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UPSC Mains 2016 GS II

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Q1 · 12 marks

Discuss the essentials of the 69th Constitutional Amendment Act and anomalies, if any, that have led to recent reported conflicts between the elected representatives and the institution of the Lieutenant Governor in the administration of Delhi. Do you think that this will give rise to a new trend in the functioning of the Indian federal politics?

GS II · 2016 · Federal Structure and Devolution

Revision summary

The 69th Amendment inserted **Article 239AA** and created Delhi's Assembly and Council of Ministers, excluding police, public order and land.

Ministers aid and advise the Lieutenant Governor, but a difference may be sent to the President, which became the legal hook for file delays.

The **GNCTD Act, 1991**, and control over services widened the gap between the voters' government and the Administrator.

The clash is structural to a national-capital Union Territory, not a new model for the States.

Court cases and the 2021 Amendment show competitive, litigated federalism in Delhi rather than a nationwide federal mutation.

Introduction

The Constitution (Sixty-ninth Amendment) Act, 1991, created a Legislative Assembly and a Council of Ministers for the National Capital Territory of Delhi under **Article 239AA**, while keeping Delhi a Union Territory under the President and the Lieutenant Governor. Essentials of that design, and the gaps in aid and advice, explain the public clash between the elected government and the Lieutenant Governor, and they show a special-capital model rather than a new State-federal template for the whole country.

Body

Essentials of the 69th Amendment

- **Article 239AA** gives Delhi a 70-member Assembly, a Council of Ministers with a Chief Minister, and power to make laws on State List and Concurrent List subjects, except public order, police and land, which remain with Parliament and the Union.

- **Article 239AA(4)** says the Council of Ministers shall aid and advise the Lieutenant Governor in the exercise of his functions, except where he is required to act in his discretion.
- The same clause's proviso lets the Lieutenant Governor, in case of a difference of opinion with the Ministers, refer the matter to the President and act as directed, and in urgent cases take immediate action pending that decision.
- **Article 239AB** allows the President to suspend the **Article 239AA** machinery if the administration of the capital cannot be carried on in accordance with that article, which is a safety valve unique to Delhi.
- The **Government of National Capital Territory of Delhi Act, 1991**, and the Transaction of Business Rules fill in file movement, the Administrator's role, and reserved subjects; they are the working statute of the 69th Amendment, not a substitute for it.

Anomalies that produced LG-ministry conflict

- Delhi is a Union Territory with a legislature, not a full State under **Article 1** and the **First Schedule** in the ordinary sense; voters elect a government that does not control police, land or public order, so daily administration is split by design.
- The phrase "any matter" in the proviso to **Article 239AA(4)** was read by the Union and by some Lieutenant Governors as a wide discretion to sit on files, appoint bureaucrats, and keep the Anti-Corruption Branch or services outside the elected cabinet.
- Services of All India Service officers and DANICS cadres serving the capital were treated as a Union subject, so the Chief Minister could not fully control the officers who implement Assembly laws.
- There is no clear statutory list of "discretionary" matters comparable to a Governor's limited discretion in a State; silence became a field of conflict over notifications, inquiries, and the Chief Secretary's reporting line.
- The Lieutenant Governor is the Administrator under **Article 239**, while the Council of Ministers is responsible to the Assembly; two democratic claims sit in one city, which is the core anomaly, not a mere personality clash.

Federal-politics trend

- The conflict is real and public, but it does not create a new federal type for the States of the Union; it is the politics of a national capital where the Union cannot vacate security, land and the civil service.
- **It does strengthen a trend of competitive, court-mediated federalism:** parties that rule Delhi and the Union differ, so **Article 239AA** is litigated instead of settled by convention, as seen later in **Government of NCT of Delhi v. Union of India (2018)** and the services judgment of 2023, and in the Government of National Capital Territory of Delhi (Amendment) Act, 2021.
- Other Union Territories with legislatures (Puducherry under **Article 239A**) can copy the same aid-and-advice disputes; full States still run on **Articles 163 and 164**, which is a different legal family.
- **A fair discussion therefore treats the 69th Amendment as a hybrid:** representative government for civic subjects, Union override for the capital's strategic subjects, and a standing risk of dual power when different parties occupy Raisina Hill and the Delhi Secretariat.

Flow diagram

69th Amendment Art 239AA -> Elected CM and Assembly
69th Amendment Art 239AA -> LG and Union subjects
Elected CM and Assembly -> Aid and advice
LG and Union subjects -> Proviso reference to President
Aid and advice -> Conflict over files and services
Proviso reference to President -> Conflict over files and services

Conclusion

The 69th Amendment gave Delhi an Assembly and a cabinet under **Article 239AA**, while locking police, land, public order and a wide reference power with the Lieutenant Governor and the Union. Those anomalies, not a sudden new federal doctrine, produced the elected-government versus Lieutenant Governor conflict. The lasting trend is court-supervised power-sharing in the capital, not a rewrite of State federalism for India as a whole.

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Q2 · 12 marks

To what extent is Article 370 of the Indian Constitution, bearing marginal note "temporary provision with respect to the State of Jammu and Kashmir", temporary? Discuss the future prospects of this provision in the context of Indian polity.

GS II · 2016 · Indian Constitution

Revision summary

Article 370 is labelled temporary in Part XXI and can cease under clause (3), but the State Constituent Assembly never recommended that before it dissolved in 1957.

Presidential orders, especially 1954, extended the Union Constitution while keeping the special gateway.

Court practice treated the article as continuing, so it was temporary in name and durable in fact until 2019.

C.O. 272, C.O. 273 and the J&K Reorganisation Act, 2019, made it inoperative; the 2023 judgment upheld that path and spoke of restoring statehood.

Prospects in polity are now about statehood and ordinary federalism, not about reviving the old **Article 370** as a living special status.

Introduction

Article 370 sits in Part XXI under the heading of temporary, transitional and special provisions, and its own marginal note calls it a temporary provision with respect to the State of Jammu and Kashmir. Temporariness was real in the text of 1949, but for seven decades practice made it a durable special status, until the President and Parliament in 2019 used **Article 370(3)** and related orders to end that status. A discussion of extent and prospects must hold both the original design and that later political-legal settlement.

Body

How far it was temporary in the text

- **Article 370(1)** limited the application of the Union Constitution to Jammu and Kashmir to **Article 1**, **Article 370** itself, and such other provisions as the President specified by order, with the State government's concurrence on matters in the Instrument of Accession and beyond.
- **Article 370(2)** tied certain concurrence to a decision of the State's Constituent Assembly.
- **Article 370(3)** allowed the President to declare that **Article 370** shall cease to be operative or shall operate only with exceptions, but only on the recommendation of the Constituent Assembly of the State.
- That Assembly adopted the State Constitution and dissolved itself in 1957 without recommending abrogation, which is why "temporary" in the margin did not, by itself, put an expiry date on the article.
- A chain of Constitution (Application to Jammu and Kashmir) Orders, especially the 1954 Order, extended Union lists, fundamental rights with modifications, and later **Article 35A (through the 1954 Order)**, so integration grew while the special gateway of **Article 370** remained.

How practice made it durable

- Supreme Court rulings such as Prem Nath Kaul and Sampat Prakash treated **Article 370** as still alive after 1957 and allowed continued Presidential orders, which converted a wartime accession

clause into a long-running special federal arrangement.

- Separate flags, residency rules, and a State Constitution sat beside the Union Constitution; that was special status in daily polity, not a sunset clause waiting to lapse.
- **Politically, Article 370 became a symbol:** for some a promise of autonomy after accession, for others an incomplete national integration. Temporariness was therefore a legal label and a political argument at the same time.
- In 2016, when this question was asked, the provision was temporary in constitutional classification and permanent in operational fact, unless a political majority found a lawful path through **Article 370(3)** or a constitutional amendment.

Future prospects in Indian polity

- **One prospect, later chosen, was to end the special application of the Constitution:** in August 2019 the President issued C.O. 272 and C.O. 273, Parliament passed the **Jammu and Kashmir Reorganisation Act, 2019**, and the State was reorganised into two Union Territories, with **Article 370** declared inoperative.
- **The Supreme Court in In Re: Article 370 (2023)** upheld the constitutional path of those orders while asking that statehood be restored, which shows that "future prospects" were not only academic.
- A second prospect, argued before 2019, was gradual erosion through more Presidential orders without a formal cease-to-operate declaration, which had already been the method since the 1950s.
- A third prospect was a political settlement restoring greater autonomy inside the Union, which remains a live federal demand even after 2019, especially around statehood, Assembly powers, and local jobs.
- For Indian polity the larger lesson is that Part XXI "temporary" clauses can last for generations, and that their end, when it comes, is a high-stakes Union decision tested in the Supreme Court, not an automatic lapse.

Flow diagram

Part XXI temporary heading -> Article 370 gateway
 Article 370 gateway -> Presidential orders to 2019
 Article 370 gateway -> Constituent Assembly dissolved 1957
 Constituent Assembly dissolved 1957 -> No automatic expiry
 Presidential orders to 2019 -> Constituent Assembly dissolved 1957. Presidential orders to 2019. 272 and 273 of 2019
 C.O. 272 and 273 of 2019 -> Special status inoperative

Conclusion

Article 370 was temporary in its Part XXI heading and in **Article 370(3)**, but not self-expiring after the State Constituent Assembly vanished. Practice made it a long special status. Its future, as actually written in 2019 and tested in 2023, was inoperativeness plus reorganisation, with statehood still an open federal promise. Temporariness was therefore a legal possibility that politics finally used, not a calendar date printed in 1950.

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Q3 · 12 marks

"The Indian party system is passing through a phase of transition which looks to be full of contradictions and paradoxes." Discuss.

GS II · 2016 · Governance and Policy

Revision summary

The party system moved from Congress dominance to coalitions and then to a new national majority, without erasing State-level regional parties.

Presidential campaign style collides with parliamentary collective responsibility.

The Tenth and 91st Amendments curb defection and cabinet size but strengthen high commands.

National and state party labels under the Symbols Order do not match the mixed federal reality.

The transition is therefore full of legal and political paradoxes, not a clean model change.

Introduction

India's party system has moved from one-party Congress dominance after 1952, through a long coalition age after 1989, to a new national pole after 2014, while regional parties, the Tenth Schedule, and internal party autocracy all remain. The transition is real; so are the contradictions, because parliamentary rules, federal society, and presidential-style campaigns do not move in one line.

Body**The transition**

- The first two decades after the Constitution were a Congress system in Rajni Kothari's sense: a dominant party with factions, not a rigid two-party model.
- 1967, 1977 and 1989 broke that monopoly; hung Houses, National Front and United Front experiments, and then NDA and UPA coalitions made coalition federalism the working form of Article 75 government.
- 2014 and 2019 produced a single-party majority in the Lok Sabha again, yet regional parties still decide many State Assemblies and several Rajya Sabha arithmetic problems, so the system is not a simple return to 1952.
- The Election Commission's recognition rules under the Election Symbols (Reservation and Allotment) Order, 1968, and the Representation of the People Act, 1951, still sort "national" and "state" parties by vote and seat tests that lag behind political reality.

