 and 36; institutions and government litigation culture must still catch up.

Introduction

The Arbitration and Conciliation Act, 1996, was meant to give India a modern, UNCITRAL-based private justice system. Delay, high cost, and easy court stays made India a difficult seat. The Arbitration and Conciliation (Amendment) Ordinance, 2015, tries to fix those faults. How far it improves the mechanism depends on courts and on the quality of arbitrators, not only on the new sections.

Body

Why an ordinance, and what was wrong

- Commercial courts were clogged; Section 34 challenges and automatic stays turned awards into a second civil appeal.
- Appointment under Section 11 was slow; arbitrator fees were unpredictable; a twelve-year arbitration was not rare in large contracts.
- Ease of doing business and the need to keep India an arbitration seat against Singapore and London supplied the political rationale for immediate amendment while the Bill waited.

Major changes in the 2015 ordinance

- A time-limit of twelve months for the award, with a six-month extension by consent, and a further court extension with a possible fee cut for delay, attacks the culture of endless sittings.
- A fast-track procedure lets a sole arbitrator decide on written pleadings within a shorter clock when parties agree.
- The Fourth Schedule indicates a model fee; High Courts may frame rules so that costs are known at the start.
- **Section 11 appointment is streamlined:** the Supreme Court or the High Court, or a designate, examines mainly the existence of an arbitration agreement, not a mini-trial of the whole dispute.

- **Neutrality:** a new schedule of grounds (inspired by IBA standards) for disclosure and challenge of arbitrators, including relationships that raise justifiable doubts.
- **Section 34:** "public policy" is narrowed; mere error of law is not enough; patent illegality is confined, especially for international commercial awards seated in India.
- Filing a Section 34 application does not by itself stay execution; a separate stay order is needed, so the winner is not automatically frozen.
- Section 9 interim measures from a court are tied more tightly to a prompt request before the tribunal; once the tribunal is in place, it is the main interim forum under Section 17, and its orders are better aligned with court enforceability.
- Seat, jurisdiction, and the definition of international commercial arbitration are clarified so that Indian courts interfere less with foreign-seated matters, in the line of Bharat Aluminium (BALCO).

How far this will improve dispute resolution

- **The ordinance attacks the three practical diseases:** time, cost, and stay. If High Courts apply the narrow Section 34 and refuse automatic stays, India becomes a more honest seat.
- Institutional arbitration still needs strong centres, trained arbitrators, and party trust; a statute cannot create a Singapore-style institute overnight.
- Courts may still extend time generously, or reopen public policy through other words; then the old delay returns under a new number.
- Government contracts and public-sector delay in appointing and paying arbitrators will blunt the twelve-month rule unless departments change their litigation habit.
- Conciliation chapters of the 1996 Act remain under-used; the ordinance is mainly an arbitration speed Bill, not a full culture of mediation.
- Overall, the changes are the most serious statutory repair since 1996 and should improve commercial dispute resolution if the judiciary internalises BALCO and the new Section 34. They will not, by themselves, clear ordinary civil dockets or replace a commercial court for non-arbitrable matters.

What must follow

- Replace the ordinance with an Act without diluting the stay and public-policy clauses.
- Promote institutional rules, a roster of accredited arbitrators, and specialised commercial benches that respect the clock.

Flow diagram

Problems delay cost stay -> 2015 Amendment Ordinance

2015 Amendment Ordinance -> 12-month award clock

2015 Amendment Ordinance -> No automatic Section 34 stay

2015 Amendment Ordinance -> Narrow public policy

12-month award clock -> Better Indian seat

No automatic Section 34 stay -> Better Indian seat

Narrow public policy -> Better Indian seat

Conclusion

The 2015 ordinance (amending the 1996 Act, not a 1966 Act) puts a clock on awards, narrows public-policy challenge, ends automatic stay, and tightens appointment and neutrality. It can improve India's arbitration mechanism if courts and public bodies obey the new discipline. It is a large step, not a finished dispute-resolution system.

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Q7 · 12 marks

Does the right to clean environment entail legal regulation on burning crackers during Diwali? Discus in the light of Article 21 of Indian Constitution and judgements of the apex in this regard.

GS II · 2015 · Indian Constitution

Revision summary

Article 21 includes a right to a healthy environment and to freedom from unreasonable noise.

Subhash Kumar, M.C. Mehta and Vellore supply the environmental reading; the 2005 In Re Noise Pollution case restricts cracker hours.

Article 25 does not protect a right to burst crackers at any hour; Article 19(1)(g) is limitable under 19(6).

The right therefore entails time, place and quality regulation, especially in polluted cities.

A complete ban needs a stricter proportionality test; non-enforcement is the practical failure, not the absence of power.

Introduction

Article 21 protects life and personal liberty. The Supreme Court has read into that Article a right to a healthy environment, clean air and freedom from unreasonable noise. Diwali is a religious and cultural festival; crackers are also a trade. The question is not whether Diwali may be celebrated, but whether the Constitution allows the State and the courts to regulate how crackers are burnt.

Body

Article 21 and a clean environment

- Subhash Kumar v. State of Bihar (1991) treated the right to pollution-free water and air as part of Article 21.
- M.C. Mehta cases on air and on the Taj, Vellore Citizens' Welfare Forum v. Union of India (precautionary principle and polluter pays), and Virender Gaur v. State of Haryana tied municipal and industrial pollution to the right to life.
- **Noise is a pollutant:** the Environment (Protection) Act, 1986, and the Noise Pollution (Regulation and Control) Rules, 2000, fix ambient standards and silence zones.
- If crackers push particulate matter and decibels past what a child, an old person, or an animal can bear, the State's Article 21 duty is not optional charity; it is a legal duty to regulate.

Judgments on crackers and noise

- **In Re:** Noise Pollution (V), (2005) 5 SCC 733, the Supreme Court restricted the time for bursting firecrackers, typically keeping the night hours (about 10 p.m. to 6 a.m.) out of bounds, and it treated religious practice as subject to public health and to others' rights.
- The Court has not held that Article 25 gives an unbounded right to explode crackers; essential religious practice does not include a particular explosive or a particular hour.
- Article 19(1)(g) of manufacturers is subject to 19(6) reasonable restriction in the interest of the general public; licensing, composition of chemicals, and sale hours are classic police-power tools.
- High Courts have, in several cities, added local restrictions on decibels, on the type of cracker, and on sale to children; those orders rest on the same Article 21 reading.

- **The apex court has thus already answered the core:** regulation is not only permitted; in a polluted city it may be required.

Does the right "entail" legal regulation?

- **Entail means the right is incomplete unless the State makes and enforces rules:** time, place, noise limit, chemical content, and a ban on the most toxic varieties where air is already unsafe.
- **A total, permanent, nationwide ban is a harder question:** proportionality under Articles 14, 19 and 25 would ask whether less restrictive means (green crackers, shorter windows, no-sale in silence zones) can protect life.
- For Diwali nights in dense cities, time regulation and quality regulation follow directly from the 2005 noise judgment and from the air-quality limb of Article 21.
- **Enforcement is the weak limb:** illegal sale, police inaction, and a social contest over "tradition" can make a good order a paper order.
- Animal welfare and the rights of the sick and of infants support regulation even when a healthy adult claims a cultural licence to burst at midnight.

A balanced constitutional answer

- Celebrate Diwali; regulate crackers. That is the line of Article 21 as the Court has drawn it.
- Rules should be published before the festival, applied without communal targeting, and backed by seizures and fines, not only by a press note.

Flow diagram

Article 21 life -> Clean air and quiet

Noise Pollution 2005

Clean air and quiet -> Regulate crackers

Noise Pollution 2005 -> Regulate crackers

Arts 19 and 25 -> Proportional limits not unbounded ban

Regulate crackers -> Time place quality rules

Conclusion

Yes. The right to a clean environment under Article 21 entails legal regulation of burning crackers during Diwali. The 2005 noise-pollution judgment and the clean-air cases already support time, place and quality limits. A total ban must still meet proportionality; regulation is the constitutional minimum, not an attack on the festival.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2015/does-the-right-to-clean-environment-entail-legal-regulation-on-burning-crackers-during-diwali-discus-in-the-light-of-article-21-of-indian-constitution-and-judgements-of-the-apex-in-this-regard/

Q8 · 12 marks

Examine critically the recent changes in the rule governing foreign funding of NGOs under the Foreign Contribution (Regulation) Act (FCRA), 1976.

