UPSC Mains 2018 GS II

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

Official UPSC stems in exam order. Each live answer sits on one WRAP URL; this PDF is the year pack, not a second copy of the article. Open the link under a question for the full page.

https://wrapexams.com/upsc/mains/gs-2/2018/

Q1 · 10 marks

In the light of recent controversy regarding the use of Electronic Voting Machines (EVM), what are the challenges before the Election Commission of India to ensure the trustworthiness of elections in India?

GS II · 2018 · Constitutional Bodies

Revision summary

Article 324 and the 1951 Act make the Election Commission responsible for a trustworthy poll, not only for a working machine.

The Supreme Court required VVPAT, but sample slip-counting remains too small in the eyes of many parties.

Storage, randomisation, mock poll and same-day mismatch data are the operational weak points.

SVEEP and all-party technical briefings must explain the paper trail, not only turnout.

A larger, statistically designed VVPAT audit is the practical way to keep EVMs without a trust crash.

Flow diagram

Article 324 ECI -> EVM plus VVPAT

EVM plus VVPAT -> Public and party trust

Public and party trust -> Visible audit and mock poll

Public and party trust -> SVEEP and all-party briefings

Visible audit and mock poll -> Trusted election result

Conclusion

- Publish booth-wise mock-poll and VVPAT-mismatch data on the same day, and raise VVPAT verification on a statistically defensible sample agreed with recognised parties.
- Institutionalise a standing all-party technical committee, with the Indian Statistical Institute or a similar public body for audit design, so sampling is not seen as an in-house choice.

- Keep paper ballots only as a last-resort contingency; the reform is a stronger audit trail, not a return to booth-level paper capture.

The Election Commission can keep EVMs only if voters can verify that the machine recorded their choice and that a public audit would catch a fraud. Article 324 already gives the Commission the power; trustworthiness now depends on larger VVPAT checks, open logistics, and plain-language communication, not on a slogan that the machine is "tamper-proof".

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/in-the-light-of-recent-controversy-regarding-the-use-of-electronic-voting-machines-evm-what-are-the-challenges-before-the-election-commission-of-india-to-ensure-the-trustworthiness-of-elections-in-india/

Q2 · 10 marks

Whether National Commission for Scheduled Castes (NCSC) can enforce the implementation of constitutional reservation for the Scheduled Castes in the religious minority institutions? Examine.

GS II · 2018 · Indian Constitution

Revision summary

Article 338 makes the NCSC a constitutional watchdog, not a court that can execute reservation.

Articles 15(4) and 16 bind the State; Article 15(5) expressly spares minority institutions under Article 30.

T.M.A. Pai, P.A. Inamdar, Ashoka Kumar Thakur and Pramati protect that minority space.

The Commission may still take discrimination complaints and advise on grants.

Only a constitutional amendment, not an NCSC order, could force SC reservation into genuine religious minority institutions.

Flow diagram

Article 338 NCSC -> Inquire advise report

Arts 15-4 16 Arts 15-4 16 SC reservation reservation -> State and aided public seats

Art 15-5 exception -> Art 30 minority institution

Art 30 minority institution -> No forced Arts 15-4 16 SC reservation roster

Inquire advise report -> State and aided public seats

Conclusion

- Keep Article 30 intact, but publish transparent minority-character tests so fake minority colleges cannot evade both reservation and regulation.
- Use aid, recognition and the NCSC's complaint jurisdiction against caste humiliation, even where a numerical SC roster cannot be forced.
- Parliament, not the Commission, would have to amend Article 15(5) if the political choice is to extend reservation into minority institutions; that choice has so far gone the other way.

The NCSC can monitor, inquire and recommend, but it cannot enforce Scheduled Caste reservation inside religious minority educational institutions against Article 30 and the express exception in Article 15(5). Social justice in those campuses will come from anti-discrimination scrutiny, aid conditions and honest minority-character tests, not from treating the Commission as a second Supreme Court.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/whether-national-commission-for-scheduled-castes-ncsc-can-enforce-the-implementation-of-constitutional-reservation-for-the-scheduled-castes-in-the-religious-minority-institutions-examine/

Q3 · 10 marks

Under what circumstances can the Financial Emergency be proclaimed by the President of India? What consequences follow when such a declaration remains in force?

GS II · 2018 · Indian Constitution

Revision summary

Article 360 is triggered only by a threat to the financial stability or credit of India or any part of it.

Parliament must approve the proclamation within two months; it then lasts until revoked.

The Union can direct States on financial propriety and reduce salaries of Union and State servants, including judges.

State Money Bills and related financial Bills may be reserved for the President.

The clause has never been proclaimed; ordinary fiscal law is the first line of defence.

Flow diagram

Threat to financial stability or credit -> President Art 360

President Art 360 -> Both Houses within two months

Both Houses within two months -> Directions to States

Both Houses within two months -> Salary cuts including judges

Both Houses within two months -> State Money Bills reserved

Conclusion

- Keep Article 360 as a last-resort constitutional valve, and rely first on the FRBM architecture, GST Council discipline, and Finance Commission conditionality.
- If ever used, Parliament should attach a clear fiscal correction plan and a sunset review, so a "until revoked" emergency does not become an indefinite Union tutelage over State Budgets.

The President may proclaim a financial emergency only when India's financial stability or credit, or that of any part of the territory, is threatened, and Parliament must approve the proclamation within two months. While it lasts, the Union can dictate canons of propriety, cut even judicial salaries, and reserve State Money Bills - which is why the clause is drastic, and why it has never been used.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/under-what-circumstances-can-the-financial-emergency-be-proclaimed-by-the-president-of-india-what-consequences-follow-when-such-a-declaration-remains-in-force/

Q4 · 10 marks

Why do you think the committees are considered to be useful for parliamentary work? Discuss, in this context, the role of the Estimates Committee.

GS II · 2018 · Parliament and State Legislatures

Revision summary

Committees give Parliament time, expertise and cross-party scrutiny that the floor cannot.

DRSCs (1993) and the three financial committees cover Bills, estimates, accounts and PSUs.

The Estimates Committee has 30 Lok Sabha members, no minister, and studies economy and presentation of Budget estimates.

It does not audit spent money (PAC) or run public undertakings (COPU).

It becomes useful when reports precede grants and Action Taken Notes are published.

Flow diagram

Lok Sabha floor -> Committees

Committees -> Estimates Committee 30 LS

Committees -> PAC with CAG

Committees -> DRSCs 1993

Estimates Committee 30 LS -> Economy and form of estimates

Conclusion

- Give the Estimates Committee a small budget-analysis cell, and fix a calendar so reports on large demands appear before the related DRSC sitting.
- Require a published Action Taken Report within a set time, as PAC practice already expects, so Estimates work does not end as an unread volume.

Committees are useful because they supply time, papers and a less theatrical scrutiny that the floor cannot. The Estimates Committee, a thirty-member Lok Sabha body, examines whether Budget estimates are economical and well presented; it will matter more when its reports are timed to the grant and answered in public, not only tabled.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/why-do-you-think-the-committees-are-considered-to-be-useful-for-parliamentary-work-discuss-in-this-context-the-role-of-the-estimates-committee/

Q5 · 10 marks

"The Comptroller and Auditor General (CAG) has a very vital role to play." Explain how this is reflected in the method and terms of his appointment as well as the range of powers he can exercise.

GS II · 2018 · Constitutional Bodies

Revision summary

Article 148 makes the CAG a presidential appointee removable only like a Supreme Court judge.

The 1971 Act sets a six-year or age-65 term, charged salary, and a bar on further government office.

Articles 149-151 and the 1971 Act give audit of Union and State funds, a role in the form of accounts, and public reports.