Contradictions and paradoxes

- Parliamentary government needs collective responsibility and a working majority; campaigns have become leader-centred and presidential in style, which sits oddly with Articles 75 and 164.
- The Tenth Schedule, added by the 52nd Amendment, 1985, and tightened by the 91st Amendment, 2003, punishes defection but also freezes dissent inside the legislature, so party bosses gain while inner-party democracy stays weak.
- Anti-defection does not regulate the high command's power to issue a whip on every ordinary vote, which turns MPs into numbers rather than representatives, even as voters are told they chose a person.

- Regional parties demand federal autonomy in the States and then bargain for Union ministries in Delhi; they are both defenders of State rights and players in central coalition rent.
- A national party can dominate the Lok Sabha and still lose a string of States, which is a federal paradox, not a failure of the **Election Commission**.
- Social cleavage parties (caste, region, language) coexist with a catch-all national appeal on development and security; the same voter may split a Lok Sabha choice from an Assembly choice.
- The 91st Amendment capped Council of Ministers at 15 per cent of the House, which cut oversized coalition cabinets, but it did not end the use of extra-constitutional posts, parliamentary secretaries, or outside props to reward allies.
- Inner-party elections under the **Election Commission's** guidelines and under **Section 29A** registration are often formal; dynastic succession in several parties contradicts the language of political equality in the Preamble.

What the paradoxes mean

- The system is transitional because no stable two-party Westminster pattern has arrived, and because federal society keeps producing State-level systems that do not mirror the national result.
- Law can police symbols, splits and minister numbers; it cannot by itself create programmatic parties. That gap is the deepest paradox of the Indian party system.

Flow diagram

Congress dominance -> Coalition age after 1989
Coalition age after 1989 -> New national pole after 2014
New national pole after 2014 -> Regional parties in States
Tenth Schedule -> Whip over dissent
Regional parties in States -> Federal paradox
Whip over dissent -> Federal paradox

Conclusion

India is leaving a long coalition interval without becoming a classic two-party system. Majority at the Centre, regional strength in the States, anti-defection without inner democracy, and presidential campaigns inside a parliamentary Constitution are the live contradictions. The transition will look paradoxical until parties themselves become more internally democratic and more programmatically federal.

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Q4 · 12 marks

Exercise of CAG's powers in relation to the accounts of the Union and the States is derived from Article 149 of the Indian Constitution. Discuss whether audit of the Government's policy implementation could amount to overstepping its own (CAG) jurisdiction.

GS II · 2016 · Constitutional Bodies

Revision summary

Article 149 and the DPC Act, 1971, give the CAG power over Union and State accounts, including value-for-money examination.

Policy choice belongs to the executive and the legislature; implementation of that policy with public funds is auditable.

2G, coal and CWG-type reports sit on process and loss, not on a right to rewrite the manifesto.

Overstepping would be a binding policy direction or an audit with no accounts trail.

PAC scrutiny, not a narrower reading of **Article 149**, is the proper check on a bold CAG report.

Introduction

Article 148 creates the Comptroller and Auditor General of India, and **Article 149** says Parliament may prescribe the CAG's duties and powers in relation to the accounts of the Union and of the States. The Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Act, 1971, is that prescription. Whether an audit of policy implementation oversteps jurisdiction depends on whether the CAG is judging the wisdom of a policy choice or examining whether money and mandate were used with legality, economy, efficiency and effectiveness.

Body

Constitutional and statutory jurisdiction

- **Article 149** is the source of audit power over Union and State accounts; **Article 151** requires CAG reports to be laid in Parliament or the State legislature, which makes audit a legislative aid, not an executive veto.
- **Article 150** requires accounts to be kept in the form the President prescribes on the CAG's advice, so the auditor also shapes the books that will later be audited.
- The **DPC Act, 1971**, especially **Sections 13**, 16 and 17, covers expenditure from the Consolidated Fund, receipts, stores, and bodies substantially financed by government, which is the legal base for going beyond a mere arithmetical check of vouchers.
- Audit Boards and performance-audit manuals of the Indian Audit and Accounts Department follow INTOSAI-type standards: regularity (compliance) and performance (value for money).
- The **Public Accounts Committee** of Parliament examines CAG reports; the CAG does not punish a minister. Jurisdiction is to report, not to replace the government.

Policy versus implementation

- Choosing a policy - a spectrum auction design, a coal-block allocation method, or a games-village contract - is the executive's domain under **Articles 73 and 74**, and the legislature's domain when a law or a demand for grant is voted.

- Implementation is whether rules were followed, whether competitive bidding happened as notified, whether delays inflated cost, and whether stated scheme objectives were met. That is classic audit of implementation, not a substitute manifesto.
- Reports on 2G spectrum, coal block allocation, and the Commonwealth Games were attacked as policy trespass; they were, in substance, audits of process, loss of revenue, and contract management, which [Article 149](#) read with the 1971 Act allows.
- Where a report uses a hypothetical "presumptive loss" figure, the political storm is larger, but the constitutional question remains whether the CAG had material from government accounts and files, not whether the opposition liked the number.
- Overstepping would occur if the CAG directed that a policy must be reversed, or if it audited a purely political question with no expenditure, receipt, or store trail - for example, a foreign-policy speech with no money vote.

Why implementation audit is intra vires

- A government that spends public money always implements a policy; to ban implementation audit would reduce [Article 149](#) to a clerk's tick on totals, which the 1971 Act never intended.
- Federal accounts of the States are equally under the CAG; the same line applies, so a State scheme's delivery, not its political colour, is the audit object.
- Courts have treated CAG reports as expert material that legislatures and investigating agencies may use; they have not held performance audit unconstitutional.
- Safeguards against overreach are the PAC hearing, the executive's reply, and the CAG's own need to stay evidence-based. Those are political and professional checks, not a constitutional gag on implementation audit.

Flow diagram

Article 149 -> DPC Act 1971

DPC Act 1971 -> Regularity audit

DPC Act 1971 -> Performance audit of implementation

Performance audit of implementation -> PAC and legislature

Policy choice -> Executive and House

Performance audit of implementation -> not a veto Executive and House

Conclusion

[Article 149](#), given body by the DPC Act, 1971, authorises audit of accounts and of how policy is carried out with public money. That is not overstepping. It would be overstepping only if the CAG tried to choose the policy itself or to issue binding directions. Implementation audit is therefore within jurisdiction; policy choice remains with the Council of Ministers and the House.

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Q5 · 12 marks

Discuss each adjective attached to the word 'Republic' in the 'Preamble'. Are they defensible in the present circumstances?

GS II · 2016 · Governance and Policy

Revision summary

The Preamble's adjectives of the Republic are Sovereign, Socialist, Secular and Democratic.

Sovereign remains sound despite treaties, because [Article 368](#) and domestic law stay Indian.

Socialist, added by the 42nd Amendment, is defensible as welfare and equality, not as a closed economy.

Secularism is basic structure after Bommai, and is tested by equal enforcement of [Articles 14, 15 and 25](#).

Democratic form survives through elections and responsible government, even when money and criminality weaken its quality.

Introduction

The Preamble describes India as a Sovereign Socialist Secular Democratic Republic. Those four adjectives qualify the Republic: the head of State is not a monarch, and the Republic is meant to be independent, socially just, religiously even-handed, and based on popular mandate. Each word is still defensible in law, even where daily practice is imperfect.

Body**Sovereign**

- Sovereignty means the Republic is not a colony or a dominion; the Constitution is the highest law, and external affairs sit with the Union under [Article 246](#) and the Union List.
- Membership of the United Nations, the WTO, and treaty regimes under [Article 253](#) does not surrender the power to make or unmake those commitments; it is pooled sovereignty by consent.
- Present stresses - cross-border terrorism, economic interdependence, and extra-territorial data or tax disputes - test capacity, not the legal fact of sovereignty.
- The adjective remains defensible because no external authority can repeal an Indian statute or an amendment under [Article 368](#).

Socialist

- "Socialist" was inserted by the Constitution (Forty-second Amendment) Act, 1976, and read with the Directive Principles in Part IV, especially [Articles 38, 39 and 43](#).
- It does not mean a command economy. After 1991 liberalisation, the Supreme Court in cases such as *Excel Wear* and later economic judgments treated socialism as a commitment to reduce inequality and to keep a welfare floor, not as a ban on private industry.
- MGNREGA under the [Mahatma Gandhi National Rural Employment Guarantee Act, 2005](#), the [National Food Security Act, 2013](#), and rights-based schemes show a welfare Republic, even as markets allocate most capital.
- The adjective is defensible if socialism is read as social and economic justice, not as 1970s licence raj; it is weaker if judged as public ownership of the means of production.

Secular

- "Secular" was also inserted by the 42nd Amendment, but the Court in Kesavananda Bharati and S.R. Bommai had already treated secularism as part of basic structure, based on [Articles 25 to 28](#) and the equality clauses.
- Indian secularism is equal respect and reform of religion, not a wall that ignores faith; personal laws, minority educational rights under [Article 30](#), and the Uniform Civil Code direction in [Article 44](#) live in tension.
- Present controversies over hate speech, place-of-worship politics, and selective enforcement test the adjective hard.
- It remains defensible in the constitutional text and in Bommai's dismissal-on-secularism logic; it is only as strong as equal application of [Articles 14, 15, 21 and 25](#) by governments and courts.

Democratic

- **Democracy here is representative:** adult suffrage, periodic elections under [Article 324](#), and responsible government under [Articles 75 and 164](#).
- The [Representation of the People Act, 1951](#), the 73rd and 74th Amendments, and the Right to Information Act, 2005, thicken democracy beyond a five-year vote.
- Present stresses include money power, criminal candidates, delayed local elections, and pressure on dissent; they injure quality, they do not repeal the democratic form.
- The adjective is defensible because governments still fall on the floor of the House and on the ballot, which is the minimum meaning of a democratic Republic.

Taken together

- A Republic without those adjectives would still have an elected President under [Articles 52 to 62](#) instead of a hereditary king; the adjectives tell us what kind of Republic the Preamble wants.
- They are defensible as constitutional promises and as basic-structure values. They are not self-executing slogans, and present circumstances require statute, scheme and court to keep them honest.

Flow diagram

Republic -> Sovereign
 Republic -> Socialist
 Republic -> Secular
 Republic -> Democratic
 Sovereign -> Constitution as highest law
 Socialist -> Part IV welfare
 Secular -> Arts 25 to 28
 Democratic -> Art 324 elections

Conclusion

Sovereign, Socialist, Secular and Democratic still describe the Indian Republic in the Preamble and in basic-structure doctrine. Sovereignty and the democratic form are the easiest to defend in present law. Socialist and secular content is defensible as justice and equal citizenship, and is strained wherever inequality or unequal religious treatment becomes official practice.

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WRAP Exams

Q6 · 12 marks

What was held in the Coelho case? In this context, can you say that judicial review is of key importance amongst the basic features of the Constitution?

GS II · 2016 · Indian Constitution

Revision summary

I.R. Coelho held that laws inserted in the Ninth Schedule after 24 April 1973 can be struck down if they damage basic structure.

Article 31B is not an absolute immunity from Part III and from judicial review.

Kesavananda, Indira Gandhi, Minerva Mills and L. Chandra Kumar already treated judicial review as a basic feature.

Coelho makes that feature the lock on the Ninth Schedule.

- **Judicial review is therefore of key importance:** it is how every other basic feature is actually defended.