GS II · 2015 · India and its Neighbourhood

Revision summary

FCRA 1976 was replaced by FCRA 2010; recent change is strict rules, renewals and cancellations, not a brand-new parent statute.

Caps on administrative spend, "political nature" guidelines, bank reporting and prior-permission lists are the working tools.

Transparency and a bar on foreign money in elections are legitimate.

Mass cancellation and a wide political-nature test chill Article 19 association and environmental speech.

Keep the Act; require speaking orders, hearings, and a narrower line between party politics and public advocacy.

Introduction

Foreign contribution to associations in India is a regulated privilege, not an open market right. The Foreign Contribution (Regulation) Act, 1976, was replaced by the Foreign Contribution (Regulation) Act, 2010, and the Union has since tightened rules and cancellations. A critical examination must weigh national security and transparency against the chill on legitimate civil society.

Body

The legal frame (1976 to 2010 and after)

- The 1976 Act was a licence-era statute to keep foreign money out of elections and out of activities that harmed the national interest; the 2010 Act restated that purpose with registration, prior permission, designated bank accounts, and annual returns.
- Political parties, government servants, and organisations of a political nature are barred or tightly gated; news media and some other classes need extra clearance.
- "Recent changes" in the mid-2010s are less a new parent Act and more a hard use of the 2010 Act and the Foreign Contribution (Regulation) Rules: mass cancellation for non-filing, freeze of accounts, and a prior-permission list for named bodies.

What changed in practice and in subordinate rules

- The Home Ministry cancelled or refused to renew registration for thousands of associations that missed returns or whose accounts did not reconcile; volume itself became a policy signal.
- A cap that foreign contribution should not be spent beyond a fixed share on administrative expenses (the 50 per cent ceiling under the 2010 scheme) was enforced more strictly, squeezing advocacy groups whose main cost is staff and lawyering rather than grain.
- Guidelines on "political nature" and on activities that prejudice public interest were read widely, so environmental and human-rights groups that organised protests met the same clause as a party front.
- Banks were told to report receipts; the designated SBI / notified channel logic and closer intelligence coordination made every large grant visible to the State in real time.

- Placement of certain donors and recipients on prior-permission or watch lists (the public fights over Greenpeace India and the Ford Foundation in this period) showed that foreign funding could be slowed without a conviction in a criminal court.
- Renewal ceased to be a routine filing and became a fresh political-security test.

Critical gains

- India is entitled to know who funds campaigns that claim to speak for the public, and to block money that is a cover for politics, conversion-linked inducement, or secessionist work.
- Many cancelled files were genuinely dead or non-compliant; a clean register is not, by itself, anti-democratic.
- Parliament's 2010 Act already demanded accountability; enforcement after years of sleepy renewal was overdue on the transparency limb.

Critical costs

- **Due process was thin:** batch cancellations, short hearings, and intelligence inputs that the association cannot test, sit badly with Article 14 and with the freedom of association under Article 19(1)(c).
- Advocacy on nuclear power, coal, land and communal violence is "political" in a democracy; treating it as FCRA-tainted politics confuses party electioneering with public reason.
- Legitimate health, education and disaster NGOs share the same pipeline and pay the same bank friction; the innocent face delay while the State chases a few famous names.
- Over-breadth invites forum shopping and foreign criticism, and it can push money into informal channels that are harder to watch.
- The executive is judge and enforcer; there is no independent regulator comparable to a charities commission with a reasoned, appealable merit test.

A balanced way

- Keep the 2010 Act; publish speaking orders, give a real hearing, separate electioneering from environmental speech, and index the administrative-expense cap to the nature of the work.
- **A critical verdict:** the recent turn strengthened the State's eye on foreign money and weakened the presumption that a registered NGO is a partner until proved otherwise.

Flow diagram

FCRA 1976 then 2010 -> Registration returns designated bank

Registration returns designated bank -> Tighter rules cancellations prior permission

Tighter rules cancellations prior permission -> Security and accounts

Tighter rules cancellations prior permission -> Chill on advocacy Art 19

Security and accounts -> Keep Act add due process

Chill on advocacy Art 19 -> Keep Act add due process

Conclusion

The FCRA stream from 1976 to 2010 always allowed the Union to police foreign funds. Recent rule-tightening and mass cancellations improved paperwork control and raised a real chill on advocacy. The changes are defensible for security and accounts, and they are excessive where "political nature" swallows dissent without a fair hearing.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2015/examine-critically-the-recent-changes-in-the-rule-governing-foreign-funding-of-ngos-under-the-foreign-contribution-regulation-act-fcra-1976/

Q9 · 12 marks

The Self Help Group (SHG) Bank Linkage Program (SBLP), which is India's own innovation , has proved to be one of the most effective poverty alleviation and women empowerment programme. Elucidate.

GS II · 2015 · Development Processes and NGOs

Revision summary

NABARD's SHG-Bank Linkage Programme (from 1992) is an Indian savings-first model using bank branches and peer groups.

It alleviates poverty by replacing moneylender debt, funding tiny livelihoods, and cutting distress sales.

It empowers women through named credit, meetings, federations and local politics.

Scale and repayment in nurtured groups are the evidence of effectiveness.

Paper groups, male capture of loans, and missing markets are the limits, not a reason to deny the innovation.

Introduction

The Self Help Group-Bank Linkage Programme, pioneered by NABARD from 1992, joins a small savings group to a bank without a moneylender or a heavy microfinance company in the middle. It is India's own design, not a copy of a foreign Grameen statute. Elucidation must show the credit path and why that path has reduced poverty and shifted women's voice, without claiming that every district is a success story.

Body

What SBLP is

- A typical SHG is a group of about ten to twenty poor persons, mostly women, who save a small fixed sum, lend inside the group, and keep a simple book.
- After a period of thrift, a commercial bank, regional rural bank or cooperative gives a loan to the group as a whole, often without physical collateral, on the strength of the group's savings and peer pressure.
- NABARD refinances, trains, and publishes status reports; RBI treats well-run SHG credit as part of priority-sector outreach.
- The model grew under SGSY and then under the National Rural Livelihoods Mission, which uses SHGs as the building block of women's federations.
- It is an Indian innovation because it used existing bank branches and social collateral, rather than creating a new army of private microfinance agents as the first step.

Poverty alleviation

- Smooth savings and emergency loans cut the distress sale of land, cattle and jewellery, which is how rural poverty becomes permanent.
- Group loans fund petty trade, livestock, sewing and food processing; the increment is small, but it is repeated and it sits inside the household that was previously only a wage taker.
- Banks reach hamlets they would not serve with individual KYC-poor clients; the SHG is a joint liability and a living credit history.

- Compared with the Andhra-style microfinance stress of 2010, SBLP's slower, savings-first logic has produced fewer coercive recovery scandals, which matters for the poor as much as the interest rate.
- Poverty here is not only the Planning Commission line; it is also risk, dignity, and the ability to keep a child in school when a crop fails.

Women empowerment

- Money in the woman's name, even if the goat is family property, changes bargaining inside the house and reduces some forms of hidden female dis-saving.
- Weekly meetings teach bookkeeping, speaking in public, and walking into a bank; those are political skills, not only financial ones.
- SHG federations have been used for PDS watch, sanitation, and panchayat questions; several States have seen SHG women contest and win local seats.
- Health, nutrition and domestic-violence discussion enter the same circle that began as a savings club, which is social empowerment attached to credit.
- **Limits remain:** male capture of the loan, unpaid care work, and caste exclusion from some groups; elucidation must record those shadows.

Why it has "proved" effective, with caveats

- **Scale is the proof:** tens of millions of groups and a large outstanding bank loan book make SBLP the biggest savings-led microfinance network in the country.
- Repayment in well-nurtured groups has been high enough for banks to stay in the product, which is the market test of a poverty programme that uses public-sector banks.
- Effectiveness is weaker where NGOs never formed the group properly, where NRLM meetings are only on paper, or where banks park targets without hand-holding.
- SHG-2 and livelihood federations try to move from credit to enterprise; without markets and skills, a loan can become debt.
- The programme is therefore one of the most effective public-private social innovations in rural finance, not a magic end to poverty.