The PAC converts those reports into legislative accountability.

Independence of appointment process and PPP audit remain the unfinished parts of that vital role.

Flow diagram

President appoints Art 148 -> CAG independent term independent term

CAG independent term -> Audit Union and State funds

CAG independent term -> Form of accounts Art 150

Audit Union and State funds -> Reports Art 151

Reports Art 151 -> PAC and legislature and legislature

Conclusion

- A transparent appointment panel, stronger audit of public-private partnerships and GST settlement, and time-bound PAC discussion would match the independence already written in Articles 148-151.

The CAG's vital role is visible in Presidential appointment, Supreme Court-like removal, a fixed non-renewable-style term, and a salary that Parliament cannot chip after appointment. The same role is visible in Articles 149-151 and the 1971 Act, which take audit from Union funds to State books, public bodies and the floor of the House through the PAC.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/the-comptroller-and-auditor-general-cag-has-a-very-vital-role-to-play-explain-how-this-is-reflected-in-the-method-and-terms-of-his-appointment-as-well-as-the-range-of-powers-he-can-exercise/

Q6 · 10 marks

"Policy contradictions among various competing sectors and stakeholders have resulted in inadequate 'protection and prevention of degradation to environment." Comment with relevant illustrations.

GS II · 2018 · Governance and Policy

Revision summary

Articles 48A and 51A(g) and a full set of pollution and forest laws already exist.

Degradation persists because power, mining, roads, farms and cities run opposite targets.

Niyamgiri, corridors versus highways, coal versus air, urea versus aquifers, and Ganga versus sewage are working illustrations.

EIA holes and the push for faster clearance widen the gap.

A shared landscape limit and Budget conditionality are the way to align stakeholders.

Flow diagram

Arts 48A and 51A-g -> EPA 1986 EIA 2006

EPA 1986 EIA 2006 -> Sector targets coal roads farms

Sector targets coal roads farms -> Degradation

FRA NGT CAMPA -> EPA 1986 EIA 2006

Landscape plan -> Sector targets coal roads farms

Conclusion

- Make a single landscape-level carrying-capacity plan bind mining, roads and power, instead of project-by-project EIA in isolation.
- **Align the Union Budget:** green conditionality on infrastructure grants, and a public dashboard of EIA exemptions.
- Give Forest Rights Act consent and NGT orders the same political weight as a coal or highway target, or Articles 48A and 21 (as in M.C. Mehta and later clean-air cases) will remain courtroom repairs after the damage.
- **The comment is fair:** India does not lack environment Acts, it lacks one policy spine across energy, mining, farms, cities and forests. Protection will improve when EIA, Forest Rights consent, and sector targets are forced to use the same map, not when another scheme is launched beside a contradictory clearance.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/policy-contradictions-among-various-competing-sectors-and-stakeholders-have-resulted-in-inadequate-protection-and-prevention-of-degradation-to-environment-comment-with-relevant-illustrations/

Q7 · 10 marks

Appropriate local community level healthcare intervention is a prerequisite to achieve 'Health for All' in India. Explain.

GS II · 2018 · Health, Education and Human Resources

Revision summary

Alma-Ata (1978) and the Bhore Committee make community primary care the core of Health for All.

Article 47 and the Eleventh Schedule place public health with the State and with panchayats.

NRHM/NHM, ASHA, VHSNC and IPHS are the Indian local architecture; vacancies and weak honoraria undermine them.

Ayushman Bharat Health and Wellness Centres must carry NCD and primary care, or insurance only pays late hospital bills.

Untied local grants, filled PHCs, and a strong ASHA-ANM front door are the practical path.

Flow diagram

Health for All Alma-Ata -> Local community care

Local community care -> ASHA ANM VHSNC

Local community care -> Sub-centre PHC HWC

Sub-centre PHC HWC -> CHC and district referral

ASHA ANM VHSNC -> Health for All Alma-Ata

Conclusion

- Complete Health and Wellness Centres with a Community Health Officer, diagnostics and NCD drugs, and publish IPHS vacancy data by block.
- Route a larger untied health grant through panchayats and municipalities, with VHSNC social audit.
- Keep hospital insurance as a backstop, not as a substitute for the ASHA-ANM-PHC front door.
- **Health for All in India will be won or lost in the habitation:** ASHA, sub-centre, PHC and the panchayat. National missions and insurance help only when that local community intervention is staffed, stocked and accountable, which is exactly what Alma-Ata and the Bhore design asked for.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/appropriate-local-community-level-healthcare-intervention-is-a-prerequisite-to-achieve-health-for-all-in-india-explain/

Q8 · 10 marks

E-governance in not only about utilization of the power of new technology, but also much about critical importance of the 'use value' of information. Explain.

GS II · 2018 · Transparency and e-Governance

Revision summary

Technology is the pipe; use value is information a citizen can act on.

NeGP, Digital India and CSCs are infrastructure; RTI Section 4 and live, local records are the content test.

Land, DBT, passports and GST show the gap between a working transaction and a dead PDF.

Privacy after Puttaswamy is part of use value, not an opposite of e-governance.

Measure success by time, visits and appeals, not by the count of apps.

Flow diagram

Digital India technology -> Information

Information -> Use value timely accurate local

Use value timely accurate local -> Citizen can apply track appeal

RTI s.4 and Puttaswamy s.4 and Puttaswamy -> Use value timely accurate local

Citizen can apply track appeal -> Real e-governance

Conclusion

- Design every portal against a citizen task (apply, track, appeal), with local language and assisted Common Service Centres for those who are not digitally fluent.
- Measure e-governance by reduction in visits, time and bribes, and by Section 4 disclosure quality, not by the number of apps launched.
- Keep a human first-appeal path beside the app, so technology does not become a new wall around the same old file.

E-governance succeeds when information has use value - when a person can act on it to get a service or enforce a right. Digital India supplies the power of technology; RTI, local language, accurate live records and a working grievance path supply that value. Without them, new technology is only a more expensive way to hide the file.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/e-governance-in-not-only-about-utilization-of-the-power-of-new-technology-but-also-much-about-critical-importance-of-the-use-value-of-information-explain/

Q9 · 10 marks

"India's relations with Israel have, of late, acquired a depth and diversity, which cannot be rolled back." Discuss. (10).

GS II · 2018 · Governance and Policy

Revision summary

Full diplomatic relations with Israel date from 1992; the last decade made them public and multi-sector.

Defence supply, State farm Centres of Excellence, water, space and cyber create path-dependence.

The 2017 and 2018 Prime Ministerial visits marked de-hyphenation in optics.

India still votes a two-State line and still needs Iran and the Gulf, so politics can cool even if contracts stay.

Joint production and State-level agri-water work are the parts least easy to roll back.

Flow diagram

1992 full diplomatic ties -> 2017-18 PM visits

1992 full diplomatic ties -> Defence and UAV sensors

1992 full diplomatic ties -> Agriculture water CoE

Defence and UAV sensors -> Path dependence

Agriculture water CoE -> Path dependence

2017-18 PM visits -> Path dependence

Conclusion

- Lock the relationship in joint production and co-development under Make in India, so it is a two-way industrial tie, not only an import bill.
- Keep the Palestine diplomatic line honest, so diversity in West Asia does not collapse into a single-alliance image.
- Expand water, farm and innovation cooperation through State Centres of Excellence, which is the part least likely to be rolled back by a change of slogan.
- **The statement is largely right:** defence logistics, farm and water projects, and the 2017-18 political opening have given India-Israel ties a depth that a quiet freeze cannot easily undo. Rollback is still possible in tone and in UN voting, but the practical relationship now has too many ministries, States and service arms inside it to return to the pre-1992 shadow.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/indias-relations-with-israel-have-of-late-acquired-a-depth-and-diversity-which-cannot-be-rolled-back-discuss-10/

Q10 · 10 marks

A number of outside powers have entrenched themselves in Central Asia, which is a zone of interest to India. Discuss the implications, in this context, of India's joining the Ashgabat Agreement, 2018.