Introduction

I.R. Coelho v. State of Tamil Nadu (2007) is the nine-judge ruling on whether a law put into the Ninth Schedule after 24 April 1973 is immune from fundamental-rights review. The Court held that such laws can still be tested on the basic structure, especially if they damage judicial review or other identified features. In that setting, judicial review is not one optional tool among many; it is the feature that keeps every other basic feature enforceable.

Body

What Coelho held

- The Ninth Schedule, read with Article 31B, was added by the First Amendment, 1951, to protect certain agrarian laws from being void under Part III.
- Waman Rao had already drawn a line at 24 April 1973, the date of Kesavananda Bharati: laws inserted into the Ninth Schedule before that date had greater protection; later insertions did not get a blank cheque.
- Coelho held that a law placed in the Ninth Schedule after 24 April 1973 is open to challenge if it violates basic structure, and that the Court will look at the actual effect of the law, not only at the label of the schedule.
- If the law destroys or damages judicial review, equality, or other basic features, Article 31B cannot save it.
- The judgment does not abolish the Ninth Schedule; it stops the Schedule from becoming a laundry bag that hides constitutional amendments and ordinary statutes from the Kesavananda test.

Judicial review among the basic features

- Kesavananda Bharati (1973) listed judicial review, or the power of courts to examine laws, among the features that Article 368 cannot destroy.
- Indira Nehru Gandhi v. Raj Narain struck down the attempt to place the Prime Minister's election beyond court scrutiny, which is judicial review applied to the electoral basic feature.
- Minerva Mills (1980) restored the balance of Parts III and IV and treated limited amending power and judicial review as essential; clipping the Court's power was itself unconstitutional.

- **L. Chandra Kumar v. Union of India (1997)** held that judicial review by High Courts under **Article 226** and by the Supreme Court under **Article 32** is a basic feature, so even tribunal systems cannot oust that jurisdiction completely.
- **Coelho sits in this line:** if Parliament could bury any statute in the **Ninth Schedule**, judicial review would be a paper feature, and basic structure would have no remedy.

Why it is of key importance

- Federal distribution, fundamental rights, secularism, and free elections all need a forum that can void a contrary Act. Without judicial review those features are political appeals, not law.
- **Articles 13, 32, 136, 141, 142 and 226** are the working machinery; Coelho says **Article 31B** cannot switch that machinery off by a schedule entry.
- Key importance does not mean judicial supremacy over every policy. It means that among basic features, review is the enforcement device. A feature that cannot be enforced is not basic in practice.
- Later use of the **Ninth Schedule** has been cautious precisely because Coelho raised the cost of packing it.

Flow diagram

Kesavananda 24 Apr 1973 -> Ninth Schedule insertions
Ninth Schedule insertions -> I.R. Coelho 2007
I.R. Coelho 2007 -> Basic structure test on effect
Basic structure test on effect -> Judicial review Arts 32 and 226
Judicial review Arts 32 and 226 -> Other basic features enforced

Conclusion

Coelho held that post-1973 **Ninth Schedule** laws remain open to basic-structure review, including a direct attack on judicial review itself. In that context judicial review is of key importance among basic features, because it is the only feature that can police the others when Parliament uses **Article 31B** or **Article 368**. Without it, the basic-structure doctrine would be a sermon without a court.

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Q7 · 12 marks

Did the Government of India Act, 1935 lay down a federal constitution? Discuss.

GS II · 2016 · Federal Structure and Devolution

Revision summary

The 1935 Act designed an All-India Federation, three legislative lists, provincial autonomy and a Federal Court.

Those are federal constitutional features and they later shaped the 1950 text.

The federation of princely States never started, so the scheme stayed on paper.

Governor-General and Governor special powers, and the absence of fundamental rights, kept a colonial unitary core.

The Act therefore laid down a federal constitution in form, not a fully operative federation.

Introduction

The **Government of India Act, 1935**, was the longest British statute for India and the first to draw an All-India Federation with three lists, provincial autonomy, and a Federal Court. On paper it laid down a federal constitution. In operation the federation of princely States never commenced, and the Governor-General's special powers kept a strong unitary core. The honest answer is therefore a qualified yes: federal in design, not a working federation of the 1950 kind.

Body

Federal features on paper

- The Act proposed a federation of Governors' Provinces and acceding Indian States, with a Federal Legislature and a Federal Executive, which is the classic federal idea of dual polities under a common centre.
- It distributed powers through a Federal List, a Provincial List and a Concurrent List, the direct ancestor of the **Seventh Schedule** of the Constitution of India.
- **Provincial autonomy replaced dyarchy in the provinces:** popular ministries responsible to elected provincial legislatures ran transferred provincial subjects, which is a federal trait at the unit level.
- A Federal Court was created to decide disputes between units and to interpret the Act, a judicial umpire being a normal federal device.
- Residuary powers were with the Governor-General, and the Instrument of Accession was to define each prince's federal subjects, which is closer to a treaty federation than to the later Indian model of a created Union.

Why it was not a full federal constitution in fact

- **Part II of the Act**, the All-India Federation, never came into force because the required number of princely States did not accede; from 1937 to 1947 the Centre remained the 1919-style dyarchy plus the 1935 central chapters, not a federation of States.
- The Governor-General had special responsibilities and discretionary powers over defence, ecclesiastical affairs, external affairs, and tribal areas, and could act against ministerial advice, which is not the federal executive of a dominion with responsible government at the Centre.

- Governors in the provinces had similar special responsibilities and could take over under **Section 93**, a colonial preview of later **Article 356**, which kept a unitary override inside "autonomy".
- There was no bill of fundamental rights against the federal and provincial governments, and sovereignty remained with the British Crown and Parliament, which could still amend or repeal the Act.
- Representation of princes in the federal legislature was to be undemocratic nomination, so even a commenced federation would have mixed autocracy with elected British-India provinces.

Discussion against the 1950 Constitution

- The Constitution of India took the lists, the Federal Court (as the Supreme Court), and provincial autonomy, then added adult suffrage, justiciable rights, and a Union that exists without princely accession.
- Indian federalism is often called quasi-federal because of **Articles 3, 248, 254 and 356**; the 1935 Act was more quasi-federal still, because the Centre was not even a responsible federal cabinet in the full sense and the federation of States never sat.
- Scholars therefore say the 1935 Act laid down a federal scheme and a federal court, but not a living federal constitution. That distinction answers the question without denying the Act's influence on 1950.

Flow diagram

GoI Act 1935 -> Three lists and provincial autonomy
GoI Act 1935 -> All-India Federation plan
All-India Federation plan -> Princes did not accede
Princes did not accede -> Federation never commenced
GoI Act 1935 -> GG special powers
GG special powers -> Federation never commenced

Conclusion

- **The Government of India Act, 1935, did lay down a federal constitution on paper:** three lists, provincial autonomy, a Federal Court, and a planned All-India Federation. It did not become a working federation, because the princes did not join and the Governor-General retained a unitary, colonial core. It was a federal blueprint under the Crown, not a completed federal republic.

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Q8 · 12 marks

What is quasi judicial body? Explain with the help of concrete examples.

GS II · 2016 · Governance and Policy

Revision summary

A quasi-judicial body is not a court but must hear parties and give a reasoned, binding decision on rights.

Articles 323A and 323B and many sector statutes create such forums.

NHRC, CIC, NGT, CAT, CCI and consumer commissions are concrete examples.

Some Election Commission and tax-assessment functions are also quasi-judicial.

The category attracts natural justice and writ review, unlike a pure policy circular.

Introduction

A quasi-judicial body is an authority that is not a court of law but must hear parties, follow natural justice, and give a reasoned decision that affects rights, often subject to appeal or judicial review. India uses such bodies to take technical disputes off the regular civil and criminal dockets while still keeping a court-like process. Concrete statutory and constitutional examples make the definition usable, not abstract.

Body

Meaning

- "Quasi" means "as if": the body acts like a court for a limited class of disputes, but it is created by statute or by the Constitution as an administrative or regulatory authority, not as a Chapter IV or Chapter V court under Articles 124 to 147 or 214 to 231.
- The minimum legal tests, drawn from natural-justice cases and from tribunal law, are notice, hearing, absence of bias, a speaking order, and a decision that binds the parties unless stayed or set aside.
- It applies law or regulations to facts, rather than only issuing circulars or collecting tax without a contest. A pure executive order with no hearing is administrative; a civil suit before a district judge is judicial; the middle is quasi-judicial.
- Article 323A and Article 323B authorise tribunals for service and other matters; those tribunals are a constitutional species of quasi-judicial bodies, still under High Court review after L. Chandra Kumar.
- Many regulators combine legislative (regulations), executive (licence) and quasi-judicial (penalty, tariff, combination approval) functions in one organisation, which is why the "body" must separate its hearing wing in practice.

Concrete examples

- The National Human Rights Commission, under the Protection of Human Rights Act, 1993, inquires into complaints, summons records, and recommends relief; it is quasi-judicial in inquiry, not a criminal court that can sentence.
- The Central Information Commission and State Information Commissions, under the Right to Information Act, 2005, hear second appeals and can impose penalty under Section 20; those penalty orders are quasi-judicial.

- The National Green Tribunal, under the **National Green Tribunal Act, 2010**, decides environmental disputes with expert members and has powers of a civil court for defined purposes, yet it is a statutory tribunal, not a High Court.
- The Central Administrative Tribunal, under the **Administrative Tribunals Act, 1985**, hears service disputes of All India Services and Central civil posts, a classic **Article 323A** example.
- The **Election Commission of India**, when it decides disputes on party symbols under the Symbols Order, or when it issues a reasoned order on a Model Code complaint that affects a candidate, acts in a quasi-judicial way, even though **Article 324** also gives it wide administrative superintendence.
- The **Competition Commission of India** under the Competition Act, 2002, the Securities and Appellate machinery around SEBI, TRAI with the Telecom Disputes Settlement and Appellate Tribunal, and income-tax assessing officers when they pass a best-judgment assessment after hearing, are everyday quasi-judicial examples.
- National and **State Consumer Disputes Redressal Commissions** under the **Consumer Protection Act** (1986, now 2019) decide consumer complaints with a simplified procedure; they are quasi-judicial forums, not ordinary civil courts.

Why the category matters

- If a body is quasi-judicial, mandamus and certiorari under **Article 226** lie more readily against a speaking-order defect, and the record must show reasons.
- If the same body only makes policy, courts give more deference. Labelling a penalty as "administrative" cannot hide a duty to hear.
- **Concrete examples therefore train the administrator:** NHRC, CIC, NGT, CAT, CCI and consumer commissions all show the same skeleton of notice, hearing and reason, with different subject statutes.

Flow diagram

Administrative action -> Quasi-judicial hearing
 Quasi-judicial hearing -> Notice hearing reasons
 Quasi-judicial hearing -> Statute or Arts 323A 323B
 Regular courts -> Articles 32 226 136
 Notice hearing reasons -> Articles 32 226 136

Conclusion

A quasi-judicial body decides rights through a court-like hearing without being a regular court. NHRC, **Information Commissions**, NGT, CAT, the **Competition Commission**, consumer commissions, and some functions of the **Election Commission** are working Indian examples. The label matters because natural justice and judicial review attach to that hearing, which is the whole point of creating the body.

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Q9 · 12 marks

Professor Amartya Sen has advocated important reforms in the realms of primary education and primary health care. What are your suggestions to improve their status and performance?