Flow diagram

Women SHG savings -> Bank linkage NABARD

Bank linkage NABARD -> Credit without moneylender

Credit without moneylender -> Poverty risk reduced

Women SHG savings -> Voice books panchayat

Voice books panchayat -> Women empowerment

Conclusion

SBLP works because it links women's thrift to a bank branch through social collateral. It has eased credit rationing, reduced some distress, and given women a public voice. It remains effective where groups are real and banks are patient, and it fails where the SHG exists only for a target.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2015/the-self-help-group-shg-bank-linkage-program-sblp-which-is-indias-own-innovation-has-proved-to-be-one-of-the-most-effective-poverty-alleviation-and-women-empowerment-programme-elucidate/

Q10 · 12 marks

How can be the role of NGOs be strengthened in India for development works relating to protection of the Environment? Discuss throwing light on the major constraints.

GS II · 2015 · Governance and Policy

Revision summary

Environmental NGOs supply science, law and local voice that departments and EIA rituals often miss.

Main constraints are FCRA and funding, weak technical capacity, hostile politics, and consultation without consequence.

Strengthen them through speaking-order hearings, labs, BMCs, audited community works, smarter CSR, and para-legal volunteers.

Keep accounts clean; do not treat environmental speech as foreign politics.

Article 21 and Article 48A still bind the State; NGOs are partners and watchdogs, not a replacement ministry.

Introduction

Non-governmental organisations bring science, law and local voice to forests, rivers, air and wildlife when the State is thin or captured. India has used that energy from Chipko to modern EIA hearings. Constraints are legal, financial and political. Strengthening NGOs is part of environmental governance, not a substitute for the Ministry and the courts.

Body

Why NGOs matter for environment and development

- They map pollution and biodiversity that line departments miss, and they carry village knowledge into EIA hearings and into the National Green Tribunal.
- They translate the Environment (Protection) Act, 1986, the Forest (Conservation) Act, 1980, the Wildlife (Protection) Act, 1972, and the Biological Diversity Act, 2002, into local watch.
- They run nurseries, watersheds, and awareness that a district office cannot staff; development with protection needs that extra pair of hands.

Major constraints

- FCRA registration, cancellations and a wide "political nature" test (see the 2010 Act as enforced in recent years) starve advocacy groups that oppose a dam, a mine or a port, even when the objection is scientific.
- Domestic funding is project-tied, CSR under the Companies Act, 2013, prefers planting photographs to long legal fights, and State grants can buy silence.
- **Capacity is uneven:** many groups lack labs, GIS and lawyers; a few national names carry most of the Supreme Court docket.
- Hostility of local elites, police cases for "obstructing development", and SLAPP-style litigation exhaust volunteers.
- EIA 2006 consultation can be a ritual; NGOs are heard and the clearance still issues, which teaches cynicism.
- Fragmentation and ego battles between groups let the project proponent shop for a friendly NGO and ignore the rest.

- **Data:** official pollution numbers are late; NGOs that generate their own figures are accused of being foreign-inspired, which is a political constraint dressed as method.

How to strengthen the role

- Give a statutory, time-bound hearing with speaking orders in EIA, coastal, and forest clearance, and fund independent laboratories that NGOs and gram sabhas can use.
- Separate FCRA compliance (accounts, no electioneering) from environmental speech; publish reasons when a green NGO loses foreign funds.
- Use Biodiversity Management Committees and People's Biodiversity Registers as the legal hook so that local NGOs sit inside the 2002 Act, not only outside the gate.
- Channel CAMPA, watershed and National Afforestation money through accredited community groups with audit, not only through contractors.
- Expand CSR and Income-tax exemption for long-horizon conservation, with a bar on using CSR to greenwash the donor's own violation.
- Train para-legal environment volunteers, on the legal-aid model, so that every eco-sensitive block has someone who can file an NGT application without flying in a Delhi counsel.
- Invite NGOs onto State Pollution Control Board consultative panels with conflict-of-interest rules, so criticism is inside the room before the consent to operate.
- Protect bona fide protest with police guidelines; punish violence, but do not treat every morcha as a foreign plot.

Development with protection

- Strengthened NGOs do not mean a veto on every road; they mean a record, an alternative alignment, and a rehabilitation plan that the district cannot hide.
- The State remains the duty-bearer under Article 21 and Article 48A; NGOs are the necessary irritant and the necessary partner.

Flow diagram

Environment NGOs -> Knowledge law local watch

FCRA money capacity hostility -> Weak role

Fair FCRA real EIA BMC legal aid -> Stronger partner

Knowledge law local watch -> Development with Article 21 protection

Stronger partner -> Development with Article 21 protection

Conclusion

Constraints are FCRA chill, weak labs, ritual EIA, hostile policing and thin domestic money. NGOs can be strengthened by fair funding rules, real hearings, biodiversity committees, accredited community works, and legal-aid-style environment volunteers. Development that protects the environment needs that independent eye, not a silenced one.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2015/how-can-be-the-role-of-ngos-be-strengthened-in-india-for-development-works-relating-to-protection-of-the-environment-discuss-throwing-light-on-the-major-constraints/

Q11 · 12 marks

The quality of higher education in India requires major improvement to make it internationally competitive. Do you think that the entry of foreign educational institutions would help improve the quality of technical and higher education in the country. Discuss.

GS II · 2015 · India and its Neighbourhood

Revision summary

Indian higher and technical education needs a quality jump in faculty, research and honest assessment.

Genuine foreign campuses and joint degrees can import standards and some competition.

Unregulated commercial twinning and high fees can worsen inequality and brand-selling.

The mass system still depends on public universities, accreditation and school quality.

Foreign entry helps as a regulated supplement, not as a substitute for domestic reform.

Introduction

India has one of the world's largest higher-education systems, yet few universities sit in global research ranks, faculty shortages are common, and industry often retrains graduates. The question is not whether quality needs a lift. It is whether foreign campuses and twinning would be a useful part of that lift, or a substitute for public reform. Entry can help if it is regulated for teaching, research and access. It cannot, by itself, fix the bulk of Indian colleges.

Body

Why quality is not internationally competitive

- Faculty vacancies, contract teaching, and weak doctoral pipelines reduce research and classroom depth in many universities and technical institutes.
- Affiliation of hundreds of colleges to one university thins academic control. Inspection becomes a file, not a culture of peer review.
- Laboratories, libraries and industry links are uneven. Elite IITs and IIMs coexist with private colleges that sell seats more than skills.
- Accreditation and ranking (NAAC, NBA, NIRF later) created pressure, but gaming of scores and uneven coverage remain.
- Public spending on higher education as a share of GDP is modest. Quality without money, tenure and autonomy is a slogan.

How foreign entry could help

- Reputed foreign universities can bring curricula, visiting faculty, research groups and quality-assurance habits that Indian partners can copy.
- Competition for students and faculty may push better Indian institutions to raise teaching loads, assessment and placement honesty.
- Joint degrees, twinning and branch campuses can retain some students who now go abroad, and can expose Indian students who cannot migrate.
- Technical fields that need equipment and global standards (engineering, design, some sciences) may gain faster than general arts colleges.

- Diaspora faculty and dual appointments become easier when a recognised foreign name has a legal campus, not only a franchise shop.

Limits and risks

- Brand-name universities rarely send their best research core to a low-fee, high-volume campus. What arrives may be a teaching outpost, not Oxford-on-Ganga.
- Fee levels can exclude the very students public higher education is meant to serve, unless scholarships and reservation-equivalent social obligations are written into the licence.
- Fly-by-night operators and unrecognised twinning already exist. Without a hard regulator, foreign entry can worsen commercialisation.
- Language, local context and public-service missions (teacher training, agriculture, Indian languages) will not be a foreign campus priority.
- Quality in the mass system still depends on UGC/AICTE-type standards, State universities, and the school pipeline. A few foreign enclaves can become islands.

Conditions that make entry useful

- Licence only institutions with a home ranking and a research record, not mere recruiters.
- Require a physical campus, resident faculty, transparent fees, and a share of need-based seats.
- Tie collaboration to Indian public universities, not only stand-alone luxury campuses.
- Protect academic freedom and prevent the home government from using a campus as a political outpost.
- **Keep investing in IITs, central and State universities:** foreign entry is a supplement, not a substitute.

Flow diagram

Quality gap in HE -> Regulated foreign entry

Quality gap in HE -> Domestic reform faculty funds autonomy

Regulated foreign entry -> Curriculum research competition

Regulated foreign entry -> Fee islands and fake twinning

Domestic reform faculty funds autonomy -> Internationally competitive system

Curriculum research competition -> Internationally competitive system

Conclusion

Yes, carefully regulated entry of genuine foreign universities can help a slice of Indian technical and higher education through competition, collaboration and retained talent. No, it will not by itself make the system internationally competitive. The larger lift still lies in faculty, funding, autonomy and honest accreditation of Indian institutions. Foreign campuses should be invited as partners under a public quality frame, not as a shortcut around that frame.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2015/the-quality-of-higher-education-in-india-requires-major-improvement-to-make-it-internationally-competitive-do-you-think-that-the-entry-of-foreign-educational-institutions-would-help-improve-the-quality-of-technical-and/

Q12 · 12 marks

Public health system has limitation in providing universal health coverage. Do you think that private sector can help in bridging the gap? What other viable alternatives do you suggest?