GS II · 2018 · Governance and Policy

Revision summary

Russia, China and other powers are already entrenched in Central Asia through security, pipelines and BRI.

India's land path is blocked, so it uses Connect Central Asia, SCO, INSTC and Chabahar.

The Ashgabat Agreement is a multimodal transit pact; India acceded in 2018.

Accession offers legal corridor access toward Central Asia via Iran, not an instant rival to BRI.

Iran sanctions and missing rail-customs links are the tests that will decide if 2018 was a turning point or a paper.

Flow diagram

Central Asia -> China BRI SCO

Central Asia -> Russia CSTO

India 2018 Ashgabat -> Iran Chabahar

Iran Chabahar -> Turkmenistan Uzbekistan

Turkmenistan Uzbekistan -> Central Asia

India 2018 Ashgabat -> INSTC

Conclusion

- Finish Chabahar operational links, harmonise customs with INSTC, and run scheduled Indian cargo so the Agreement is a timetable, not a communiqué.
- Use SCO and bilateral energy talks with Kazakhstan, Uzbekistan and Turkmenistan to fill the corridor with actual freight.
- Keep a sanctions-aware Iran policy so the 2018 accession does not become a stranded legal asset.

Outside powers are already dug into Central Asia; India's interest is connectivity and energy without a Pakistani land gate. Joining the Ashgabat Agreement in 2018 gives India a transit-law foothold that can join Chabahar and INSTC. The implication is opportunity plus homework: the paper corridor will matter only if ships, rails and Iran policy keep moving.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/a-number-of-outside-powers-have-entrenched-themselves-in-central-asia-which-is-a-zone-of-interest-to-india-discuss-the-implications-in-this-context-of-indias-joining-the-ashgabat-agreement-2018/

Q11 · 15 marks

Whether the Supreme Court Judgement (July 2018) can settle the political tussle between the Lt. Governor and elected government of Delhi? Examine. (15).

GS II · 2018 · Executive and Judiciary

Revision summary

Article 239AA gives Delhi an elected government inside a Union Territory.

The July 2018 Supreme Court judgment held that the Council of Ministers, not the LG, holds executive power except on land, police and public order.

The LG must follow aid and advice and may refer only real differences to the President.

Control of services was not clearly settled in 2018, so the political tussle continued.

Later statutes in 2019 and 2023, and the 2023 services judgment, show that one ruling cannot freeze the capital's federal bargain.

Introduction

The Constitution (Sixty-ninth Amendment) Act, 1991 inserted Article 239AA and gave the National Capital Territory of Delhi an elected Assembly and a Council of Ministers, while keeping Delhi a Union Territory. The political tussle is about who really governs: the Lieutenant Governor as the Union's agent, or the Ministry that has a popular majority. The Constitution Bench judgment in Government of NCT of Delhi v. Union of India (4 July 2018) reduced the space for a parallel LG administration, but it did not close every file, especially services.

Body

What the July 2018 judgment held

- A five-judge Bench held that NCT Delhi is not a State, yet Article 239AA is a special federal experiment for a capital with an elected government.
- Except for public order, police and land (the State List entries kept with the Union), executive power for other State List and Concurrent List subjects vests in the Council of Ministers, which must aid and advise the LG.
- The LG is not a Governor of a full State and is not a second political executive. He must work with the elected government and cannot sit on every file as a general blocking power.
- Where the Constitution allows a difference of opinion, the LG may refer a matter to the President, but that reference is for real constitutional conflict, not for day-to-day obstruction.
- Collective responsibility to the Assembly, and the idea of constitutional morality and a cabinet system, were used to read 239AA in favour of representative government.

Why a judgment of this kind could ease the tussle

- **It gave a legal map:** elected government decides policy on transferred subjects; the Union keeps the three reserved fields that protect the national capital.
- It told both sides that Delhi is neither a full State nor a Chief Commissioner's province. That middle reading can lower slogans of "Statehood now" versus "LG is the government".
- Binding both the Ministry and the Raj Niwas to aid-and-advice is a settlement of principle, which is what a Constitution Bench can do.

Why it could not fully settle the tussle

- The 2018 Bench left "services" and some control of the bureaucracy unclear. Who posts, transfers and disciplines officers is the real lever of government; without that, a Ministry can have policy without a machine.
- The Government of National Capital Territory of Delhi (Amendment) Act, 2019 required the LG's opinion before a Bill and enlarged his role on administration, which reopened the political fight in statute.
- In May 2023 another Constitution Bench held that the Delhi government has legislative and executive power over services, except land, police, public order and officers of All-India Services serving the Union. That itself shows 2018 had not closed the dispute.
- Parliament then passed the Government of National Capital Territory of Delhi (Amendment) Act, 2023, creating a National Capital Civil Service Authority and restoring a Union-heavy hold on services. Court and statute are still answering each other.
- A capital city will always mix local democracy with Union security, diplomacy and land. No single judgment can erase that structural tension.

Examine, do not cheer

- Judicial settlement works when both sides treat the ratio as a working rule. In Delhi, each side read the 2018 text as a win and returned to notifications, circulars and later amendments.
- The judgment settled the philosophy of 239AA more than the personnel file. Philosophy without control of officers is an incomplete peace.

Flow diagram

Article 239AA NCT Delhi -> July 2018 Constitution Bench

July 2018 Constitution Bench -> Aid and advice except land police public order

July 2018 Constitution Bench -> Services left unclear

Services left unclear -> 2019 and 2023 GNCTD amendments

Aid and advice except land police public order -> Tussle reduced not ended

2019 and 2023 GNCTD amendments -> Tussle reduced not ended

Conclusion

The July 2018 judgment can settle the tussle only on the principle that, except land, police and public order, Delhi's elected government governs and the LG is not a parallel ministry. It cannot settle the tussle by itself because services, later Union statutes, and the unique status of the national capital keep the conflict alive. Settlement here is a process of judgment, amendment and political convention, not one Bench order.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/whether-the-supreme-court-judgement-july-2018-can-settle-the-political-tussle-between-the-lt-governor-and-elected-government-of-delhi-examine-15/

Q12 · 15 marks

How far do you agree with the view that tribunals curtail the jurisdiction of ordinary courts? In view of the above, discuss the constitutional validity and competency of the tribunals in India. (15).

GS II · 2018 · Separation of Powers

Revision summary

Tribunals divert original disputes from ordinary courts but cannot oust High Court judicial review.

Articles 323A and 323B give Parliament (and in 323B, States where listed) power to create tribunals.

L. Chandra Kumar (1997) held Articles 32, 226 and 227 to be basic structure; tribunals are courts of first instance.

Sampath Kumar and the Madras Bar Association line require court-like independence.

Competency exists; exclusion of constitutional courts does not.

Introduction

Tribunals are specialised forums created by statute to hear service, tax, environment, company and other disputes with speed and technical skill. They do take work away from the original side of High Courts and district courts. They do not, if the Supreme Court's basic-structure cases are obeyed, take away the High Court's power of judicial review or the Supreme Court's power under Article 32.

Body

How far tribunals curtail ordinary courts

- Articles 323A and 323B, inserted by the Forty-second Amendment, allow administrative tribunals and other tribunals and even speak of excluding the jurisdiction of all courts except the Supreme Court.
- In practice, CAT, SAT, ITAT, NGT, NCLT/NCLAT and similar bodies hear first-instance disputes that once went to High Courts or civil courts. That is a real curtailment of ordinary original jurisdiction.
- The gain claimed is expertise, fewer adjournments, and relief for a crowded High Court roster.
- The cost is forum shopping, uneven quality of members, and a citizen who must travel to a tribunal Bench instead of the local district court.
- **Agreement with the view should therefore be partial:** tribunals curtail ordinary original jurisdiction by design; they must not curtail constitutional jurisdiction.