GS II · 2016 · Health, Education and Human Resources

Revision summary

Sen treats primary education and primary health as capabilities that must come from public action, not only from growth.

RTE, 2009, raised enrolment; the next reform is learning, teachers, ECCE and living **School Management Committees**.

NHM and ASHAs expanded reach; the next reform is Health and Wellness Centres, a paid frontline cadre, and public-health-not only hospital insurance.

ICDS, midday meals and school health should converge on the same child.

Finance and audit must follow outcomes, which is the practical reading of Sen in Indian schemes.

Introduction

Amartya Sen treats literacy and basic health as capabilities that make other freedoms usable, not as leftover welfare after growth. India's own data - high private spending on outpatient care, weak learning in government schools, and uneven primary health centres - show that enrolment and building counts are not enough. Suggestions must therefore change teaching, frontline health work, and public finance, using the laws and missions already on the books.

Body

Sen's reform direction

- Sen has argued, with Jean Drèze and others, that India under-invests in elementary education and in primary health relative to its income, and that this drags down both growth and democracy.
- The capability view asks whether a child can actually read, and whether a woman can reach a functioning sub-centre, not only whether a school or a clinic exists on paper.
- That view fits **Article 21A** and the Right of Children to **Free and Compulsory Education Act, 2009**, and it fits the Directive Principles in **Articles 39, 42, 45 and 47**, including the State's duty to improve nutrition and public health.

Primary education: status and suggestions

- The **RTE Act, 2009**, made eight years of schooling a right, with neighbourhood schools, pupil-teacher ratios, and 25 per cent seats in private unaided schools. Status is better on enrolment than on learning, as successive ASER-type findings have shown.
- **Suggestion one:** treat learning outcomes as the performance metric. Publish class-wise reading and arithmetic results at the cluster level, and use them in teacher support, not only in ranking States for political praise.
- **Suggestion two:** fill teacher vacancies and end multi-grade neglect in small schools; a right under the RTE Act is empty if one teacher covers several classes.
- **Suggestion three:** early childhood care under **Article 45** and the National Early Childhood Care and Education Policy must join Class I, because primary failure often starts in an

unprepared five-year-old. ICDS anganwadis need education-trained workers, not only supplementary nutrition.

- **Suggestion four:** Samagra Shiksha (which folded SSA and RMSA) should fund school libraries, special educators, and mother-tongue bridging in the first two years, instead of repeating civil-works saturation.

- **Suggestion five:** community monitoring through **School Management Committees** under the RTE Act must be real, with social audits of attendance and midday meals under the **National Food Security Act, 2013**, so the kitchen and the classroom both work.

Primary health care: status and suggestions

- National Rural Health Mission, later the National Health Mission, expanded ASHAs, Janani Suraksha Yojana, and public facilities, yet outpatient care is still heavily private and out-of-pocket.

- **Suggestion one:** make the Health and Wellness Centre under Ayushman Bharat a true first point of care with medicines, diagnostics, and a mid-level provider, so primary care is not a referral slip to a distant district hospital.

- **Suggestion two:** pay, train and legally protect ASHAs and ANMs as the permanent primary-care workforce; honorary volunteer status produces turnover and weak immunisation follow-up.

- **Suggestion three:** public health cadre and district epidemiology, not only insurance for hospitalisation. The National Health Policy, 2017, already points this way; hospital packages under PM-JAY cannot replace sub-centre work.

- **Suggestion four:** converge ICDS, NHM, and school health for nutrition, anaemia, and immunisation, because Sen's "primary health" is a child's growth chart as much as an adult's OPD.

- **Suggestion five:** ring-fence State primary-health spending and fill MBBS and specialist gaps with bonded rural service that is actually served, plus telemedicine as a supplement, not as a substitute for a nurse at the village.

Shared governance suggestions

- Raise the public spend path toward the NHP target share of GDP, with a larger fraction on primary levels, which is Sen's core fiscal point.

- Use outcome budgets and CAG performance audit of SSA/Samagra and NHM so implementation, not only allocation, is visible to the **Public Accounts Committee**.

- Do not privatise the first mile; use private providers where public capacity is absent, under publicly paid, quality-audited contracts, which keeps the capability in public responsibility.

Flow diagram

Sen capabilities -> Primary education

Sen capabilities -> Primary health

Primary education -> RTE Act and Samagra Shiksha Act and Samagra Shiksha

Primary health -> NHM ASHA HWC ASHA HWC

RTE Act and Samagra Shiksha -> Learning and survival outcomes

NHM ASHA HWC -> Learning and survival outcomes

Conclusion

Sen's case is that primary school and primary health are public capabilities, not residual charity. India has the RTE Act, ICDS, NHM and school-health missions; performance will rise when teachers teach, ASHAs are a real workforce, Health and Wellness Centres treat, and money is judged by learning and surviving children, not by buildings inaugurated.

Open WRAP page — <https://wrapexams.com/upsc/mains-answers/gs-2/2016/professor-amartya-sen-has-advocated-important-reforms-in-the-realms-of-primary-education-and-primary-health-care-what-are-your-suggestions-to-improve-their-status-and-performance/>

WRAP Exams

Q10 · 12 marks

"In the Indian governance system, the role of non-state actors has been only marginal." Critically examine this statement.

GS II · 2016 · Governance and Policy

Revision summary

Non-state actors include NGOs, SHGs, media, companies, unions and community bodies that shape public decisions.

MGNREGA social audit, NRLM, RTI, RTE partnerships and CSR show they are not merely marginal in delivery and voice.

The State still monopolises coercion, tax and all-India administration, and can shrink NGOs through FCRA.

Informal power groups can capture local governance without being democratic non-state actors.

- **The statement is therefore half-true at best:** marginal in sovereign core, substantial in social-sector governance.

Introduction

Non-state actors are organisations and groups outside the formal executive, legislature and judiciary that still shape public decisions: voluntary agencies, self-help groups, trade unions, companies, media, professional bodies, and community organisations. The statement that their role in Indian governance is only marginal is too sweeping. They are central in several delivery and accountability spaces, and still weak where the State monopolises coercion, tax and all-India services.

Body**Where the statement is too strong**

- The 73rd and 74th Amendments brought elected local bodies, but implementation of many rural programmes runs through self-help groups, mahila samitis, and NGOs; the National Rural Livelihoods Mission treats SHGs as a governance infrastructure, not as decoration.
- Social audit under the **Mahatma Gandhi National Rural Employment Guarantee Act, 2005**, and gram sabha roles under PESA, 1996, in **Fifth Schedule** areas, give non-state and community actors a legal place in watching the State.
- The Right to Information Act, 2005, was itself the product of a grassroots movement; media and civil-society users of RTI are now routine actors in accountability, which is governance, not a side hobby.
- Service delivery in education, health and disaster relief often depends on charitable trusts, missionary and community schools, and philanthropic hospitals, especially where public facilities are thin.
- Corporate social responsibility under **Section 135** of the Companies Act, 2013, and public-private partnerships in infrastructure pull companies into quasi-public roles, for better or worse.
- Trade unions, farmer organisations, and professional regulators (Bar Councils, Medical Council / **National Medical Commission**) make rules that the State then recognises; that is shared governance, not a margin.

- International non-state actors - rating agencies, standard-setting bodies, and global NGOs - influence Indian policy through markets and treaties, which a purely "marginal" thesis cannot explain.

Where the statement still has force

- **The core of the Weberian State remains with the Union and the States:** defence, currency, All India Services, criminal investigation, and the power to tax. Non-state actors do not replace the district magistrate or the police.
- Many "participatory" committees are invited, funded, and dissolved by departments; they advise, they do not allocate the Consolidated Fund.
- The Foreign Contribution (Regulation) Act, 2010, licence and FCRA cancellation practice can shrink advocacy NGOs, which shows that the State still sets the legal room for non-state politics.
- Informal actors - caste panchayats, strongmen, and unregulated contractors - can capture local governance in ways that are powerful but not legitimate; "non-state" is not always civic virtue.
- Policy design in finance, defence and external affairs is still closed; think tanks comment, they rarely co-author the Cabinet note.

A critical balance

- Indian governance is a State-centred system with a thick non-state fringe that is sometimes the real delivery system, especially in social sectors and in information politics.
- The statement would be accurate for the 1950s licence-permit administration. It is inaccurate after rights-based laws, SHG-led livelihoods, RTI, CSR, and 24-hour media.
- **The fair examination is therefore:** non-state actors are no longer marginal in voice and last-mile delivery; they remain marginal in sovereign functions and in binding allocation of public money, unless the statute expressly partners them.

Flow diagram

State core tax police AIS -> Indian governance
 NGOs SHGs media CSR unions -> Indian governance
 NGOs SHGs media CSR unions -> Delivery and accountability
 State core tax police AIS -> Sovereign functions
 FCRA and department control -> NGOs SHGs media CSR unions

Conclusion

The claim that non-state actors are only marginal does not survive MGNREGA social audits, SHG missions, RTI, CSR, unions and the media. They still do not hold the police power or the budget. Indian governance is State-led and society-entangled. Calling that entanglement "marginal" hides both the democratic gain and the capture risk.

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Q11 · 12 marks

"Effectiveness of the government system at various levels and people's participation in the governance system are inter-dependent" Discuss their relationship in the context of India.

GS II · 2016 · Governance and Policy

Revision summary

Effectiveness of government and people's participation depend on each other in India's three-tier Union.

Elections, gram sabhas and ward committees give the mandate and the local plan.

RTI, social audit and service guarantees work only when offices answer; they also make offices answer.

Where funds and staff are not devolved, participation becomes ritual and delivery stays weak.

Protecting auditors and opening village data keeps both sides of the link alive.

Introduction

A government system works when offices deliver services, keep order, and remain answerable. People's participation is the way citizens vote, plan, watch, and share in those offices. In India the two feed each other: weak participation makes the Union, the State, and the local body deaf; a deaf office then drives people away from the process. The Constitution already joins them through adult franchise, local self-government, and rights to information and service.

Body

Why the two are inter-dependent

- Effectiveness means that a scheme reaches the last household, a court order is obeyed, and a panchayat school actually runs. That needs local knowledge which only residents hold.
- Participation means voting, gram sabhas, ward committees, self-help groups, social audit, and public interest litigation. Those tools work only if the office records are open and the staff respond.
- If people stay out, officials plan from the top, leakages rise, and trust falls. If the office is closed or corrupt, people treat participation as empty ritual and turnout or meeting quality drops.
- India is a Union of States with a third tier after the 73rd and 74th Amendments. Effectiveness is therefore a chain: Union policy, State cadre and budget, and local delivery. A break at any rung wastes the other two.

How the relationship shows in Indian practice

- Regular elections to the Lok Sabha, State Assemblies, panchayats and municipalities give a mandate. Without that mandate, even a skilled bureaucracy lacks legitimacy.
- The 73rd and 74th Amendments created gram sabhas and ward committees so that plans for water, roads and poverty schemes would be made with the people who use them. Where the sabha is regular and the devolution of the 3Fs (functions, funds, functionaries) is real, schools, anganwadis and MGNREGA works improve.