GS II · 2015 · Health, Education and Human Resources

Revision summary

Public facilities lack staff, drugs and referral, so UHC is incomplete.

The private sector already supplies much care and can be contracted for packages.

Unregulated private care raises costs and leaves remote and preventive work behind.

Alternatives include more public spending, PHC-first care, free medicines and pooled insurance.

Not-for-profit and mid-level providers can sit between a pure State system and a pure market.

Introduction

Universal health coverage means that people get needed care without financial ruin. India's public system - sub-centres, PHCs, CHCs, district hospitals and medical colleges - is the intended backbone, yet beds, doctors, drugs and referral are thin, especially outside metros. The private sector already treats a large share of outpatients and inpatients. It can help close the gap if it is contracted and regulated. It cannot be the only plan, because markets leave the poor, remote and chronic cases behind.

Body

Limits of the public system

- Density of doctors, specialists and nurses is low in many States. Rural PHCs often lack a full team, diagnostics and round-the-clock obstetric care.
- Public spending on health has stayed near 1 per cent of GDP for long stretches, so buildings exist without drugs, diagnostics and maintenance.
- Vertical disease programmes work better than comprehensive primary care. Non-communicable disease, mental health and geriatric care remain weak.
- **Referral is broken:** patients jump to tertiary hospitals or to private clinics, crowding both.
- Quality and accountability vary. Absenteeism, user charges and stock-outs push families to pay out of pocket.

Can the private sector bridge the gap?

- Yes, in a limited way. Private clinics, nursing homes, diagnostic chains and corporate hospitals already supply capacity the State does not have, especially in cities and for elective surgery.
- Purchasing care for the poor through insurance or trust models (RSBY in 2015, later PM-JAY) can use private beds for secondary and tertiary packages if rates, fraud control and grievance redress are real.
- Public-private partnerships for diagnostics, dialysis, ambulance and medical-college teaching hospitals can fill specific holes faster than new civil works.
- No, if "bridge" means leaving primary care and public health (immunisation, TB, water-borne disease, surveillance) to shops. Those are public goods.

- Private care is concentrated, fee-for-service, and can induce unnecessary procedures. Without standard treatment guidelines, empanelment and audits, insurance only inflates bills.
- Informal private providers and unqualified practitioners already fill rural gaps at high clinical risk. Scaling that is not UHC.

Other viable alternatives

- Raise public spending toward a credible floor, fill posts, and make the Health and Wellness Centre / PHC the first call with drugs, diagnostics and a named family doctor.
- National Health Mission-style strengthening of ASHAs, ANMs and community monitoring remains cheaper prevention than hospital insurance.
- Expand public medical education and rural service bonds; use mid-level providers under law, not as a silent substitute for doctors.
- Drug and device price control, generic pharmacies, and free essential medicines in public facilities cut the largest out-of-pocket item.
- Not-for-profit trusts, cooperative hospitals, ESIC and CGHS-type pooled funds, and State-run empanelled networks can sit between a pure NHS and a pure market.
- Digital health records, telemedicine to specialists, and district knowledge hubs help where specialists will not relocate.
- Regulate clinical establishments, cap unethical referral commissions, and publish outcomes so private help is quality, not only quantity.

Flow diagram

UHC goal -> Public PHC drugs staff

UHC goal -> Regulated private purchase

UHC goal -> Trusts cooperatives pooled funds

Public PHC drugs staff -> Gap reduced

Regulated private purchase -> Gap reduced

Unregulated market -> High OOP and exclusion

Conclusion

The private sector can help bridge a part of the UHC gap in diagnostics, elective procedures and extra beds, if the State purchases and regulates. It cannot replace a tax-funded primary public system. Viable alternatives are higher public spend, a functioning PHC first, free essential medicines, pooled insurance with tight packages, not-for-profit providers, and skilled mid-level care. UHC in India is a mixed system with a public spine, not a privatised hospital market.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2015/public-health-system-has-limitation-in-providing-universal-health-coverage-do-you-think-that-private-sector-can-help-in-bridging-the-gap-what-other-viable-alternatives-do-you-suggest/

Q13 · 12 marks

Though there have been several different estimates of poverty in India, all indicate reduction in poverty over time. Do you agree. Critically examine with reference to urban and rural poverty indicators.

GS II · 2015 · Poverty and Hunger

Revision summary

Different poverty lines change the count of the poor, not always the direction of change.

Tendulkar and Rangarajan both showed a fall in the ratio between 2004-05 and 2011-12.

Rural poverty ratios remained higher; urban poverty is sensitive to rent, health and survey coverage of migrants.

Nutrition and vulnerability did not improve as neatly as the headcount.

Agree on long-run reduction; do not treat one line as the full rural-urban truth.

Introduction

Official and expert estimates of Indian poverty have used different lines, prices and surveys - Planning Commission / Tendulkar, the Rangarajan committee, World Bank international lines, and later multidimensional measures. They do not agree on how many people are poor. On the direction of change, most consumption-based series from the 1990s into the early 2010s showed a fall in the headcount ratio. Agreement should be careful: the fall is real on those series, but depth, urban informal poverty, and rural non-income deprivation still qualify the success story.

Body

Why several estimates exist

- Poverty is not a single calorie number. Committees changed the basket, price indices, and whether health and education were built into the line (Lakdawala, Tendulkar 2009, Rangarajan 2014).
- NSSO consumption surveys, and later controversies over the 2017-18 round, mean the data itself can jump.
- A uniform all-India line hides State prices. Rural and urban lines are drawn separately because food, rent and transport differ.
- International dollars-a-day lines move when PPP is revised. National lines move when the committee changes.
- Hence "several estimates" is a fact of method, not proof that poverty is imaginary.

Direction of change: grounds for agreement

- Planning Commission estimates using the Tendulkar line showed a clear decline in the poverty ratio between 2004-05 and 2011-12, in both rural and urban India, and a large drop in the number of poor in that window.
- The Rangarajan committee used a higher line and found more poor people, but still reported a reduction over a similar period.
- Rural wage growth in the 2000s, MGNREGA, farm-price support in some years, and urban construction jobs are consistent with fewer people under a low consumption line.

• Asset and service indicators - electricity, pucca roofs, bank accounts, school enrolment - also improved, which matches a story of declining extreme deprivation even when income poverty is debated.

Critical caveats, rural and urban

• A falling ratio can coexist with a large absolute number of poor, especially when population grows. Reduction is not elimination.

• Rural poverty remains higher than urban poverty on official headcount in most series, but the gap and the nature of poverty differ. Rural poor face farm risk, landlessness and weak local services. Urban poor face rent, slum tenure, informal wages and out-of-pocket health shocks that a food-heavy line undercounts.

• Tendulkar's urban line was criticised as too tight for city living. Rangarajan raised both lines; the ranking of States can shift when the line moves.

• Calorie intake and nutrition (NFHS stunting, anaemia) did not fall as fast as the consumption-poverty ratio. Income-poverty decline is not the same as nutrition security.

• Urban poverty is often under-counted when migrants, pavement dwellers and circular labour are missed in household surveys.

• Inequality and the vulnerability of near-poor households mean a small shock (drought, illness, job loss) pushes people back across the line. A snapshot "reduction" can hide churn.

• After 2011-12, comparable NSS consumption data became politically and statistically contested, so the 2015 claim of a smooth continuing decline was already harder to certify.

Examine, do not deny

• Agreement is warranted on the broad historical decline in extreme consumption poverty from the 1970s through 2011-12 on official series.

• Disagreement is warranted on the level, on whether urban poverty is measured honestly, and on whether nutrition and decent work fell in step with the headcount.