Constitutional validity

- S.P. Sampath Kumar v. Union of India (1987) first treated a tribunal as a possible substitute for a High Court if independence and judicial character were secured.
- L. Chandra Kumar v. Union of India (1997) is the controlling case. A seven-judge Bench held that judicial review by High Courts under Articles 226 and 227, and by the Supreme Court under Article 32, is part of the basic structure. A tribunal is a court of first instance; its orders are open to a Division Bench of the High Court.

• Exclusion clauses that try to shut out the High Court are therefore invalid even if 323A or 323B use the word "exclude".

• Madras Bar Association cases on the National Tax Tribunal and later on appointments held that a tribunal which replaces a court must have a court-like independence: tenure, selection, and freedom from the parent ministry.

• Rojer Mathew v. South Indian Bank (2019) and later Tribunal Reforms litigation struck or read down rules that gave the Union excessive say in appointment and short tenure. Validity of the tribunal idea survived; invalidity attached to dependent, short-term Benches.

Competency

• Parliament is competent under Article 323A to make administrative tribunals for Union and State services, and under 323B, with States where the entry allows, to make tribunals on the listed fields (tax, industrial and labour, land reforms, urban ceiling, elections to the legislature except Parliament and State legislatures' own elections in some clauses, and other named heads).

• Competency is also drawn from the relevant Seventh Schedule entries (for example tax, environment, company law) plus Articles 245-246.

• Competency does not include ousting Articles 32, 226 and 227, nor creating a tribunal that is an administrative wing of the ministry whose orders it reviews.

• The Law Commission and several Benches have asked for a National Tribunals Commission so that appointments, infrastructure and disciplinary control sit outside the parent department.

Balanced view

• Tribunals are constitutionally valid specialised first-instance courts, not a parallel judiciary that replaces High Courts.

• They curtail ordinary courts only in the narrow sense of original fact-finding; they fail the Constitution when they become a wall against judicial review or a parking place for post-retirement patronage.

Flow diagram

Articles 323A and 323B -> First instance expert forum

First instance expert forum -> Curtails ordinary original side

Articles 323A and 323B -> L Chandra Kumar 1997

L Chandra Kumar 1997 -> HC 226 227 and SC 32 saved

First instance expert forum -> Independence of members

Conclusion

The view is right that tribunals take original work away from ordinary courts, and wrong if it means they may shut the High Court door. Articles 323A and 323B, read with Chandra Kumar, make tribunals competent and valid as first-instance expert forums whose orders remain under Division-Bench review. Independence of appointment and tenure is the condition of that validity.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/how-far-do-you-agree-with-the-view-that-tribunals-curtail-the-jurisdiction-of-ordinary-courts-in-view-of-the-above-discuss-the-constitutional-validity-and-competency-of-the-tribunals-in-india-15/

Q13 · 15 marks

Indian and USA are two large democracies. Examine the basic tenets on which the two political systems are based. (15).

GS II · 2018 · Governance and Policy

Revision summary

India is a parliamentary democracy with collective responsibility to the Lok Sabha.

The United States is a presidential system with separation of powers and checks and balances.

India is a strong-Centre Union; the USA is a dual federation with residual State power and equal Senate votes.

Both have written constitutions and judicial review; India adds basic structure and Directive Principles.

Elections, rights and federalism are shared tenets worked through different institutions.

Introduction

India and the United States are large, written-constitution democracies with federal maps, regular elections, and independent courts. Their basic tenets still differ: India fused the executive with a parliamentary majority; the United States separated a separately elected President from Congress. One is a Westminster-style Union of States; the other is a presidential federation of States that were originally sovereign.

Body

Executive and legislature

- **India's basic tenet is parliamentary government:** the President is a constitutional head; the Prime Minister and Council of Ministers are collectively responsible to the Lok Sabha (Articles 74 and 75).
- **The United States' basic tenet is a presidential executive:** the President is Head of State and government, elected independently of Congress, and Cabinet members do not sit in the legislature.
- India can change the government by a floor test without a general election; the United States removes a President only by impeachment or election, which is stability of tenure against fusion of powers.
- Law-making in India is led by the ministry that commands the House; in the United States, legislation needs House, Senate and often a Presidential signature, which is designed gridlock as a check.

Federal tenet

- Both are federal in the sense of two levels of government and a written division of powers.
- **India's tenet is a strong-Centre or "quasi-federal" Union:** a long Union List, residuary power with the Union, single Constitution, single citizenship, All-India Services, and Article 356.
- **The United States' tenet is dual federalism in origin:** residual powers with the States (Tenth Amendment), equal Senate representation of States, dual citizenship, and no Union power to dismiss a State government.
- India's Rajya Sabha is not a council of equal States; population weights the Lok Sabha. The U.S. Senate is the federal bargain of equal States.

Rights, courts and the written text

• Both rest on a supreme written Constitution and judicial review. Marbury v. Madison is the U.S. starting point; Kesavananda Bharati's basic structure is India's added lock on the amending power.

• India's Part III is a justiciable bill of rights with reasonable restrictions written into several articles; the U.S. Bill of Rights is a set of negative restraints, later applied to States through incorporation.

• **India's judiciary is integrated:** one hierarchy up to the Supreme Court. The United States keeps dual court systems, federal and State.

• India has Directive Principles and a longer social-economic script; the U.S. text is shorter and leaves welfare mainly to statute and politics.

People, parties and elections

• Both use first-past-the-post for the popular lower House; the U.S. President is chosen through an Electoral College, not a national popular-vote majority as a constitutional rule.

• India has a constitutional Election Commission (Article 324) and a multi-party system with anti-defection law (Tenth Schedule).

• The United States has a durable two-party system, primaries, and no equivalent anti-defection schedule; party switching is political, not a disqualification code.

• India is a republic with a parliamentary cabinet; the United States is a republic with separation of powers, checks and balances, and a stronger taste for divided government.

Emergency, amendment and political culture

• India writes emergency and President's Rule into the Constitution; the U.S. text has no Article 356 analogue.

• Amendment in India can be by Parliament alone for many articles, or with half the States for federal provisions (Article 368). U.S. Article V is far more rigid.

• Both tenets include civilian control of the military, a free press as practice, and federal diversity in a continental society - India through linguistic States and a Union list; the United States through State police power and a national commerce clause.

Flow diagram

Two large democracies -> India parliamentary Union

Two large democracies -> USA presidential federation

India parliamentary Union -> Collective responsibility Art 75

USA presidential federation -> Separated President and Congress

India parliamentary Union -> Strong Centre Article 356

USA presidential federation -> Equal Senate Tenth Amendment

Conclusion

The two large democracies share a written Constitution, federalism, elections and judicial review. India's basic tenets are parliamentary responsibility, a strong Centre, an integrated judiciary and an amendable social Constitution. The United States' basic tenets are separation of powers, a separately elected President, dual federalism with equal Senate States, and a rigid rights text. The family resemblance is democracy; the working grammar is not the same.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/indian-and-usa-are-two-large-democracies-examine-the-basic-tenets-on-which-the-two-political-systems-are-based-15/

Q14 · 15 marks

How is the Finance Commission of India constituted? What do you know about the terms of reference of the recently constituted Finance Commission? Discuss. (15).

GS II · 2018 · Governance and Policy

Revision summary

Article 280 requires the President to constitute a Finance Commission every five years or earlier.