- Where States keep the 29 panchayat subjects on paper and the secretary answers only to the Block, participation becomes a signature on a register and effectiveness stays low.
- The Right to Information Act, 2005, social audit under MGNREGA, and public hearings under the **Forest Rights Act** give citizens a file to hold. Those tools raised effectiveness where commissions and courts backed them; they failed where applicants were threatened.
- Sevottam, citizen charters, and public service guarantee Acts in several States try to make the counter time-bound. They work when users know the charter and can appeal. A charter that nobody reads does not raise participation.
- Self-help groups, cooperatives, and resident welfare associations fill gaps in health, credit and sanitation. They are non-state participation that still needs a responsive collector and municipality.

Stresses that break the link

- Clientelism and money power can raise turnout without raising the quality of participation. Effectiveness then means favours, not public goods.
- Digital portals such as MyGov and Direct Benefit Transfer can widen reach, but they exclude those without a phone, a bank, or literacy unless assisted kiosks exist.
- Over-centralised schemes with rigid guidelines leave little for a gram sabha to decide, so people stop coming.
- Crime against those who audit, and delays in information commissions, punish participation and protect a weak office.

What would keep both sides alive

- Devolve funds and staff to the third tier, publish village-wise data, and treat the gram sabha as a decision body, not a crowd for photographs.
- Protect whistle-blowers and social auditors, and time-bound RTI appeals.
- Mix representative democracy (the elected house) with participatory tools (audit, hearing, charter) so that every level of government is watched by the people it serves.

Flow diagram

People participation -> Effective government
 Effective government -> People participation
 People participation -> Vote gram sabha RTI audit
 Effective government -> Devolution 3Fs charters
 Vote gram sabha RTI audit -> Local delivery
 Devolution 3Fs charters -> Local delivery

Conclusion

In India, government effectiveness and people's participation are not two separate files. Franchise, panchayats, information rights and social audit show that delivery improves when people can enter the process, and that people enter the process only when the office is open and fair. Strengthening the third tier, social audit and time-bound services is how the Union and the States can keep that two-way link.

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Q12 · 12 marks

In the integrity index of Transparency International, India stands very low. Discuss briefly the legal, political, social and cultural factors that have caused the decline of public morality in India.

GS II · 2016 · India and its Neighbourhood

Revision summary

Transparency International's index is a perception score, but it matches weak public morality in office.

Legal delay, sanction hurdles and licence discretion lower the cost of corruption.

Election expense, criminal candidates and patronage politics set a bad example.

Society often pays speed money and expects caste or kin favours from officials.

Cultural habits of bakshish, status and jugaad excuse the decline unless shame and speedy trial return.

Introduction

Transparency International's Corruption Perceptions Index has often placed India in the lower half of the table. A low rank is not a court finding, but it matches a public sense that office is used for private gain. Public morality is the habit of treating public money and public power as a trust. Legal gaps, political incentives, social tolerance of the 'known person', and cultural excuses have together worn that habit down.

Body

Legal factors

- **Laws against corruption exist:** the **Prevention of Corruption Act, 1988**, the Prevention of Money-Laundering Act, 2002, and service rules. Enforcement is slow. Trials last years, so the fear of punishment is weak.
- Until the 2018 amendment line, the older PCA made even a genuine official hesitant, while the big bribe-giver often escaped. Sanction to prosecute under **Section 19** delayed cases against serving officers.
- Election law still allows large, poorly traced campaign spend. The **Representation of the People Act** punishes some corrupt practices, but black money in polls is hard to prove.
- A crowded statute book with licences, inspections and discretion creates rent. Where a clerk can delay a file, morality is tested every day.
- Whistle-blower protection and a strong, independent anti-corruption body with all-India reach remain incomplete. The Lokpal took years to become a working office after the 2013 Act.

Political factors

- High cost of elections pushes parties and candidates toward undeclared funds and toward donors who later want contracts or posts.
- Criminalisation of politics, recorded in successive Association for Democratic Reforms studies of affidavits, normalises the idea that a charge-sheet is not a bar to office.
- Patronage and the transfer-posting industry teach the cadre that loyalty to a minister can matter more than the rule book.
- Coalition arithmetic and horse-trading, including misuse of office-of-profit and floor-crossing before the **Tenth Schedule** bite, display public office as a bargain.

- Weak inner-party democracy means tickets are sold or gifted, not earned by clean local work.

Social factors

- Citizens often pay a speed money to get a ration card, a caste certificate or a police FIR, and then treat it as a service charge rather than a crime.
- Kinship, caste and community networks expect an official to 'help his own'. That social claim collides with equal treatment under [Article 14](#).
- Low social shame for conspicuous wealth of a modest-salary officer, unless a sting appears on television, reduces informal control.
- Unequal access to courts and to English paperwork leaves the poor with the tout as their only broker.

Cultural factors

- A long memory of the bakshish, the gift to the official, and the idea of the mai-baap sarkar still colours the counter.
- **Status attached to a government post can slide into entitlement:** the peon and the secretary both may see the public as petitioners, not as principals.
- Jugaad as a praised skill can become a cultural cover for bending the rule 'just this once'.
- Religious and ritual giving is honourable; the line between dana and a quid pro quo donation to a party or a temple trust linked to a minister is often blurred in public talk.

A brief join

- Law without speedy trial, politics funded in the dark, a society that pays to jump the queue, and a culture that excuses the fixer, move together. The index records the result, not the first cause.

Flow diagram

Legal delay and discretion -> Decline of public morality
 Costly criminalised politics -> Decline of public morality
 Speed money and kinship -> Decline of public morality
 Patron culture and jugaad -> Decline of public morality
 Decline of public morality -> Low integrity index rank

Conclusion

India's low place on the integrity index reflects a decline in public morality fed by slow anti-corruption law, costly and criminalised politics, everyday speed money, and a culture that still treats the official as a patron. Statutes and a Lokpal are not enough unless elections are cleaner, discretion is cut, and society stops honouring the fixer.

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Q13 · 12 marks

Has the Indian governmental system responded adequately to the demands of Liberalization, Privatization and Globalization started in 1991? What can the government do to be responsive to this important change?

GS II · 2016 · Governance and Policy

Revision summary

LPG asked the State to regulate and cushion, not to licence every investment.

India delicensed industry, cut tariffs, created SEBI, TRAI, CCI and similar bodies, and used some disinvestment.

Factor markets, full PSU reform, district inspections and farm marketing lagged.

WTO-era patents and farm talks show unfinished globalisation politics.

Further response needs independent regulators, bankruptcy and exit, State-level ease, and portable social security.

Introduction

The 1991 crisis forced India to cut the licence raj, welcome more foreign capital, and join a more open world market. Liberalization, privatization and globalization (LPG) asked the governmental system to shift from a controlling owner to a regulator, a competition umpire, and a social-safety provider. The response has been real but uneven: the Union opened many product markets; land, labour, farms, and some public monopolies still run on an older grammar.

Body

What 1991 demanded of government

- Delicense industry, lower peak tariffs, and let the rupee find a market rate so that firms, not the licence committee, decide investment.
- Reduce the State's role as owner where private capital can compete, and use disinvestment both for efficiency and for fiscal space.
- Accept global rules, later including the **WTO (1995)**, and build regulators who are not the old producing ministry in a new name.
- Protect the poor with targeted transfers, because prices and jobs would shift faster than the old planning model allowed.

Where the system did respond

- The New Industrial Policy, 1991, ended most industrial licensing. Peak customs duties fell over the 1990s and 2000s. FDI caps were raised in many sectors through the DIPP/DPIIT route.
- **Independent regulators appeared:** SEBI (given statutory force in 1992), TRAI, CERC, IRDAI, and the **Competition Commission** under the Competition Act, 2002, replacing the old MRTP control mindset.
- Disinvestment and strategic sales moved some public firms toward the market; a **Disinvestment Commission** and later a department gave the file a home.
- Tax reform, convertibility on the current account, and a more professional RBI-government dialogue improved macro management compared with 1991.

- Trade policy used export promotion, SEZs, and later GST design work (still incomplete in 2016) to match a globalised production chain.
- **Social response was not absent:** MGNREGA, RTE, and a shift toward Direct Benefit Transfer tried to cushion those whom LPG did not automatically lift.

Where the response was not adequate

- Factor markets lagged product markets. Labour statutes stayed fragmented; land acquisition remained politically explosive after the 2013 Act; farm marketing in many States still ran through old mandi law.
- Privatization often meant selling minority shares, not a hard budget for remaining PSUs. Bank recapitalisation without a bankruptcy code (the Insolvency and Bankruptcy Code, 2016, was only just born) left sick capital stuck.
- Ease of doing business at the district window - inspections, power, contract enforcement - did not match the 1991 speech in many States.
- Globalisation brought WTO disputes on agriculture, patents (mailbox and then product patents from 2005), and services. India adapted the Patents Act but still struggles to speak with one trade-and-livelihood voice.
- Inequality, informal jobs, and regional concentration of investment show that LPG was not matched by equal State capacity in education, skilling and urban land.

What government can still do to stay responsive

- Finish a national bankruptcy-to-exit path, recast remaining PSUs as commercial boards or sell where the State has no strategic need, and stop using banks as a second budget.
- **Build State-level factor reform:** simpler labour codes, time-bound land and building permission, and power that is billed and paid.
- Keep independent regulators genuinely independent of the line ministry, with published orders and appellate tribunals that work.
- Use WTO and FTA talks to open what India can compete in, while defending food security, public health TRIPS flexibilities, and a services agenda (Mode 4) that matches India's strength.
- Pair openness with portable social security, skilling, and logistics so that a worker and a small firm can enter the global chain without a licence tout.
- **Cooperative federalism:** LPG now lives in GST-type bargains, State industrial policy, and city land. The Union cannot liberalise on paper while States remain inspector raj.

Flow diagram

LPG 1991 1991 -> Delicensing FDI regulators
 LPG 1991 -> Gaps labour land PSU banks
 Delicensing FDI regulators -> Partial response
 Gaps labour land PSU banks -> Partial response
 Partial response -> Next independent umpires exit social floor

Conclusion

The governmental system did respond to 1991 by delicensing, building regulators, cutting tariffs and adding some social floors. It has not responded adequately on factor markets, true privatization, district-level ease, and equal human capital. Responsiveness now means independent umpires, exit for sick firms, State-level reform, and social security that travels with the worker in an open economy.

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WRAP Exams

Q14 · 12 marks

"Traditional bureaucratic structure and culture have hampered the process of socio-economic development in India." Comment.

GS II · 2016 · Governance and Policy

Revision summary

India's bureaucracy was built for order and revenue, then asked to run development.

Tall hierarchy, generalist IAS posting and frequent transfers slow schemes.

File worship, risk fear and petitioner culture keep the citizen at the door.

Licence and inspector habits, and weak city cadres, have hurt investment and welfare targeting.

Tenure, specialisation, local cadres and open delivery can keep rules against loot without blocking development.

Introduction

India inherited a steel-frame bureaucracy built to collect revenue, keep order, and report upward. After 1950 the same structure was asked to run farms, factories, schools and welfare. Structure means hierarchy, rules, and a generalist cadre. Culture means file worship, status, and distance from the citizen. Both have helped stability; both have also slowed socio-economic development when speed, local knowledge and risk-taking were needed.