Flow diagram

NSS consumption surveys -> Tendulkar line

NSS consumption surveys -> Rangarajan higher line

Tendulkar line -> Headcount down 2004-12

Rangarajan higher line -> Headcount down 2004-12

Headcount down 2004-12 -> Rural still higher urban undercount

Nutrition NFHS -> Decline incomplete

Conclusion

Yes, the main official estimates, despite different lines, pointed to a reduction in the poverty ratio over time up to the early 2010s, in both rural and urban India. Critical examination shows that rural headcounts stayed higher, urban poverty is easy to understate, nutrition lagged, and the exact number of poor depends on the committee. Policy should treat declining ratios as progress, not as a closed file on rural livelihoods or urban informal insecurity.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2015/though-there-have-been-several-different-estimates-of-poverty-in-india-all-indicate-reduction-in-poverty-over-time-do-you-agree-critically-examine-with-reference-to-urban-and-rural-poverty-indicators/

Q14 · 12 marks

In the light of Satyam Scandal (2009), discuss the changes brought in the corporate governance to ensure transparency and accountability.

GS II · 2015 · Transparency and e-Governance

Revision summary

Satyam (2009) was a promoter and audit failure in a large listed IT firm.

The Companies Act, 2013 wrote director duties, independent directors, related-party rules and class action.

Auditor rotation and NFRA targeted the audit gap that Satyam exposed.

SEBI strengthened listing conditions on audit committees, certification and whistle-blowing.

Statute improved transparency; enforcement and truly independent boards remain the test.

Introduction

In January 2009 the chairman of Satyam Computer Services admitted that the company's accounts had been inflated for years. Independent directors, auditors and the market had not caught the fraud in time. The scandal was India's Enron moment. It pushed SEBI, the Ministry of Corporate Affairs and, later, Parliament to tighten board independence, audit, disclosure and related-party rules. The Companies Act, 2013 is the main statutory answer. Law on paper is not the same as honest books, but the architecture of transparency did change.

Body

What Satyam showed

- Promoter-driven companies can capture the board. Independent directors who do not probe related-party deals and cash balances are decoration.
- Statutory auditors who rely on management confirmations, and a weak audit committee, can miss fictitious cash and revenue.
- Rating agencies, analysts and a booming IT story created herd confidence. Market discipline failed until confession.
- **Government had to step in:** a new board was installed, and the company was later merged through a regulated sale, which showed that corporate failure is also a public-interest event.

Statutory and board changes

- The Companies Act, 2013 replaced the 1956 Act's thin governance code with defined duties of directors (section 166), including to act in good faith for the company and to avoid conflict.
- Listed and large companies must have independent directors, with a code and a databank. Related-party transactions need audit-committee and, in specified cases, shareholder approval, with interested parties recused.
- Woman director and, for listed companies, a more precise mix of executive and independent directors, were meant to widen the board's eyes.
- Mandatory CSR spending for qualifying companies (section 135) was a social-accountability add-on, not a direct Satyam fix, but part of the same 2013 ethics turn.
- Serious Fraud Investigation Office received a statutory basis. Class-action suits (section 245) gave shareholders a collective tool.

Audit, accounts and markets

- Rotation of auditors and a cap on non-audit services were written in to reduce auditor capture of the kind alleged around Satyam.
- The National Financial Reporting Authority (NFRA) was provided for in the 2013 Act to oversee auditors of listed and large companies, moving beyond a purely peer self-regulator.
- SEBI tightened Clause 49 of the Listing Agreement after Satyam (audit committee, whistle-blower policy, CEO/CFO certification of financials) and later folded many of those rules into the Listing Obligations and Disclosure Regulations.
- Disclosure of promoter pledges, stricter related-party reporting, and electronic voting were meant to give minority shareholders a voice.
- The Serious Fraud cases and SEBI's insider-trading and disclosure regime raised the personal cost of cooking books, at least in law.

Limits that remain

- Independent directors still often arrive through promoter networks. Tenure, information and the fear of vicarious liability can make them passive or absent.
- Audit rotation does not guarantee scepticism if the profession's incentives stay with the client.
- Satyam was caught by a confession, not by the then-existing checks. New law must be tested by the next complex fraud, including at the group and offshore-entity layer.

Flow diagram

Satyam 2009 false accounts -> Companies Act 2013

Satyam 2009 false accounts -> SEBI Clause 49 to LODR

Companies Act 2013 -> Independent directors RPT duties

Companies Act 2013 -> Auditor rotation NFRA SFIO

SEBI Clause 49 to LODR -> CEO CFO certify disclosures

Independent directors RPT duties -> Transparency if enforced

Auditor rotation NFRA SFIO -> Transparency if enforced

Conclusion

Satyam showed that promoter power, sleepy independent directors and captured audit can destroy a listed company and hurt employees, clients and markets. Corporate governance after 2009 moved toward the Companies Act, 2013, SEBI board and audit rules, auditor rotation, NFRA, related-party controls and fraud investigation. Transparency and accountability are stronger on statute. They work only if boards actually read the cash, auditors resist the client, and regulators use the new teeth.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2015/in-the-light-of-satyam-scandal-2009-discuss-the-changes-brought-in-the-corporate-governance-to-ensure-transparency-and-accountability/

Q15 · 12 marks

If amendment bill to the Whistleblowers Protection Act 2011 tabled in the Parliament is passed, there maybe no on left to protect. Critically Evaluate.

GS II · 2015 · Parliament and State Legislatures

Revision summary

The Whistle Blowers Protection Act, 2011 aimed to shield people who report public-servant corruption.

The 2015 amendment bill sought RTI-like and Official Secrets Act exclusions at the threshold.

Those exclusions hit defence, intelligence and Cabinet-related graft, where insiders are most at risk.

The original Act was already narrow and not fully in force, so the slogan is a warning, not a full history.

A harm test and independent inquiry beat a blanket security veto.

Introduction

The Whistle Blowers Protection Act, 2011 (passed in 2014) was meant to protect a person who discloses corruption or wilful misuse of power against a public servant, and to set up a competent authority to inquire. In 2015 the Union tabled an amendment bill that would keep many disclosures out of the Act if they touched national security, intelligence, Cabinet papers, foreign relations, or matters under the Official Secrets Act. The charge in the question is sharp: if almost every sensitive wrong is excluded, the whistle-blower has a statute without a shield. That charge is partly fair, but the original Act was already a narrow and unimplemented law, not a full public-interest disclosure code.

Body

What the 2011 Act actually promised

- A public servant or any other person could make a disclosure of corruption, wilful misuse of power, or a crime by a public servant, to a competent authority (often the Central or State Vigilance Commission or other named bodies).
- Identity of the complainant was to be protected. Victimisation could be inquired into, with restoration and, in some drafts, criminal penalty for revealing identity.
- The Act did not cover the private corporate sector. It was a public-servant statute, coming after the 2003 murder of NHAI engineer Satyendra Dubey and long NAC and Law Commission discussion.
- Even before the 2015 bill, the Act had not been fully brought into force with rules. Protection on paper had already lagged.

What the 2015 amendment bill sought to do

- It proposed to bar disclosures that fell in a list modelled on the exemptions in the Right to Information Act - security, strategic, scientific and economic interests of the State, Cabinet secrets, commercial confidence, and information that would prejudice an investigation.
- It sought to bring the Official Secrets Act into the whistle-blower path, so that a disclosure could be denied or punished if it was an "official secret", even when the underlying fact was corruption.

- **The competent authority's hands would be tied at the threshold:** if the matter was labelled sensitive, there might be no inquiry and therefore no protection.
- The government argued that a whistle-blower law cannot become a licence to leak intelligence files and that RTI-style exemptions are a constitutional balance under Article 19.

Critical evaluation of "no one left to protect"

- The slogan is right as a warning. Corruption in defence deals, intelligence procurement, atomic energy contracts and diplomatic spending is exactly where a brave insider is most needed and most exposed. A blanket national-security carve-out recreates the wall that Satyendra Dubey faced.
- Official Secrets Act overlap is the most dangerous piece. OSA is a colonial catch-all. Using it as a filter lets the accused department decide that the leak, not the graft, is the crime.
- RTI exemptions were written for a citizen's request for files, with a public-interest override in section 8(2) of RTI. Dumping those exemptions into whistle-blowing without a strong public-interest override inverts the purpose of the 2011 Act.
- The slogan is too total if it implies that the unamended Act already protected everyone. Police, vigilance and service rules still punish "unauthorised communication". Anonymity is hard in a small office. Private-sector bribery was outside the Act. So "someone left to protect" was already a small set: public-servant insiders on non-secret files.
- **A democratic design would keep security genuine:** harm test, independent competent authority, in-camera inquiry, and protection even when the disclosure is made to that authority rather than to the press. Exclusion of whole ministries is the wrong tool.
- Parliament's job is to evaluate, not to pass a bill that makes CVC a postbox for harmless petty cases while big files stay under OSA.