It has a Chairperson and four members with qualifications under the 1951 Act.

It recommends tax shares, grants-in-aid and resources for panchayats and municipalities.

The 15th Finance Commission (N.K. Singh, 2017) was asked to use Census 2011 and to design performance incentives.

GST impact, revenue-deficit grants and later a defence-security fund were the politically sharp ToR points.

Introduction

The Finance Commission is a constitutional body under Article 280. The President constitutes it at the end of every five years, or earlier if needed, to recommend how Union taxes are shared with the States and what grants-in-aid should go from the Consolidated Fund of India. The Commission recently in view in 2018 was the Fifteenth Finance Commission, constituted in November 2017 under N.K. Singh, with a terms-of-reference list that many States, especially in the south, read as a new political bargain.

Body

How it is constituted

- Article 280(1) says the President shall, within two years of the commencement of the Constitution and thereafter at the expiration of every fifth year or at such earlier time as he considers necessary, constitute a Finance Commission.
- The Commission consists of a Chairperson and four other members appointed by the President.
- The Finance Commission (Miscellaneous Provisions) Act, 1951, and the rules under it, set qualifications: the Chairperson should have experience of public affairs; members should be, or have been, or be qualified to be, a High Court judge, or have special knowledge of government finance and accounts, or of financial and economic matters, or of administration and financial expertise.
- A Secretary and a small secretariat serve the Commission. It is not a permanent standing board; each Commission is a fresh body for a reference period.
- **Article 280(3) is the core mandate:** distribution of the net proceeds of taxes between Union and States and among States; principles of grants-in-aid; measures to augment a State's Consolidated Fund to supplement panchayat and municipality resources on the basis of the State Finance Commission's recommendations; any other matter referred by the President in the interest of sound finance.
- Recommendations are laid in Parliament with an explanatory memorandum; they are not a court decree, but convention and the Finance Commission's constitutional status give them high political weight.

Terms of reference of the Fifteenth Finance Commission

- Constituted on 27 November 2017 to make recommendations for 2020-21 to 2024-25 (later extended in coverage by additional ToR and a report in two parts).
- **Chairperson:** N.K. Singh. Members included Shaktikanta Das, Anoop Singh, Ashok Lahiri and Ramesh Chand, with a Member-Secretary.
- **Population:** the ToR asked the Commission to use the 2011 Census, which broke the older habit of giving heavy weight to 1971 population. States that had lowered fertility argued that they would lose share; populous States argued that current need must count.
- **Performance incentives:** the ToR asked the Commission to propose measurable performance-based incentives on GST implementation, power-sector reforms, ease of doing business, sanitation, forest cover, population control, and receipts and expenditure reforms.
- **GST:** the Commission was to consider the impact of the GST architecture, including compensation to States, on Union and State finances.
- **Revenue deficit grants:** the ToR asked whether such grants should continue, which worried States that still need Article 275 support.
- **Defence and internal security:** an additional ToR in 2019 asked the Commission to examine a dedicated fund, which raised a Union-first claim on the divisible pool.
- Disaster management, fiscal consolidation, and review of the FRBM framework were also on the list, along with grants to local bodies.

Discussion

- **Constitution is simple:** President, five members, 1951 Act qualifications, Article 280(3) heads.
- The 15th FC ToR was not a neutral photocopy of earlier Commissions. Census 2011, population-control rewards, and questions over revenue-deficit grants changed the horizontal-devolution politics.
- A Finance Commission must still be independent of the Union ministry that drafts the ToR. If the ToR pre-judges awards, federal trust falls even when the legal form of Article 280 is perfect.
- Sound finance, which the Article itself names, includes both Union defence needs and State social-sector needs. The ToR debate was about that balance.

Flow diagram

President Article 280 -> Chairperson plus four members

Chairperson plus four members -> Tax devolution

Chairperson plus four members -> Grants in aid Art 275

Chairperson plus four members -> Local bodies via SFC

15th Chairperson plus four members ToR -> Census 2011 and incentives

15th FC ToR -> GST and deficit grants

Conclusion

The Finance Commission is constituted by the President as a five-member constitutional body under Article 280, with qualifications set by the 1951 Act, to recommend tax sharing, grants and local-body supplementation. The recently constituted Fifteenth Finance Commission's ToR - 2011 population, GST, performance incentives, and later a defence-and-security fund - made the award a test of cooperative federalism, not a routine arithmetic exercise.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/how-is-the-finance-commission-of-india-constituted-what-do-you-know-about-the-terms-of-reference-of-the-recently-constituted-finance-commission-discuss-15/

Q15 · 15 marks

Assess the importance of the Panchayat system in India as a part of local government. Apart from government grants, what sources the Panchayats can look out for financing developmental projects? (15).

GS II · 2018 · Governance and Policy

Revision summary

The 73rd Amendment made Panchayats a constitutional third tier of local government.

Gram Sabha, three-tier elections, reservations and the Eleventh Schedule are the core of that importance.

Article 243H allows taxes, assigned revenues and grants; grants should not be the only story.

Own sources include house tax, user charges, market and pond rents, and assigned State taxes.

PPP, CSR and limited borrowing can add project finance where State law and the SFC allow.

Introduction

The seventy-third Constitutional Amendment gave Part IX, the Gram Sabha, a three-tier Panchayat in rural India, reservations, a State Election Commission and a State Finance Commission. Panchayats are not a Union scheme; they are the third stratum of government. Their importance is democracy and delivery at the habitation. Their weakness is money: too much of the budget is still a grant from above.

Body

Importance as local government

- Article 40 had only directed village panchayats; Part IX made them constitutional bodies with a five-year term and elections under a State Election Commission.
- The Eleventh Schedule lists twenty-nine subjects, from agriculture and minor irrigation to rural housing, roads, health, education, women and child development, and poverty alleviation. That is the map of a local developmental state, even when States have not fully devolved functions, funds and functionaries.
- Gram Sabha is the only large-scale direct-democracy forum in the Constitution. Social audit of MGNREGA, beneficiary lists, and local planning take their legitimacy from that assembly.
- Reservations for Scheduled Castes, Scheduled Tribes and women (not less than one-third, and half in many States) made local government the widest school of political office in India, including for groups still thin in Assemblies.
- District Planning Committees under Article 243ZD are meant to knit Panchayat and municipality plans. That is local government as spatial planning, not only as a scheme-implementing agency.
- **Importance also shows in failure:** where the sarpanch is a proxy, where the Block office holds the cheque, and where parallel user committees ignore the Panchayat, the constitutional design is not yet the working design.
- Compared with municipalities (Part IXA), Panchayats cover the larger population share and the farm and forest economy. Rural local government is therefore central to inclusion, not a side wing of urban reform.

Own and assigned sources beyond Union and State grants

- Article 243H allows the State legislature to authorise Panchayats to levy, collect and appropriate taxes, duties, tolls and fees, to assign taxes, and to give grants-in-aid from the State Consolidated Fund. Grants are one channel, not the only legal channel.
- Property and house tax on village buildings, where the State law assigns it, is the most stable own tax. Water charges, lighting fees, sanitation fees and drainage charges can follow the user-pays rule for local services.
- Profession tax, advertisement tax, and taxes on fairs, hats and markets are classic Panchayat tools where the State schedule permits them.
- **Non-tax revenue:** rent from Panchayat shops, bus stands, ponds and fisheries auction, sand and minor-mineral royalty shares where devolved, parking, community halls, and tree and orchard produce on Panchayat land.
- User charges and betterment levies on local roads, irrigation tanks and drinking-water schemes can finance operation and a part of capital cost if billing is honest.
- State-assigned shares of stamp duty, entertainment tax or electricity duty, recommended by the State Finance Commission, are not "schemes"; they are statutory devolution and should be treated as a Panchayat source.
- Developmental projects can also tap public-private partnerships for markets, storage and rural tourism; cooperative and SHG equity for livelihood sheds; CSR under the Companies Act for clearly ring-fenced assets; and borrowing or bonds where State law and the SFC allow, which is still rare at Gram Panchayat level.
- Convergence of MGNREGA labour with a Panchayat asset, and community contribution in kind, stretch a project but are not a substitute for an own-tax base.
- Carbon and environmental payments, payment for ecosystem services, and tourism entry fees in peri-forest Panchayats are newer sources where the State frames a rule.