Body**The traditional structure**

- A tall pyramid - secretariat, directorate, district, block - makes every new scheme travel through many desks. Delay is built into the chart.
- The Indian Administrative Service and allied All-India Services are generalist. A district officer may handle law and order in the morning and a nutrition mission in the afternoon. Depth in health, urban design or power is often missing.
- Cadre control, frequent transfers, and a confidential roll that rewards caution more than outcomes, push officers toward safe files.
- Vertical programmes from the Union cut across the collector's desk. Parallel societies and project units then bypass the line department, which weakens both the old structure and accountability.
- Colonial district primacy still concentrates too many licences in one office. Development needs many specialised desks that talk to each other, not one bottleneck.

The traditional culture

- The file is the work. Noting in elegant English can replace a field visit. The poor wait while the note is perfect.
- Mai-baap attitudes treat the citizen as a petitioner. Socio-economic rights under the Constitution need a service culture, not a durbar culture.
- **Risk aversion:** an audit para or a vigilance case is feared more than a school that never opens. Development requires pilots and honest failure; the culture punishes both.
- Status distance - the peon, the clerk, the gazetted officer - reproduces social hierarchy inside the office and outside it, which hurts targeting of SC, ST and women-headed households.

- **Rule-fetish without result:** the General Financial Rules and conduct rules are needed against loot, but they are also used to say no to a time-bound road or a teacher posting.

How this has hampered development

- **Licence raj before 1991 was the extreme form:** investment waited on a committee. Residual inspector raj still raises the cost of a small firm and of a farmer who wants a warehouse licence.
- Leakage in PDS, scholarships and housing is not only political; it is also a culture of the middleman who 'knows the office'.
- Implementation of land reform, tenancy protection and forest rights often stalled at the revenue office that was built to protect titles of the powerful.
- Urban development suffers when municipal cadres are weak and the State secretariat will not let cities hire or fire.
- Innovation in primary health and learning outcomes needs data and local managers. A secretariat that values control of budget more than outcomes will under-use ASHAs, SMCs and panchayats.

The other side of the comment

- The same bureaucracy ran elections, the census, disaster camps, and the constitutional transfer of power. Stability is also a development good.
- Many reforms - RTI, citizen charters, e-office, Direct Benefit Transfer, secession of some licences - show that structure and culture can change when the political executive insists.
- The comment is therefore largely right about delay, generalism, transfer culture and petitioner-treatment; it is too sweeping if it denies that a rule-bound service also limits arbitrary local power.

What would un-hamper development

- Longer tenures, domain specialisation after a few years, and outcome contracts rather than only process audit.
- Lateral entry for scarce skills, with a clear ethics code, and a stronger municipal and panchayat cadre.
- Digitised, faceless delivery where the rule is clear, so culture has less room to extract rent.
- Social audit and public dashboards so that the file is not the only memory of the State.

Flow diagram

Tall hierarchy generalist cadre -> Delay and weak expertise
 File culture risk fear durbar -> Delay and weak expertise
 Delay and weak expertise -> Slower socio-economic development
 Tenure data local cadres -> Less hamper more delivery

Conclusion

- **The statement is fair:** a colonial pyramid, generalist posting, transfer fear, and a petitioner culture have slowed India's socio-economic programmes. The same steel frame also kept the Union intact and can still deliver when tenure, specialisation, local cadres and open data replace file worship. Development needs a bureaucracy that is rule-bound toward loot and result-bound toward the citizen.

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WRAP Exams

Q15 · 12 marks

Examine the main provisions of the National Child Policy and throw light on the status of its implementation.

GS II · 2016 · Governance and Policy

Revision summary

The National Policy for Children, 2013, replaced the 1974 policy and defines a child as a person below 18.

- **It rests on the child's best interest and four areas:** survival and nutrition, education, protection, and participation.

MWCD is nodal; NCPCR and SCPCRs watch; a **National Plan of Action** is meant to set targets.

RTE, ICDS, POCSO, JJ Act 2015 and the 2016 child-labour amendment carry much of the Policy into law.

Stunting, weak learning, vacant protection posts and thin child participation show incomplete implementation.

Introduction

The National Policy for Children, 2013, replaced the 1974 policy and treats every person below eighteen years as a child. It is a rights-based Union statement, not a single Act. It tells all ministries that the child's best interest comes first in survival, health, nutrition, education, protection and participation. Implementation is spread across ICDS, schools, child protection services and criminal law, and it is still uneven across States.

Body

Main provisions of the National Policy for Children, 2013

- The child is a rights-holder. The State, the family and the community share duty. The best interest of the child is the guiding test for every law and scheme.
- **Survival, health and nutrition:** the Policy promises safe birth, immunisation, infant and young-child feeding, care of the malnourished, and health services that reach the girl child and the child with disability.
- **Education and development:** free and compulsory education in the 6-14 band is already a fundamental right (**Article 21A** and the RTE Act, 2009); the Policy also stresses early childhood care, the 15-18 years group, play, and protection from child labour that cuts schooling.
- **Protection:** freedom from violence, trafficking, sexual offence, hazardous work, and conflict with law. It backs a juvenile justice approach that is child-friendly, not a mini-adult criminal court as the first instinct.
- **Participation:** the child's view is to be heard in families, schools, panchayats and proceedings that affect her, in line with the UN Convention on the Rights of the Child, which India ratified in 1992.
- **Equality and non-discrimination:** special attention to SC, ST, minorities, the girl child, street children, children of migrants, and children with disability.
- **Institutional map:** the Ministry of Women and Child Development as nodal ministry; the **National Commission** for Protection of Child Rights (NCPCR) and **State Commissions** as watchdogs; a **National Plan of Action** to turn the Policy into targets.
- **Budget and data:** child budgeting, coordination across ministries, and disaggregated data so that a missing girl or a drop-out is visible.

Status of implementation

- **Survival and nutrition:** ICDS and the National Health Mission expanded anganwadis, ASHAs and immunisation. NFHS and hunger measures still show high stunting and anaemia. The Policy's nutrition promise is therefore only partly met.
- **Education:** RTE brought neighbourhood schools, 25 per cent private-school seats for weaker sections, and a ban on screening at entry. Learning outcomes (ASER and NAS) remain weak; many children aged 15-18 are out of a useful course. Early childhood care is still the thinner limb.
- **Protection:** the Protection of Children from **Sexual Offences Act, 2012**, the Juvenile Justice (Care and Protection of Children) Act, 2015, and the Child Labour (Prohibition and Regulation) Amendment Act, 2016, gave the Policy teeth. Integrated Child Protection Scheme (ICPS) funds **Child Welfare Committees**, juvenile boards and homes. Vacancies, delayed CWC sittings, and poor home quality are common.
- Trafficking, child marriage (**Prohibition of Child Marriage Act, 2006**) and missing children still show a gap between statute and police-panchayat practice.
- **Participation:** school cabinets and some Bal Sabhas exist; genuine hearing of the child in custody, adoption and school-expulsion cases is patchy.
- NCPCR and SCPCRs monitor and inquire, but they are not a substitute for district staff. Child budgeting in Union and State budgets has grown in line items, yet many 'child' heads are general education or health not targeted to the most excluded.
- The **National Plan of Action** for Children (work toward a 2016 plan) tries to set monitorable goals; without State plans and collectors' dashboards, the 2013 Policy remains a preface.

Examine, do not only list

- The 2013 Policy is stronger than 1974 because it is rights-based, defines the child as under-18, and names participation. Implementation depends on State cadres, panchayats and courts, not on the gazette notification alone.
- Criminal law moved faster than nutrition and learning. A child may have a POCSO court in the district and still be stunted and unable to read a grade-2 text.

Flow diagram

NPC 2013 under-18 rights 2013 under-18 rights -> Survival health nutrition
 NPC 2013 under-18 rights -> Education development
 NPC 2013 under-18 rights -> Protection
 NPC 2013 under-18 rights -> Participation
 Survival health nutrition -> ICDS NHM NHM
 Education development -> RTE Act Act
 Protection -> POCSO JJ ICPS JJ ICPS

Conclusion

- **The National Policy for Children, 2013, sets a clear map:** best interest, four priority areas, equality, NCPCR, and child budgeting. Implementation is visible in RTE, ICDS, POCSO, the 2015 juvenile law and the 2016 child-labour amendment, but nutrition, learning, protection staff and the child's own voice still lag. The Policy will be real when every district treats those gaps as a failure of duty, not as a missing scheme name.

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WRAP Exams

Q16 · 12 marks

"Demographic Dividend in India will remain only theoretical unless our manpower becomes more educated, aware, skilled and creative." What measures have been taken by the government to enhance the capacity of our population to be more productive and employable?

GS II · 2016 · Governance and Policy

Revision summary

A young population is a dividend only if it is educated, aware, skilled and creative.

RTE, SSA and RMSA expand schooling; health and literacy missions raise basic capability.

The National Skill Development Mission, PMKVY, NSDC, ITIs and DDU-GKY target employable skills.

NRLM, **Digital India** and Jan Dhan add awareness, credit and digital access.

Weak learning outcomes and uneven placement mean the dividend is still not automatic.

Introduction

A demographic dividend is a spell when the share of working-age people is high and the share of dependents is low. India is in that window, but a young crowd is not a dividend until it can read, stay healthy, learn a skill, and create value. The quoted statement is right: without education, awareness, skill and creativity, the window becomes unemployment and social stress. The Union and the States have built a ladder of schools, missions and skill bodies to make manpower employable.

Body

Why the dividend stays theoretical without capability

- Productive work needs literacy, numeracy and the ability to learn a new tool. ASER-type findings of weak grade-level reading show that enrolment alone is not human capital.
- Awareness includes health, rights, finance and digital safety. An unaware worker is easy to cheat in the city and easy to exclude from a scheme.
- Skill is the bridge from a certificate to a wage. Creativity is what lets a worker move from a machine-minding job to a small firm or a new service.
- Without those four, a large labour force only raises the informal, low-wage sector and does not raise output per worker.

Education and awareness measures

- Sarva Shiksha Abhiyan and then the Right of Children to **Free and Compulsory Education Act, 2009**, pushed universal elementary schooling, neighbourhood schools and trained teachers as a legal duty.
- Rashtriya Madhyamik Shiksha Abhiyan aimed to expand secondary schools so that the 14-18 group does not drop out just when the dividend needs them.
- Mid-Day Meal, Kasturba **Gandhi** Balika Vidyalayas, and **Beti Bachao Beti Padhao** attack the girl-child gap, without which half the manpower stays under-used.
- National Literacy Mission / Saakshar Bharat and adult education try to cover those who missed school.

- **Digital India**, Common Service Centres, and financial-inclusion drives (Jan Dhan) raise awareness of banking, identity and public services.
- **National Health Mission, immunisation and ICDS are manpower policy in another name:** a stunted or anaemic youth cannot be a productive worker.

Skill and employability measures

- The National Skill Development Mission (2015), the Ministry of Skill Development and Entrepreneurship, and the National Skill Development Corporation (NSDC) were set up to coordinate government and private training.
- Pradhan Mantri Kaushal Vikas Yojana (PMKVY) funds short-term training and certification aligned to the National Skills Qualifications Framework (NSQF).
- Industrial Training Institutes, apprenticeships under the Apprentices Act (amended to ease industry intake), and Deen Dayal Upadhyaya Grameen Kaushalya Yojana for rural poor youth target different segments.
- **Make in India** and related sector missions try to create the demand side without which trained youth still sit at home.
- National Rural Livelihoods Mission organises women into self-help groups, adding credit, book-keeping and micro-enterprise skill, which is employability outside a factory job.
- Higher education expansion - more IITs, NITs, IIMs and central universities - and the National Mission on Education through ICT aim at the creative and professional end of the manpower ladder.