Flow diagram

WBP Act 2011 -> Protect disclosure of public servant graft

2015 Amendment Bill -> Security Cabinet OSA carve-outs

Security Cabinet OSA carve-outs -> Threshold bar on inquiry

Threshold bar on inquiry -> Weak shield for high-risk insiders

Protect disclosure of public servant graft -> Needs rules and public interest override

Conclusion

If the 2015 amendment bill had passed in the form feared, the Act would have protected mainly low-sensitivity complainants and left the most threatened whistle-blowers outside the tent. That is close to "no one left to protect" in the areas that matter most. The original 2011 Act still needed rules, a public-interest override, and coverage that does not collapse into OSA. Security can be balanced by a harm test and a strong independent authority, not by emptying the statute.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2015/if-amendment-bill-to-the-whistleblowers-protection-act-2011-tabled-in-the-parliament-is-passed-there-maybe-no-on-left-to-protect-critically-evaluate/

Q16 · 12 marks

For achieving the desired objectives,it is necessary to ensure that the regulatory institutions remain independent and autonomous. Discuss in the light of experiences in recent past.

GS II · 2015 · Governance and Policy

Revision summary

Regulators exist so technical decisions are not daily political favours.

Independence needs tenure, independent funding and distance from a ministry that also plays in the market.

RBI, SEBI, TRAI-DoT, electricity commissions and investigative agencies show the cost when autonomy thins.

Accountability to Parliament, CAG and courts must sit beside independence.

Appointment and the power of ministry "directions" are the usual weak points.

Introduction

A regulator is created so that technical, repeated decisions - licences, tariffs, prudential norms, spectrum, food standards - are not made as daily political favours. Independence means the agency can decide on evidence, publish reasons, and be removed only for cause. Autonomy means money, staff and procedure that do not sit inside the parent ministry's file. Recent Indian experience shows that when those conditions slip, objectives of competition, safety and financial stability slip with them. Independence is not isolation from Parliament; it is distance from the daily executive.

Body

Why independence is necessary

- Ministries promote sectors and often own public enterprises. A regulator that is a wing of the same ministry cannot fairly police that enterprise or its private rivals.
- Investors and citizens need a known rule, not a phone call. Predictable orders lower the cost of capital and the temptation of corruption.
- Technical questions (capital adequacy, grid codes, clinical trials) need tenure and expertise. Annual transfer of generalist officers destroys memory.
- Independence must still answer to statute, judicial review, CAG audit of accounts, and a parliamentary committee. Autonomy without accountability becomes a fief.

Experiences in the recent past

- **Reserve Bank of India:** statutory independence under the RBI Act is real on paper. Tensions over interest rates, government borrowing, and later public debate on the central bank's reserves showed that fiscal pressure can crowd a monetary and banking regulator. When the banking regulator is leaned on to hide non-performing loans, financial stability - the objective - is the first casualty.
- **SEBI:** a statutory market regulator with adjudication powers. Sahara and other long enforcement sagas showed both the need for a strong SEBI and the delay when orders are stayed and coordination with the government and courts is weak. Appointment and a full board matter as much as the Act.

- **TRAI and the telecom department:** TRAI is recommendatory on many licensing issues while DoT remains licensor. 2G-era experience showed that when spectrum and licences are political, a weak or bypassed regulator cannot deliver competitive, non-corrupt allocation. CAG's 2G audit became a public substitute for a regulator that had not been allowed to bite.
- **CERC and SERCs in electricity:** open access, tariff and renewable purchase obligations fail where State governments keep utilities as patronage machines and treat the electricity commission as a tariff-suppressing office. The Electricity Act, 2003 assumed independent commissions; State practice often did not.
- **CBI and CVC:** not classic market regulators, but recent disputes over the CBI director's appointment, the Single Directive, and ministry control illustrated how an investigating body that is not operationally autonomous cannot meet the anti-corruption objective. The Vineet Narain line and later the 2013 CBI-director statute were attempts to write independence into process.
- Food Safety and Standards Authority and drug regulators have faced charges of understaffing and industry capture - autonomy without capacity is empty.
- Appointment of retired civil servants on short, renewable terms, funding through ministry grants, and the power to issue binding "directions" in the parent Act are the usual levers that hollow out autonomy.

How to keep institutions independent in practice

- Fixed, non-renewable tenure; a bipartisan or collegium-style appointment; removal only by a stated process.
- Independent budget charged on the Consolidated Fund or a regulated fee, not a monthly ministry dole.
- Open hearings, reasoned orders, and a specialised appellate tribunal so independence does not mean unreviewable power.
- No parent-ministry nominee dominating the board where the ministry is a player in the market.

Flow diagram

Regulatory objective -> Independent appointment tenure budget

Independent appointment tenure budget -> Reasoned orders

Ministry directions short tenure -> Capture and delay

Reasoned orders -> Stability competition safety

Capture and delay -> 2G NPA tariff failure

Conclusion

Desired objectives of fair markets, safe products and stable finance need regulators who can say no to the ministry and to the incumbent firm. Recent experience with RBI-fiscal tension, SEBI enforcement, TRAI versus licensing, electricity commissions, and investigative bodies shows that statute alone does not create autonomy. Tenure, money, appointments and the end of dual roles (promoter plus umpire) are what keep the institution independent. Accountability to Parliament and courts should rise in the same step, so autonomy does not become impunity.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2015/for-achieving-the-desired-objectives-it-is-necessary-to-ensure-that-the-regulatory-institutions-remain-independent-and-autonomous-discuss-in-the-light-of-experiences-in-recent-past/

Q17 · 12 marks

Increasing interest of India in Africa has its pro and cons. Critically Examine.

GS II · 2015 · India and its Neighbourhood

Revision summary

India's African interest has grown for energy, markets, UN votes, diaspora and Indian Ocean security.

Pros include lines of credit, generics, training, peacekeeping and a South-South political language.

Cons include stalled projects, China competition, resource politics and thin diplomatic capacity.

Africa is many States, not one vote bank.

Delivery and local agency decide whether the turn is partnership or over-promise.

Introduction

Africa is fifty-four countries, not one market. India's interest has grown through energy, minerals, lines of credit, peacekeeping, the diaspora, and a search for partners in a China-shaped Indian Ocean and UN. The third India-Africa Forum Summit in New Delhi in 2015 made that interest public and large. The relationship has real gains for both sides. It also has credit risk, China competition, domestic African politics, and the charge that Delhi talks South-South equality while chasing the same resources as other powers. A critical examination must hold both ledgers.

Body

Why interest has increased

- **Energy and commodities:** West and East African oil, gas and minerals matter as India diversifies away from a narrow set of Gulf and Iranian barrels.
- **Markets and food:** a young population and unmet infrastructure demand can take Indian generics, two-wheelers, ICT, agriculture extension and cheap engineering goods.
- **Diplomacy:** African votes matter in the UN General Assembly, IAEA and climate talks, and for India's claim to a reformed Security Council.
- **Security:** piracy off the Horn, extremism in the Sahel and the western Indian Ocean, and China's port and base footprint (including Djibouti) pull the Indian Navy and diplomacy south-west.
- **Diaspora and history:** Indian communities in eastern and southern Africa, and the older NAM and anti-apartheid record, give India a political language China does not have.

Pros

- Development partnership through concessional lines of credit, training (ITEC), Pan-African e-Network, and cheap generic medicines fits India's brand as a partner rather than a classical coloniser.
- Indian firms in telecom, energy and pharma create jobs and skills in host countries when they hire locally and stay through political cycles.
- Maritime cooperation, hydrography and UN peacekeeping (India has long been a large troop contributor on African missions) build security public goods.

• A more equal voice for the Global South on trade, climate finance and UN reform is easier if India is present in Addis, Abuja and Pretoria, not only in Washington and Brussels.

• African students and professionals in India, and Indian projects in agriculture, can be genuine human-capital ties.

Cons and costs

• Lines of credit can become stalled projects, unpaid loans, and local anger if contractors, transparency and maintenance are weak. Then India looks like any other creditor.

• China offers scale, speed and bundled railways that India cannot match dollar for dollar. Competing only on cheque size is a losing and debt-heavy game.

• Resource-seeking can clash with local environmental and labour politics. Indian companies have faced protests and regulatory fights in some jurisdictions.

• Africa is not a vote bank. States split on UN reform, on ICC, and on relations with Pakistan and China. Over-counting "Africa" as one bloc is a diplomatic error.