Assessment

- Panchayats matter because they are elected government next to the citizen, with a constitutional subject list and inclusion rules that Parliaments took decades to copy.
- They will not finance large roads from pond auctions alone. Own tax plus SFC devolution plus a limited project partnership is the realistic mix; Union Finance Commission grants remain a floor, not the whole house.

Flow diagram

Part IX Panchayats -> Gram Sabha and 11th Schedule

Part IX Panchayats -> Money Article 243H

Money Article 243H -> Own tax and user charges

Money Article 243H -> Assigned taxes and SFC

Money Article 243H -> PPP CSR rents fisheries

Gram Sabha and 11th Schedule -> Local government not only agency

Conclusion

- **As local government, the Panchayat system is the constitutional third tier:** Gram Sabha, three-tier elections, reservations, and the Eleventh Schedule. Apart from grants, Panchayats can look to house and property tax, user charges, market and fishery rents, assigned State taxes, SFC devolution, PPP and CSR for named assets, and, where law allows, limited borrowing. Importance without that own-source mix stays as agency, not as government.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/assess-the-importance-of-the-panchayat-system-in-india-as-a-part-of-local-government-apart-from-government-grants-what-sources-the-panchayats-can-look-out-for-financing-developmental-projects-15/

Q16 · 15 marks

Multiplicity of various commissions for the vulnerable sections of the society leads to problems of overlapping jurisdiction and duplication of functions. Is it better to merge all commissions into an umbrella Human Rights Commission? Argue your case. (15).

GS II · 2018 · Welfare Schemes for Vulnerable Sections

Revision summary

India has NHRC plus constitutional commissions for SC, ST and OBC and statutory commissions for women, children, minorities and disability.

Overlap of inquiry and advice is real and costly for the complainant.

A full merge into NHRC would threaten the distinct constitutional status of Articles 338-338B and specialised expertise.

An umbrella with only internal wings still risks remoteness and single-point capture.

Coordination, joint sittings and shared investigation are better than one commission for all.

Introduction

India has a National Human Rights Commission and several national commissions for Scheduled Castes, Scheduled Tribes, Backward Classes, minorities, women, children, and persons with disabilities. Overlap is real: an atrocity on a Dalit woman can sit with NCSC, NCW and NHRC at once. An umbrella merger would tidy the chart. It would also flatten mandates that the Constitution and special statutes created for a reason. The better case is coordination, not one giant commission.

Body

The problem of multiplicity

- NHRC is statutory under the Protection of Human Rights Act, 1993, as a Paris-Principles style national institution.
- NCSC (Article 338), NCST (Article 338A) and NCBC (Article 338B, after the 102nd Amendment) are constitutional bodies with reports to the President and a watchdog role on safeguards.
- NCW, NCPCR, the National Commission for Minorities, and the Chief Commissioner for Persons with Disabilities are statutory, each tied to a parent Act and a distinct vulnerable group.
- Overlap appears in inquiry, in visiting jails and hostels, in advising on Bills, and in competing press notes on the same incident. Staff and budgets are split; a poor complainant may be sent from door to door.
- Duplication also appears at State level, where State Human Rights Commissions and State commissions for the same groups repeat the national pattern.

The case for an umbrella Human Rights Commission

- **One window is easier for the citizen:** a single helpline, a single investigation cadre, and a single annual report to Parliament.
- Turf wars fall when one Chair allocates Benches by subject instead of five secretaries claiming the same file.

- International practice often has a strong national human rights institution with internal thematic commissioners, which can meet Paris Principles on independence and breadth.
- Fiscal and estate costs of separate headquarters, websites and Member posts would fall.
- A merged body could still have internal wings for caste, tribe, gender and child, which is merger of legal personality, not merger of expertise.

The case against a full merge

- Constitutional status of NCSC, NCST and NCBC is not the same as NHRC's statutory status. Folding 338-338B into a statute-based umbrella would need a constitutional amendment and would look like a demotion of caste and tribe safeguards.
- Vulnerable sections do not experience harm as a generic "human rights" file. A child-sexual-offence procedure, a Forest Rights conflict, and a dowry death need different statutes, different visiting powers, and different civil-society counterparts.
- A mega-commission can become remote, Delhi-heavy, and slow. Small commissions, if they work, are closer to a named constituency and to the relevant ministry.
- **International covenants also differ:** CEDAW, CRC, ICERD, CRPD. Specialised commissions keep a clear treaty interlocutor.
- Political capture of one umbrella Chair would freeze every mandate at once; several bodies are a crude check, even if they quarrel.

The better argument

- It is not better to merge all commissions into NHRC as a single legal person.
- It is better to keep constitutional commissions and specialised statutory commissions, and to force a coordination code: common case-management, mandatory cross-reference within a fixed time, joint sittings on intersectional cases, shared investigation pools, and a small federal human-rights secretariat.
- Where two statutory bodies truly clone each other, a cluster merge (for example some women-and-child procedures) can be studied. That is not the same as one umbrella for every vulnerability.
- Second ARC and several parliamentary committees asked for synergy and for giving NHRC stronger civil-court teeth, not for erasing NCSC or NCW.

Flow diagram

> Multiplicity -> Overlap of inquiry
>
> Overlap of inquiry -> Umbrella NHRC idea
>
> Overlap of inquiry -> Coordination without merge
>
> Umbrella NHRC idea -> Risk to Arts 338 338A 338B
>
> Coordination without merge -> Joint sitting shared cadre

Conclusion

Overlap and duplication are real and should be cut by procedure, shared cadres and joint benches. Merging every commission into an umbrella Human Rights Commission would mix constitutional and statutory bodies, dilute named safeguards, and risk a remote mega-office. The case against a full merge is stronger; the case for a binding coordination law is the reform that follows from the problem the question names.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/multiplicity-of-various-commissions-for-the-vulnerable-sections-of-the-society-leads-to-problems-of-overlapping-jurisdiction-and-duplication-of-functions-is-it-better-to-merge-all-commissions-into-an-umbrella-human/

Q17 · 15 marks

How far do you agree with the view that the focus on lack of availability of food as the main cause of hunger takes the attention away from ineffective human development policies in India? (15).

GS II · 2018 · Poverty and Hunger

Revision summary

India often has enough grain in the aggregate while child malnutrition stays high.

Sen's entitlement approach and FAO's four pillars show that access and utilisation drive most hunger here.

Health, sanitation, women's education, ICDS, MDM and wages are the weak human-development links.

NFSA is a cereal right, not a complete nutrition policy.

Availability still matters as drought insurance, but it should not dominate the hunger diagnosis.

Introduction

India can hold large public foodgrain stocks and still record high child stunting, wasting and anaemia. Amartya Sen's point was that famine and hunger are often failures of entitlement, not empty fields. A policy that talks only of production and godowns therefore misses health, sanitation, women's education, wages and the last-mile public distribution system. The view is largely right, with one limit: availability still matters in drought, conflict and price spikes.