Gaps that keep the statement alive

- Placement after PMKVY has been uneven; industry often still retrain. Creativity is weakly served if schools test only memory.
- A large informal sector does not always recognise NSQF certificates. State vocational boards and employers must sit on the same framework.
- Quality of government schools and ITIs varies sharply by district. The dividend is national; capability is local.

Join to the quote

- The government's measures are a real architecture of RTE, secondary expansion, skill mission, PMKVY, DDU-GKY, NRLM and digital-financial inclusion. They make the dividend possible. They do not yet make it automatic, which is why the statement still warns the planner.

Flow diagram

Demographic dividend -> Educated
 Demographic dividend -> Aware
 Demographic dividend -> Skilled
 Demographic dividend -> Creative
 Educated -> RTE SSA RMSA SSA RMSA
 Skilled -> Skill Mission PMKVY ITI
 Aware -> Digital India Jan Dhan NHM

Conclusion

The demographic dividend stays theoretical until people are educated, aware, skilled and creative. India has answered with RTE and SSA/RMSA, health and literacy missions, Jan Dhan and **Digital India**, the 2015 Skill Mission, PMKVY, ITIs, apprenticeships, DDU-GKY and NRLM. The next test is quality of learning, genuine placement, and jobs that use those skills - otherwise the window will close as a crowd, not as a dividend.

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Q17 · 12 marks

"The broader aims and objectives of WTO are to manage and promote international trade in the era of globalization. But the Doha round of negotiations seem doomed due to differences between the developed and the developing countries." Discuss in the Indian perspective.

GS II · 2016 · International Institutions

Revision summary

The WTO sets common trade rules and dispute settlement for a globalised market.

The Doha round (2001) promised development but stalled on agriculture versus industrial and services ambition.

India needs a permanent solution on public food stockholding and a Special Safeguard Mechanism for farmers.

India also seeks Mode 4 services access and TRIPS health flexibilities, and resists paying first in NAMA.

If Doha dies, mega-regionals may set rules without India, so New Delhi still wants a fair multilateral finish, not a silent burial.

Introduction

The World Trade Organization, set up in 1995, is meant to write common rules, cut trade barriers, settle disputes, and keep globalisation from becoming a jungle of the strongest. The Doha Development Agenda, launched in 2001, promised that this round would put developing-country needs first. By 2016 that round looked stalled: the United States and the European Union wanted more opening in industry and services; India and many G-20 farm countries wanted a genuine correction of farm subsidies and a liveable deal on food security.

Body

Aims of the WTO, and why Doha mattered

- The WTO houses agreements on goods (GATT 1994), services (GATS), and intellectual property (TRIPS), plus a binding dispute settlement system.
- Its broader aim is non-discrimination (most-favoured nation and national treatment), transparency, and progressive liberalisation with special and differential treatment for poorer members.
- **Doha was sold as a development round:** agriculture, non-agricultural market access (NAMA), services, TRIPS and public health, special and differential treatment, and implementation issues of the Uruguay Round.

Why the round looks doomed: North-South split

- **Agriculture:** developed members keep large domestic support and export competition tools. Developing members asked for a Special Safeguard Mechanism and for Special Products to protect food and livelihood security. Those asks were treated in rich capitals as a brake on 'ambition'.
- **NAMA:** developed members pushed a Swiss formula that would cut higher industrial tariffs faster. India and others feared de-industrialisation if peak bindings fell before their firms were ready.

- **Services:** India has offensive interests in Mode 4 (movement of professionals) and in some Mode 1 work. Partners offered little on visas and professional recognition, while asking India to bind more sectors at home.
- **TRIPS:** the Doha declaration on public health (2001) and the later paragraph-6 system for compulsory-licence exports were a developing-country win. Newer pressure on TRIPS-plus in bilateral deals sits outside the round but poisons trust.
- **Process:** consensus among 160-plus members, green-room exclusion, and shifting chairs made a single undertaking almost impossible. **Bali (2013)** saved a trade-facilitation deal only by parking the hardest farm fights.

Indian perspective

- India joined the WTO to lock most-favoured-nation access, use dispute settlement (as in several textile, steel and shrimp fights), and shape rules rather than only receive them.
- Food security is not a slogan for India. Public stockholding for the PDS and MSP operations can hit the old de minimis subsidy cap. At Bali, India sought a peace clause; **Nairobi (2015)** did not close a permanent solution. That unfinished file is a main reason India will not treat Doha as dead while still being asked to pay in NAMA.
- Livelihood of a large small-farmer population explains India's defence of the Special Safeguard Mechanism. A sudden import surge can destroy a season's income in a way that a rich-country farmer, backed by a cheque, does not face.
- India also wants more Mode 4 access and recognition of qualifications. A Doha package that opens goods and keeps professionals out is a bad bargain for India's endowment.
- India used TRIPS flexibilities in the Patents Act (**Sections 3(d)**, compulsory licensing) after 2005. It will resist a Doha-or-bilateral agenda that closes those flexibilities.
- At the same time, Indian industry and services exporters need a working WTO. If Doha dies, mega-regionals (TPP-type deals, even if India is outside) will write rules without New Delhi. That is a strategic cost.
- **India's line has therefore been:** finish the development issues of Doha; do not replace them with a rich-country 'new issues' list (investment, procurement) until the old farm and food agenda is honoured.

Discuss, do not only blame

- Developing countries are not one bloc. Some Cairns-style farm exporters want more access into India. India must still protect the PDS farmer without pretending that every tariff is sacred.
- Developed-country politics after 2008 (jobs, China shock, later Brexit talk) reduced their room to cut farm support. Deadlock is political on both sides.
- A doomed single undertaking does not erase WTO dispute settlement or existing bindings. India should still use those, while keeping the moral claim that Doha's development promise was not a footnote.

Flow diagram

WTO manage and promote trade manage and promote trade -> Doha development round
development round

Doha development round -> Developed NAMA services TRIPS-plus

Doha development round -> Developing farm SSM food stocks Mode 4

Developed NAMA services TRIPS-plus -> Round stalled

Developing farm SSM food stocks Mode 4 -> Round stalled

Round stalled -> India peace clause and SSM defence

Conclusion

The WTO's aim is to manage and promote trade under common rules. Doha looks doomed because developed members will not give enough on farm support and food-security stockholding, while asking developing members to cut industrial tariffs and bind services. From India's perspective the round cannot be buried until a permanent solution on public stockholding, a usable special safeguard, and a fairer services Mode-4 offer are on the table - or else globalisation's rules will be written in clubs that leave Indian livelihoods out.

Open WRAP page — <https://wrapexams.com/upsc/mains-answers/gs-2/2016/the-broader-aims-and-objectives-of-wto-are-to-manage-and-promote-international-trade-in-the-era-of-globalization-but-the-doha-round-of-negotiations-seem-doomed-due-to-differences-between-the-developed-and-the-developing/>

Q18 · 12 marks

Evaluate the economic and strategic dimensions of India's Look East Policy in the context of the post Cold War international scenario.

GS II · 2016 · India and its Neighbourhood

Revision summary

Look East began in the early 1990s after the Cold War and India's 1991 opening.

Economically it built ASEAN partnership, a goods FTA, and a hunt for East Asian FDI and connectivity.

Trade grew but deficits and slow Trilateral/Kaladan delivery limited the gain.

Strategically it seated India in ARF and the East Asia Summit and deepened ties with Japan, Vietnam and ASEAN as China rose.

The policy is a turn, not a finished economic or military bloc; domestic connectivity decides how real it is.

Introduction

The Look East Policy began in the early 1990s under P.V. Narasimha Rao, when the Cold War had ended, the Soviet economic umbrella had gone, and India had opened the 1991 reforms. It turned India's face toward South-East and East Asia - ASEAN first, then Japan, Korea, China as a market, and Australia - for trade, investment and a quieter security net. After 2014 the same line was restated as Act East, but the 2016 question is still about that post-Cold War turn and its two dimensions.

Body

Post-Cold War setting

- The bipolar world collapsed. Non-alignment lost its old stage, and economic performance became a source of power.
- **East Asia was the growth pole:** flying-geese investment, ASEAN's regionalism, and later China's rise. India could not stay a closed South Asian story.
- The United States became the unmatched naval power in the Indian Ocean and the western Pacific. India had to find a way to grow with that fact, not against a vanished USSR.
- Myanmar, a land bridge to ASEAN, left a socialist isolation path. India's north-east needed that bridge if Look East was to be more than a Delhi seminar.

Economic dimension - evaluate

- **Trade:** India became an **ASEAN Sectoral Dialogue Partner (1992)**, a **Full Dialogue Partner (1996)**, and a Summit partner (2002). The India-ASEAN Trade in **Goods Agreement (2009)** cut tariffs on a large basket. Two-way trade rose, though it stayed well below China-ASEAN trade and ran a deficit for India in several years.
- **Investment and production:** Japanese and Korean capital, and later Singapore as a financial gateway, fitted India's need for infrastructure, autos and electronics. Look East was also a search for FDI that Europe and a weak USSR could no longer supply in the old pattern.
- **Connectivity:** the Trilateral Highway idea (India-Myanmar-Thailand), Kaladan multi-modal project, and Mekong-Ganga Cooperation aimed to join the north-east to mainland South-East Asia. Delivery has been slow: insurgency, Myanmar politics, and weak logistics inside India

limited the economic bang.

- **Sub-regional clubs:** BIMSTEC and MGC were meant to go around a stalled SAARC. They remain thinner than ASEAN's own community project.
- **Services and people:** Indian professionals, education links, and a diaspora in Singapore and Malaysia are a real but under-used economic arm.
- **Evaluation:** economically Look East opened a second front besides the West and the Gulf. It did not make ASEAN India's largest partner, and a goods FTA without matching services and investment depth left Indian manufacturing exposed to ASEAN-China supply chains.

Strategic dimension - evaluate

- ASEAN Regional Forum membership and later the East Asia Summit (India joined 2005) gave India a seat where regional security is talked, including the South China Sea as a sea-lane issue.
- A rising China, not a vanished USSR, became the main Asian strategic fact. Look East is not only 'friendship with ASEAN'; it is a way to avoid isolation if the Himalayan border stays hard.
- **Defence diplomacy:** exercises with Singapore, Vietnam's defence ties, Japan as a special strategic partner, and a growing Indo-Pacific naval habit (Malabar with the US and Japan) grew out of the same eastward turn.
- **Myanmar:** from a neglected neighbour to a necessary partner against insurgent camps and for access to the Bay of Bengal-Andaman sea space.
- The United States' post-Cold War presence made a gradual India-US strategic closeness possible; Look East fitted that without India joining a formal treaty alliance.
- **Evaluation:** strategically the policy raised India's profile and options. It did not, by itself, settle the China border or give ASEAN a security guarantee India cannot fund. ASEAN's own desire not to choose between Beijing and others also caps how far 'Look East' can become a containment line.

Join the two dimensions

- In the post-Cold War world, markets and sea lanes are the same map. A goods agreement with ASEAN is economic; the same strait is strategic.
- Weak north-east roads make both dimensions thinner. Look East succeeds inside India as much as in Jakarta or Tokyo.