• **Domestic capacity:** Exim Bank, missions, language skills and project-management teams are thin relative to the 2015 summit promises. Announcement-to-delivery gaps hurt credibility.

• **Security entanglement:** training and equipment can drag India into others' civil wars if due diligence is light.

• **Opportunity cost:** every rupee of concessional finance is a choice against a domestic infrastructure or African-language mission post that was not opened.

Critical balance

• Interest is justified. Neglect would cede the western Indian Ocean and UN numbers to others.

• The healthy path is demand-driven projects, local content, timely completion, and issue-based coalitions, not a replica of anyone else's chequebook diplomacy.

Flow diagram

Indian interest in Africa -> Energy markets UN votes ITEC medicines

Indian interest in Africa -> Credit risk China scale delivery gap

Energy markets UN votes ITEC medicines -> South-South partnership

Credit risk China scale delivery gap -> Credibility loss

Demand-driven local content -> South-South partnership

Conclusion

• **Increasing Indian interest in Africa has clear pros:** energy and markets, UN and climate partners, diaspora bridges, medicines, training and maritime security. The cons are credit and project risk, China-scale competition, fragmented African politics, thin delivery capacity, and the temptation of resource-first diplomacy. Critically, the relationship works when India is a reliable, modest-scale partner that finishes what it announces. It fails when summits outrun missions, audits and African agency.

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Q18 · 12 marks

Discuss the impediments India is facing in its pursuit of a permanent seat in UNSC.

GS II · 2015 · International Institutions

Revision summary

A permanent seat needs a UN Charter amendment and P5 consent.

China is the sharpest great-power impediment; the United States has not driven a text.

G4 unity creates more opponents, including Uniting for Consensus and Pakistan.

Africa wants its own permanent seats under Ezulwini, so a G4-only deal will not pass easily.

Veto, Council size and the lack of text-based negotiations keep the bid as diplomacy, not drafting.

Introduction

- **The United Nations Security Council still reflects 1945:** five permanent members with a veto, and ten elected members. India seeks a permanent seat as a large democracy, a regular troop contributor, and a voice of the Global South. The demand is old; the impediments are structural, not a shortage of Indian talking points. Reform needs the P5, two-thirds of the General Assembly, and domestic ratifications. Each of those doors has a keeper who is in no hurry.

Body

Charter and procedure impediments

- Articles 108 and 109 of the UN Charter make amendment hard. A permanent-seat change is a Charter amendment, not a General Assembly resolution that can be passed by a simple majority of the willing.
- The P5 must all agree. Any one of China, the United States, Russia, the United Kingdom or France can stop a text that dilutes their veto club.
- Even after a Charter text, national ratifications take years. There is no clock that forces New York to finish the job.

P5 and great-power politics

- China is the hardest single veto-wielding neighbour. Border conflict, the Dalai Lama, and China's wish to remain Asia's only P5 member make Beijing unenthusiastic, even when language is polite.
- The United States has spoken of expansion in principle, including for India, but has not championed a time-bound text. Bilateral warmth does not equal a drafted amendment.
- Russia supports India politically in statements, yet a reformed Council that also seats others could complicate Moscow's own veto politics.
- The United Kingdom and France are more open, partly because they want a Council that still looks legitimate, but they will not spend their last veto capital if Washington and Beijing are not moving.

Competing formulas and regional rivals

- The G4 (India, Japan, Germany, Brazil) want new permanent seats, with or without an immediate veto. Linking four candidacies multiplies opponents.

- Uniting for Consensus (Italy, Pakistan, South Korea, Argentina, Mexico and others) wants more elected seats, not new permanents. Pakistan's opposition is a direct South Asian block on India's claim.
- The African Union's Ezulwini Consensus demands two permanent African seats with veto. If Africa is not satisfied, a large voting bloc will not back a G4-only deal.
- Arab States, small island States, and Latin American splits add more veto-players in the Assembly even without a Charter veto.

Design fights that stall the text

- **Veto:** new permanents with a veto look like a second 1945; new permanents without a veto look like second-class seats. India has been flexible in public; others are not.
- **Size of the Council:** too large, and it cannot act; too small, and regions feel cheated.
- **Categories:** intermediate or longer-term elected seats are offered as a "stepping stone". Critics say that is a parking lot, not reform.
- Text-based negotiations in the Intergovernmental Negotiations have repeatedly failed to produce a single negotiating document with square brackets, which keeps the process as speeches.

India's own limits, stated honestly

- GDP, population and peacekeeping are necessary arguments, not sufficient ones. The Council is a power club, not a fairness tribunal.
- India is not a party to the NPT as a recognised nuclear-weapon State, which some P5 lawyers still use as a talking point, even after the civil nuclear opening.
- Capacity to take positions on every crisis, and to risk relations with Russia, the United States and the Islamic world at once, is the hidden cost of a permanent seat. Some capitals doubt that Delhi wants that daily heat.

Flow diagram

> India permanent seat bid -> Charter Art 108 P5 ratification
>
> India permanent seat bid -> G4 formula
>
> G4 formula -> Uniting for Consensus Pakistan
>
> G4 formula -> AU Ezulwini two African permanents
>
> Charter Art 108 P5 ratification -> China and P5 inertia
>
> Uniting for Consensus Pakistan -> No single text
>
> AU Ezulwini two African permanents -> No single text

Conclusion

India's pursuit of a permanent UNSC seat is blocked by the Charter's amendment rule, P5 inertia especially China, the G4 versus Uniting for Consensus and African formulas, the veto design fight, and the absence of a real negotiating text. Merit in peacekeeping and demography does not move those gates. Impediments will ease only when a bargain among P5, Africa and the Assembly is more attractive than the 1945 status quo - a political, not a drafting, event.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2015/discuss-the-impediments-india-is-facing-in-its-pursuit-of-a-permanent-seat-in-unsc/

Q19 · 12 marks

Project 'Mausam' is considered a unique foreign policy initiative of Indian government to improve relationship wit its neighbours. Does the project have a strategic dimension? Discuss.

GS II · 2015 · India and its Neighbourhood

Revision summary

Project Mausam is a Ministry of Culture programme on Indian Ocean monsoon heritage.

It can improve neighbourly ties through shared ports, faith routes and scholarship.

It has a strategic dimension as a narrative of India as a resident Indian Ocean power.

It sits beside, not in place of, SAGAR and naval cooperation.

Without real research and MEA follow-through, it remains a brochure against harder Chinese infrastructure.

Introduction

Project Mausam was launched by the Ministry of Culture as a trans-national research and heritage programme on the Indian Ocean world - monsoon winds, ports, pilgrims, and shared built culture from East Africa to Southeast Asia. It is unique in tone: culture and monsoon, not a military pact. Neighbours and Indian Ocean States are invited through UNESCO-style heritage, museums and scholarship. That soft wrapping still sits on a map where sea lanes, China, and island States are strategic. The project has a strategic dimension, even if its tools are archaeology and festivals rather than bases.

Body

What Project Mausam is

- **It treats the monsoon as a historical infrastructure:** dhows, hajj routes, spice and textile trades, and coastal communities that linked India to Arabia, Africa, Sri Lanka, the Maldives, and the Malay world.
- The Ministry of Culture, with the Indira Gandhi National Centre for the Arts and the Archaeological Survey of India, is the nodal face. UNESCO World Heritage nomination of Indian Ocean cultural routes has been part of the ambition.
- It is not a Ministry of Defence programme and not a substitute for a navy. Calling it only "foreign policy" is also incomplete; it is cultural diplomacy with a foreign-policy use.

How it can improve neighbourly and regional ties

- Shared heritage is a language that does not begin with a border incident. Sri Lanka, Maldives, Mauritius, Seychelles, Oman and Southeast Asian partners can meet India on temples, mosques, ports and monsoon lore.
- For neighbours tired of a security-first conversation, a culture project lowers the temperature and keeps India present in universities and museums.
- It offers India a story of historical centrality in the Indian Ocean that is older than any extra-regional navy - a narrative asset in IORA and in island diplomacy.
- People-to-people contact (scholars, restorers, tourist circuits) can outlast a single government's slogan if the work is real.