Body

Availability is not the same as nutrition

- FAO speaks of availability, access, utilisation and stability. Hunger in India after the Green Revolution is mainly access and utilisation, not a national calorie drought.
- FCI warehouses and record procurement can coexist with a household that has no ration card, no cash, or no fuel and water to cook a diverse diet.
- NFHS rounds have shown stubborn stunting and anaemia even in years of comfortable grain output. That is hidden hunger and poor care, not a missing wheat mountain.
- If debate stops at "grow more rice and wheat", millets, pulses, milk, eggs and fruit stay outside the hunger file, and so do mothers' anaemia and children's gut infections.

Human development policies that decide whether food becomes nourishment

- **Health:** public-health spending has long been low as a share of GDP; untreated diarrhoea and worms waste the calories that PDS rice provides.
- **Sanitation and water:** open defecation and dirty water (the utilisation pillar) convert food into disease. Swachh Bharat and Jal Jeevan are hunger policies in this sense, not only amenity policies.
- Women's education, age at marriage, and antenatal care shape birth weight and feeding. Gender-blind food policy is ineffective human development.
- **Livelihoods:** MGNREGA, minimum wages and diversification decide whether a household can buy food when the fair-price shop fails. Sen's entitlement is a wage and a price, not only a tonne.

• ICDS, Mid-Day Meal, and the National Health Mission are the actual nutrition machines. Leakage, vacancy of anganwadi workers, and poor protein menus are HD failures with a food label.

• NFSA, 2013, shifted the legal frame from welfare gift to a right to foodgrain, but it is still cereal-heavy. A right to grain is not a full human-development nutrition policy.

How far to agree

• **Agree to a large extent:** India's main hunger story is no longer "we do not grow enough", it is "we do not convert growth into capabilities". Focusing on availability as the main cause is an old scarcity script that protects weak health, education and sanitation budgets.

• Do not agree to the extreme that availability is irrelevant. Climate shocks, groundwater stress, and regional drought still need buffers, MSP and open-market operations. A nutrition policy without grain stability is also incomplete.

• **The honest ranking for most districts is:** entitlements and HD first, production as insurance. Pulse and millet production still need a push because availability of those foods is weaker than of rice and wheat.

What a corrected focus looks like

• Measure success by NFHS nutrition and by dietary diversity, not only by FCI stocks.

• Tie PDS to fortified staples, pulses and oils where fiscally possible, and fix exclusion errors with Aadhaar only if the authentic poor are not struck off.

• Treat POSHAN, health workers, toilets and girls' schooling as one hunger strategy under the National Food Security and human-development umbrella.

Flow diagram

Hunger -> Availability grain stocks

Hunger -> Access entitlements wages PDS

Hunger -> Utilisation health WASH care

Access entitlements wages PDS -> Human development policies

Utilisation health WASH care -> Human development policies

Availability grain stocks -> Necessary buffer not main cause

Conclusion

• **The view is largely correct:** treating lack of availability as the main cause of hunger hides India's real gap, which is ineffective human-development policy on health, sanitation, women's status, wages and a narrow PDS. Availability remains a necessary buffer, not the main explanation of everyday hunger. Hunger policy is therefore HD policy with a food-security floor, not a harvest speech.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/how-far-do-you-agree-with-the-view-that-the-focus-on-lack-of-availability-of-food-as-the-main-cause-of-hunger-takes-the-attention-away-from-ineffective-human-development-policies-in-india-15/

Q18 · 15 marks

The Citizen's Charter is an ideal instrument of organisational transparency and accountability, but it has its own limitations. Identify the limitations and suggest measures for greater effectiveness of the Citizen's Charters. (15).

GS II · 2018 · Transparency and e-Governance

Revision summary

Citizen's Charters publish service standards, time-limits and grievance paths.

India adopted them in 1997; Sevottam later tried to make them a quality model.

- **Limits:** usually not enforceable, poorly consulted, vague, unpublicised, unreviewed and uncosted.

RTI alone does not make a Charter work; a clock without a penalty is a slogan.

Effectiveness needs public-service laws, SMART standards, local language, digital tracking and independent audit.

Introduction

A Citizen's Charter is a public promise by an organisation of the standards, time-limits, and grievance path for its services. India adopted the idea in 1997, drawing on the United Kingdom's 1991 Charter programme, and DARPG issued guidelines later refined as the Sevottam model. The instrument is ideal on paper because it tells the citizen what to expect. It is weak in practice because most Charters are not law, not consulted, and not costed.

Body

Why it is an ideal instrument in design

- It names the service, the standard, the officer, and the time, which is transparency of process, not only of files under the RTI Act.
- **It creates a yardstick for accountability:** delay can be measured against a published clock.
- It can shift an office from patronage to a client relationship, which is the governance idea behind New Public Management, adapted to a constitutional welfare state.
- Combined with RTI, public-service guarantee laws, and online tracking, it can become a simple social audit of the front office.

Limitations

- Most Charters are not legally enforceable. A broken promise is rarely a cause of action unless a State Public Service Guarantee Act or a sector regulator stands behind it.
- Drafting is often top-down. Staff and users are not consulted, so standards are copied from another department and do not match actual capacity.
- **Standards are vague ("as early as possible") rather than SMART:** specific, measurable, realistic and time-bound.
- There is usually no compensation or personal liability for delay, so the Charter has moral force without a sting.
- **Publicity is poor:** the Charter sits on a website or a faded board; the citizen at the window has not read it and the clerk does not train to it.

- Review is rare. Processes change, fees change, and the Charter is not rewritten. An obsolete Charter is a transparency failure.
- Multiplicity and overlap with RTI manuals, departmental websites and call centres confuse more than they inform.
- Charters cannot fix a missing budget, a vacant post, or a bad statute. They are a display of standards, not a substitute for process re-engineering.
- In rural and multilingual settings, English PDFs exclude the user the Charter claims to serve.
- There is seldom an independent audit of whether the published time-limit is met. Self-marking is not accountability.

Measures for greater effectiveness

- Give selected services a statutory backing through Right to Public Services laws, with deemed approval, fines, and appellate officers, as several States have already tried.
- Consult citizens, frontline staff and user groups before the draft; publish the consultation note.
- Write SMART standards and a compensation rule for delay where the service is routine (certificates, copies, refunds).
- Put the Charter on the wall, on SMS, and in local language; train every new clerk against it.
- Link the Charter to end-to-end process reform and digital tracking so the clock is a system clock, not a slogan.
- Independent third-party audit each year, with results in the annual report and on the website, in the Sevottam spirit of citizen rating.
- One grievance number with a time-limit that is itself a Charter promise; integrate with CPGRAMS where Union offices are involved.
- Update the Charter when fees or law change; archive the old text so citizens can see what was promised.
- **Align Charters with budget heads:** a promise of seven-day water connections without a pipe budget is organised untruth, not transparency.
- **Use the Second ARC advice:** fewer, honest standards rather than a long pious list.

Flow diagram

Citizen Charter -> Ideal published standards

Citizen Charter -> Limits not law vague no audit

Limits not law vague no audit -> Statutory RTS SMART standards

Statutory RTS SMART standards -> Compensation training third party audit

Compensation training third party audit -> Real accountability

Conclusion

The Citizen's Charter is an ideal transparency tool only when the promise is known, timed, and enforced. Its limitations are non-justiciability, poor consultation, vague standards, no penalty, and no audit. Effectiveness needs statute for core services, SMART standards, local-language publicity, process reform, compensation, and independent review - a working Sevottam, not a framed poster.

Open WRAP page — https://wrapexams.com/upsc/mains-answers/gs-2/2018/the-citizens-charter-is-an-ideal-instrument-of-organisational-transparency-and-accountability-but-it-has-its-own-limitations-identify-the-limitations-and-suggest-measures-for-greater-effectiveness-of-the-citizens/

Q19 · 15 marks

What are the key areas of reform if the WTO has to survive in the present context of 'Trade War', especially keeping in mind the interest of India? (15).