Flow diagram

Post Cold War 1991 -> Look East Policy
 Look East Policy -> ASEAN FTA FDI connectivity
 Look East Policy -> ARF EAS Japan Vietnam navy
 ASEAN FTA FDI connectivity -> North-east as bridge
 ARF EAS Japan Vietnam navy -> China rise sea lanes

Conclusion

Look East was India's post-Cold War answer to a lost Soviet prop and a booming East Asia: seek trade, FDI and connectivity with ASEAN and the wider East, and sit in ARF and the East Asia Summit as China rose. Economically it opened doors but left a trade deficit and slow land connectivity. Strategically it multiplied partners without a treaty alliance. The policy is a success of direction; Act East will be judged on roads, ports and balanced trade, not on communiqués.

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WRAP Exams

Q19 · 12 marks

"Increasing cross-border terrorist attacks in India and growing interference in the internal affairs of member-states by Pakistan are not conducive for the future of SAARC (South Asian Association for Regional Cooperation)." Explain with suitable examples.

GS II · 2016 · Bilateral and Regional Groupings

Revision summary

SAARC needs minimum trust; the Charter's ban on bilateral disputes does not save a summit after a terror strike.

Parliament 2001, Mumbai 2008, Pathankot 2016 and Uri 2016 are Indian examples of cross-border attacks linked to Pakistan-based groups.

Afghanistan and other members have accused Pakistan of shaping their internal security politics through proxies.

India's boycott of the 2016 Islamabad summit, joined by others, showed SAARC cannot meet in that climate.

Work then shifts to BIMSTEC and bilateral corridors until terror and interference stop.

Introduction

SAARC was set up in 1985 so that seven (later eight) South Asian states could work on trade, food, energy and people-to-people ties. It needs a minimum of trust. Cross-border terrorism against India, and Pakistan's habit of using militants and political levers inside neighbours, destroy that trust. Summits then become a stage for boycott rather than a table for the South Asian Free Trade Area.

Body

Why SAARC needs a peace floor

- Article I of the SAARC Charter lists welfare, growth and collective self-reliance. Article X says bilateral disputes shall not be discussed in SAARC. In practice, a bilateral security collapse still empties the hall, because leaders will not sit with a sponsor of violence against their cities.
- SAFTA, the SAARC Development Fund, and energy or motor-vehicle ideas all need open borders and banks. Terror and interference close borders and freeze bank channels.

Cross-border terrorist attacks in India - examples

- The attack on the Indian Parliament in December 2001, traced to Pakistan-based groups, froze official talk and showed that the core of the Indian State could be hit from across the frontier.
- The Mumbai attacks of 26 November 2008, carried out by Lashkar-e-Taiba operators who came by sea, killed civilians and foreign guests. Pakistan's tardy and partial prosecution of the handlers remains a running wound. No regional club can look normal while that file is open.
- The Pathankot airbase attack in January 2016 struck a military installation after a brief opening in India-Pakistan talk. It taught New Delhi that a 'dialogue plus terror' track is not a stable SAARC path.
- The Uri army-camp attack in September 2016 led India to pull out of the Islamabad SAARC Summit. Afghanistan, Bangladesh and Bhutan also declined to attend. That is the Charter meeting the facts: a summit in the accused capital was not tenable.

- Smaller but repeated infiltration, fidayeen strikes in Jammu and Kashmir, and the use of groups listed by the UN as terrorist entities, keep the Line of Control and the international border hot. SAARC's 'people-to-people' clause cannot outrun a funeral list.

Pakistan's interference in internal affairs of members - examples

- **Afghanistan:** Pakistan has long been accused by Kabul of sheltering the Taliban leadership and of using militant proxies to shape Afghan politics. An Afghanistan that cannot trust Islamabad will not invest political capital in a Pakistan-hosted SAARC.
- **Bangladesh:** past decades saw alleged ISI links with extremist outfits and, in older years, shelter for north-east Indian insurgents. Even after a warmer Dhaka-Delhi line, any revival of that pattern would again split the club.
- Nepal and the Maldives have seen political classes complain of intelligence and religious-extremist influence from Pakistani soil or from groups that find space there. Whether each charge is proved in a court, the pattern of distrust is itself a SAARC problem.
- Inside Pakistan's own polity, the civil-military imbalance and the use of jihad as a tool toward India and Afghanistan make a 'good neighbour' pledge hard to believe.
- The SAARC Anti-Terrorism mechanism and the SAARC Terrorist Offences convention exist on paper. They do not work if one member is the safe base for the listed groups.

How this is not conducive to SAARC's future

- Summits become irregular. Without a summit rhythm, the secretariat in Kathmandu is a post office, not a driver.
- India, the largest economy, shifts work to BIMSTEC, BBIN and bilateral connectivity with Bangladesh, Nepal, Bhutan and Sri Lanka. That is rational, but it leaves SAARC as the empty chair.
- Pakistan's isolation inside the eight makes consensus (SAARC's rule) a veto for the very state accused of bad faith.
- Trade through Wagah and attari stays thin; informal and third-country routes rise. Regional production chains, the real prize of SAARC, never form.
- Smaller members fear taking sides. The organisation then produces declarations on poverty while the security file, which the Charter pretends is 'bilateral', actually decides attendance.

Explain, with a limit

- Not every SAARC failure is Pakistan. India-Pakistan structural rivalry, weak intra-regional trade for tariff and logistics reasons, and India's size fear among some elites also bind the club.
- **The quoted statement is still accurate as a proximate cause of the 2016-type collapse:** terror and interference make the next summit politically impossible.

Flow diagram

Cross-border terror on India -> SAARC trust collapse
 Pakistan interference in members -> SAARC trust collapse
 SAARC trust collapse -> Summit boycott 2016
 Summit boycott 2016 -> BIMSTEC BBIN bilaterals
 Parliament Mumbai Pathankot Uri -> Cross-border terror on India

Conclusion

SAARC cannot have a future as a working economic club while Pakistan-based groups hit Indian cities and camps, and while Islamabad is seen to play in the politics and militancy of Afghanistan and others. Parliament 2001, Mumbai 2008, Pathankot and Uri 2016, and the cancelled Islamabad summit are the examples. Until terror is ended and interference stops, India and several neighbours will keep SAARC on hold and build around it.

Open WRAP page — <https://wrapexams.com/upsc/mains-answers/gs-2/2016/increasing-cross-border-terrorist-attacks-in-india-and-growing-interference-in-the-internal-affairs-of-member-states-by-pakistan-are-not-conducive-for-the-future-of-saarc-south-asian-association-for-regional-cooperation/>

WRAP Exams

Q20 · 12 marks

What are the aims and objectives of the McBride Commission of the UNESCO? What is India's position on these?

GS II · 2016 · India and its Neighbourhood

Revision summary

The **McBride Commission** (1977-80) studied global communication problems for UNESCO and reported as Many Voices, One World.

- **It aimed at a New World Information and Communication Order:** less North-South news imbalance, stronger Southern media, cultural plurality, and a right to communicate.

India backed NWICO and public communication capacity in NAM and UNESCO.

India did not accept NWICO as state censorship; **Article 19(1)(a)** and a private press remained the domestic line.

India stayed in UNESCO after the US and UK withdrawals over NWICO.

Introduction

The **McBride Commission** was **UNESCO's International Commission** for the Study of Communication Problems, set up in 1977 and chaired by Sean MacBride of Ireland. It reported in 1980 as Many Voices, One World. Its aims grew from the Non-Aligned demand for a New World Information and Communication Order (NWICO): a fairer global flow of news, against a one-way stream from a few Western agencies. India, as a NAM voice and a large democracy with a free press tradition, backed the equity aims and rejected any reading that would licence official censorship.

Body

Why UNESCO created the Commission

- In the 1970s, four or five Western news agencies and a handful of satellite and advertising systems dominated what the world read about the South.
- **Developing countries argued that this was cultural dependence after political independence:** coups, famines and 'instability' were the only stories, while their development efforts were invisible.
- UNESCO, under a majority of developing members, asked a commission of journalists, scholars and public figures to study the imbalance and to recommend a more just and efficient world information order.

Aims and objectives (Many Voices, One World)

- To study the totality of communication problems in the modern world - news, broadcasting, satellites, transborder data, and the right to communicate - not only press freedom as defined in one capital.
- To reduce the imbalance in the flow of news between North and South, and among regions, so that developing countries are sources of news, not only objects of news.
- **To strengthen national communication systems:** news agencies, broadcasting, telecommunication, and training of journalists in the South, including through public investment where the market would not build them.
- To defend cultural identity and plurality against homogenising commercial content, while still honouring the free flow of ideas.

- **To treat communication as a human right:** access, participation, and a two-way flow, including the rural poor and women, not only urban elites.
- To promote a New World Information and Communication Order as a counterpart to the New International Economic Order: less monopoly, more diversity of sources, and fairer use of the electromagnetic spectrum and satellite slots.
- To improve professional ethics, limit concentration of media ownership, and caution against reducing all information to a commodity.
- To ask UNESCO and states to help with technology transfer, reduced tariffs on communication equipment, and protection of journalists - without making the journalist a state clerk.

India's position

- India supported NWICO and the McBride diagnosis in NAM and UNESCO forums. It knew the cost of a one-way Reuters-AFP-AP picture of the subcontinent.
- India backed public-service broadcasting (All India Radio, later Doordarshan) and a national news agency tradition (PTI, UNI) as tools of development communication, which fitted McBride's call to build Southern capacity.
- India did not read McBride as a licence for prior censorship or for a single government newspaper. The Indian Constitution's **Article 19(1)(a)**, with reasonable restrictions, and a combative private press, set a red line: equity of flow is not the same as state monopoly of truth.
- India stayed in UNESCO when the **United States (1984)** and the **United Kingdom (1985)** left, accusing UNESCO of politicising the press and of NWICO. New Delhi treated that walk-out as a defence of old monopolies, not as a defence of liberty alone.
- At the same time, Indian editors and the Supreme Court's later expansion of press and speech rights kept India from the extreme of some one-party states that used NWICO language to muzzle dissent.
- **Practical Indian line:** more voices from the South, South-South news exchange, development-oriented communication, community radio and later digital access - and a free press that can criticise the Indian State itself.
- After the Cold War, UNESCO's emphasis shifted toward press freedom days and safety of journalists. India can still use McBride's unfulfilled bits: plurality of ownership, linguistic diversity, and cheap access for the poor, now in a digital platform market that repeats some of the old one-way power.

A tight join

- McBride's aim was many voices, not one official voice. India's position is to agree with the many-voices aim and to refuse the one-official-voice distortion.

Flow diagram

UNESCO 1977 -> McBride Commission
 McBride Commission -> Many Voices One World 1980
 Many Voices One World 1980 -> NWICO balanced flow plurality
 NWICO balanced flow plurality -> India supports equity
 India supports equity -> Rejects censorship keeps Art 19

Conclusion

The **McBride Commission** aimed at a more balanced, plural and development-friendly world information order: Southern news capacity, cultural diversity, the right to communicate, and less monopoly in global news. India supported those aims in UNESCO and NAM, built public communication capacity, and stayed when Western members walked out - while insisting that NWICO cannot mean censorship. That double position still fits a democracy that wants both a free press and a fairer global microphone.

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WRAP Exams

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

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