The strategic dimension - yes, with limits

- Geography is strategy. Whoever shapes the story of the Indian Ocean shapes who is seen as a resident power. Mausam answers, in the cultural field, a Chinese Maritime Silk Road / Belt and Road story that also uses heritage and ports.
- Island and littoral partners are the same partners India needs for maritime domain awareness, Exclusive Economic Zones, and denial of extra-regional bases. Culture is a door; hydrography and white-shipping agreements walk through later.
- SAGAR (Security and Growth for All in the Region), announced in 2015, is the security twin. Mausam is not SAGAR, but they occupy the same ocean mental map: India as a net security and cultural provider, not an outsider.
- Diaspora and Islamic, Hindu and Buddhist links around the rim can be strategic communication against the charge that India is only a South Asian land power.
- **Limits:** a UNESCO file does not stop a port concession, a submarine sale, or a debt deal. If Mausam stays a brochure, neighbours will still balance with Beijing on hard infrastructure.
- Over-playing "Indic ocean" can worry partners who remember hierarchy, not only monsoon brotherhood. Strategic use must stay invitational, not civilisational preaching.
- Budget, excavation quality, and coordination with MEA and the Navy's cooperation programmes decide whether the dimension is real or rhetorical.

Discuss, do not inflate

- Unique, yes, as an official monsoon-heritage frame. Foreign policy, yes, as regional branding. Strategic, yes, as narrative and access in a contested ocean. Decisive, no, as a hard-power tool.

Flow diagram

Project Mausam culture monsoon -> Heritage UNESCO neighbours

Project Mausam culture monsoon -> Strategic ocean narrative

Strategic ocean narrative -> Compete with MSR story

Strategic ocean narrative -> Island and littoral access

SAGAR navy IORA -> Island and littoral access

Heritage UNESCO neighbours -> Ties if delivery is real

Conclusion

Project Mausam is a cultural-diplomacy initiative that can improve ties with Indian Ocean neighbours by stressing shared monsoon history rather than only security files. It does have a strategic dimension: it contests other powers' ocean narratives, keeps India present on littoral and island agendas, and complements maritime policies such as SAGAR. That dimension works only if heritage work is serious and is not sold as a substitute for trade, infrastructure and a capable navy.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2015/project-mausam-is-considered-a-unique-foreign-policy-initiative-of-indian-government-to-improve-relationship-wit-its-neighbours-does-the-project-have-a-strategic-dimension-discuss/

Q20 · 12 marks

Terrorist activities and mutual distrust have clouded India - Pakistan relations. To what extent the use of soft power like sports and cultural exchange could help generate goodwill between the two countries. Discuss with suitable examples.

GS II · 2015 · Governance and Policy

Revision summary

Terrorism and wars have made distrust the default in India-Pakistan ties.

Cricket, films, music, pilgrimage and campaigns such as Aman ki Asha can humanise the other side.

Goodwill from sport and culture is real, shallow, and reversed by the next major attack.

Soft power is a floor for people-to-people contact, not a substitute for ending cross-border terrorism.

Multilateral cricket and humanitarian visas are the most durable practical tools.

Introduction

India-Pakistan relations have been shaped by Partition, wars, Kashmir, and repeated terrorist attacks on Indian soil, from the 2001 Parliament attack to 26/11 Mumbai. Official talks freeze when blood is shed; publics learn to expect the freeze. Soft power - cricket, films, music, pilgrimage, literature - still moves ordinary people when the border is shut. It can generate pockets of goodwill. It cannot, by itself, replace a credible end to cross-border terrorism or a political process. The extent of help is real, limited, and easily reversed.

Body

Why distrust is the baseline

- Terrorism with alleged sanctuary or support from Pakistani soil is, for India, not a composite dialogue item but a first condition. Each attack resets the political clock.
- Military crises, ceasefire violations, and media nationalism on both sides punish leaders who look "soft".
- **People-to-people contact is already thin:** visas, the Attari-Wagah theatre, and suspended bus and train links after shocks.
- Soft power that ignores this structure will be called naive in Delhi and insufficient in the families of victims.

How sports and culture can still help - with examples

- **Cricket:** India-Pakistan matches at World Cups and Champions Trophies draw huge shared audiences. The 2004 Indian tour of Pakistan, in a thaw after the 2003 ceasefire, showed stadiums as temporary public diplomacy. Players' visits and commentary humanise the other side in a way a joint statement does not.
- Hockey, kabaddi and tennis have smaller but similar effects when series are allowed.
- **Cinema and television:** Hindi films and Pakistani television dramas have crossed the border in both directions in calmer years. Artists (khayal, qawwali, Sufi circuits) share a civilisational grammar that Partition did not fully cut.

• Aman ki Asha (Times of India and Jang group, 2010) was a media-led cultural and dialogue campaign that kept a civilian channel when official talks were brittle.

• **Pilgrimage:** the Kartarpur corridor idea (later opened in 2019) and older visas for the Nankana Sahib and Ajmer Sharif circuits show religion as a people-to-people route, not only as a conflict fuel.

• Track-two dialogues, writers' festivals, and alumni of shared universities create elites who can argue for restraint in a crisis - a thin but useful layer.

• Shared disaster response or sports ceasefires (playing on after a tragedy, or using a tournament as cover to resume talks) have occasionally lowered the temperature.

Extent and limits

• Soft power works best as a supplement when violence is down and visas exist. It does not survive a Mumbai-scale attack; films get banned, series get cancelled, and cricketers become symbols, not ambassadors.

• State-controlled narratives can turn a match into a nationalist test. Then sport increases distrust rather than goodwill.

• Goodwill among fans is not policy. The Pakistan Army-civilian balance and non-State groups are not moved by a cover drive.

• **Asymmetry:** Indian entertainment has a larger market. Cultural flow can feel like one-way influence in Pakistan, which creates its own resentment.

• **Useful extent:** keep human contact alive, reduce caricature, give both governments a face-saving off-ramp after a pause, and protect pilgrims and students from becoming hostages of every incident.

• Not useful as a substitute for intelligence cooperation, FATF-type pressure, or a clear Indian red line on terrorism.

A realistic mix

• Continue cricket in multilateral events even when bilateral series are politically impossible.

• Keep pilgrimage and medical visas as humanitarian exceptions.

• Do not pretend a concert equals a composite dialogue. Do not, either, empty the relationship of every civilian tie; that only feeds the next generation of distrust.

Flow diagram

Terrorism and distrust -> Official freeze

Sports cinema pilgrimage -> Pockets of goodwill

Pockets of goodwill -> Easier thaw when violence pauses

Terrorism and distrust -> Bans cancelled series

Bans cancelled series -> Official freeze

Policy on terror -> Soft power cannot replace

Conclusion

Sports and cultural exchange can generate real but perishable goodwill between Indians and Pakistanis, as cricket tours, films, Sufi and Punjabi culture, media campaigns such as Aman ki Asha, and pilgrimage show. The extent of help is limited: terrorism and the security establishments reset the relationship faster than a stadium can rebuild it. Soft power is worth keeping as a people-to-people floor. It is not a foreign-policy ceiling until violence stops being the opening move.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2015/terrorist-activities-and-mutual-distrust-have-clouded-india-pakistan-relations-to-what-extent-the-use-of-soft-power-like-sports-and-cultural-exchange-could-help-generate-goodwill-between-the-two-countries-discuss-with/

Compiled answer key

Last pages of this pack. Each question links to the WRAP model answer on wrapexams.com.

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Q1 **12 marks**	**Q2** **12 marks**	**Q3** **12 marks**	**Q4** **12 marks**
Q5 **12 marks**	**Q6** **12 marks**	**Q7** **12 marks**	**Q8** **12 marks**
Q9 **12 marks**	**Q10** **12 marks**	**Q11** **12 marks**	**Q12** **12 marks**
Q13 **12 marks**	**Q14** **12 marks**	**Q15** **12 marks**	**Q16** **12 marks**
Q17 **12 marks**	**Q18** **12 marks**	**Q19** **12 marks**	**Q20** **12 marks**

Question-wise key

Q1 · 12 marks Solution

Q2 · 12 marks Solution

Q3 · 12 marks Solution

Q4 · 12 marks Solution

Q5 · 12 marks Solution

Q6 · 12 marks Solution

Q7 · 12 marks Solution

Q8 · 12 marks Solution

Q9 · 12 marks Solution

Q10 · 12 marks Solution

Q11 · 12 marks Solution

Q12 · 12 marks Solution

Q13 · 12 marks Solution

Q14 · 12 marks Solution

Q15 · 12 marks Solution

Q16 · 12 marks Solution

Q17 · 12 marks Solution

Q18 · 12 marks Solution

Q19 · 12 marks Solution

Q20 · 12 marks Solution