GS II · 2018 · International Institutions

Revision summary

US-China tariffs and the Appellate Body vacancy turned WTO politics into a trade war of power.

Survival requires restoring two-tier dispute settlement and limiting security-exception abuse.

India's red lines are public stockholding, SSM, and livelihood-sensitive fisheries rules.

Special and differential treatment, Mode 4 services and TRIPS health flexibilities must stay.

Plurilateral e-commerce and investment rules should not replace consensus to India's cost.

Introduction

The World Trade Organization survives as a rules club only if members prefer a common court and a common tariff bargain to one-to-one punishment. By 2018 the United States-China tariff conflict, Section 232 steel measures, and the blocking of Appellate Body appointments had pushed the system toward power rather than law. Reform is therefore about dispute settlement, agriculture and development space, and a negotiating method that still protects India's food security and livelihoods.

Body

The survival problem in a trade war

- A trade war is extra-WTO tariff retaliation, national-security claims, and subsidy races that the WTO rule-book only partly covers.
- If the Appellate Body dies, members cannot finish appeals; losing parties "appeal into the void". Rules without a two-tier court are lectures.
- Plurilateral deals among the large economies can freeze India out of rule-making on e-commerce, investment and domestic regulation.
- Survival means restoring a usable dispute system and a negotiation agenda that developing countries can still enter.

Dispute settlement and the Appellate Body

- The first reform is to fill Appellate Body vacancies and agree a time-bound, independent appeal process. Without it, the WTO is a talking shop plus a first-panel that the powerful can ignore.
- **India has an interest in a two-tier, rule-based court:** as a user of anti-dumping and as a respondent, it needs law, not only U.S. or China market size.
- Interim arrangements such as MPIA among some members are a patch. A multilateral restoration is the reform that matches India's interest in an open, not a bloc, order.
- National-security exceptions (GATT Article XXI) need disciplined use so that every tariff is not labelled security.

Agriculture, food security and livelihoods - India's core

- A permanent solution on public stockholding for food security, beyond the Bali peace clause, is essential. MSP and NFSA stocks must not be litigated as prohibited subsidies by a calorie arithmetic that ignores poor consumers.

- Special Safeguard Mechanism for developing countries to raise tariffs when import surges hit small farmers is a second key area.
- Domestic support rules that squeeze Indian farm support while large OECD farm payments continue through different boxes are not a neutral technicality; reform must rebalance Amber, Blue and Green Box politics.
- Fisheries-subsidy talks must protect artisanal fishers' livelihoods while cutting illegal and high-seas industrial subsidies. India's interest is livelihood exemption, not a blank cheque to distant-water fleets.

Special and differential treatment, services and new issues

- **Special and differential treatment must remain real for India:** time, policy space, and less-than-full reciprocity. Attempts to force India to graduate out of developing-country flexibilities as if it were a high-income surplus power ignore still-large poverty.
- **Services:** Mode 4 movement of professionals, mutual recognition, and a less one-sided e-commerce deal matter more to India than a tariff-only peace between Washington and Beijing.
- **Intellectual property:** TRIPS flexibilities for public health must not be bargained away in a trade-war side deal.
- Investment facilitation and e-commerce plurilaterals should not become de facto WTO law without consensus. India has stayed cautious because digital and investment rules can lock industrial policy.
- Transparency of subsidies, including those of developed members and of China, should be reciprocal, not a one-way notification burden on developing countries.

Institutional method

- Consensus decision-making protects India against G-2 deals, but paralysis also kills the WTO. Reform can keep consensus for new obligations while allowing time-bound negotiation and a working Appellate Body by a reverse-consensus appointment rule.
- A development round that actually finishes Doha leftovers on agriculture is still in India's interest; a pure "WTO 2.0" written by the trade-war parties is not.

Flow diagram

WTO survival -> Restore Appellate Body

WTO survival -> Agriculture PSH and SSM

WTO survival -> Special and differential treatment

Agriculture PSH and SSM -> India food security livelihoods

Restore Appellate Body -> Rules not trade war

Special and differential treatment -> India food security livelihoods

Conclusion

If the WTO is to survive a trade war, it must restore a two-tier dispute system, discipline security-tariff abuse, and finish a fair agriculture and fisheries bargain. India's interest is food stockholding, SSM, livelihood-sensitive fisheries rules, Mode 4 services, TRIPS health flexibilities, and real special and differential treatment. Survival on G-2 terms without those files would be survival of a name, not of a useful organisation for India.

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Q20 · 15 marks

In what ways would the ongoing US-Iran Nuclear Pact Controversy affect the national interest of India? How should India respond to its situation? (15).

GS II · 2018 · Governance and Policy

Revision summary

The 2015 JCPOA traded nuclear limits for sanctions relief; the United States left it in May 2018.

India's interests affected are crude supply, banking access, Chabahar, Hormuz, the Gulf diaspora and ties with Washington.

Unilateral U.S. sanctions bind Indian firms through the dollar even when India does not legislate them.

- **Response:** back the UN deal, diversify oil, seek waivers, protect Chabahar, and avoid military or bloc language.

Strategic autonomy here is hedging, not a speech against either capital.

Introduction

The Joint Comprehensive Plan of Action of 2015 capped Iran's nuclear programme in return for sanctions relief, and the UN Security Council endorsed it. In May 2018 the United States left the pact and prepared to snap back extra-territorial sanctions. India's national interest sits on both sides of that quarrel: energy and Chabahar on one side, a deepening partnership with the United States on the other. The response has to be strategic autonomy with a clear energy and connectivity hedge, not a slogan from either capital.

Body

How the controversy touches India's interests

- **Energy:** Iran has been a nearby, often discounted, crude supplier. Secondary U.S. sanctions raise the price of Indian oil, widen the current-account gap, and push refiners toward other Gulf, Atlantic and later Russian barrels. Inflation and the rupee feel a nuclear dispute that India did not start.
- **Banking and firms:** U.S. dollar clearing, insurance and CAATSA-type risk make Indian companies drop Iran trades even when New Delhi does not pass a matching statute. National interest includes the freedom of Indian banks to lawfully trade; extra-territorial law shrinks that freedom.
- **Chabahar and Afghanistan:** the port and the wider INSTC idea give India a route to Afghanistan and Central Asia that does not depend on Pakistan. If the controversy kills waivers for Chabahar, connectivity and the Afghan stake suffer.
- **Farzad-B and gas:** delayed energy investments become stranded-diplomacy assets when U.S. law and Iranian politics both harden.
- **Regional security:** a collapsed pact raises the chance of Iranian breakout, Israeli or U.S. strikes, and trouble in the Strait of Hormuz, through which a large share of India's oil moves, including non-Iranian cargo. Hormuz insurance is an Indian interest even if Iranian barrels fall to zero.
- **Diaspora and the Gulf:** millions of Indians in the GCC need a calm Gulf. Escalation is a consular and remittance risk.

• **The U.S. partnership:** defence logistics, technology, and the Indo-Pacific balance with China are also national interests. Open defiance of U.S. Iran policy has a price in waivers, visas and high-technology trust.

• **Rules and autonomy:** India has long said that UN Security Council sanctions bind, and unilateral sanctions do not automatically. The controversy tests whether that doctrine can still be practised in a dollar system.

How India should respond

• **Hold the legal line:** support the JCPOA as a UN-backed non-proliferation bargain and urge all parties, including Tehran, to return to verified limits. India has no interest in a nuclear-armed Iran or in a war on Iran.

• Practise de-risked engagement, not theatrical alignment. Seek time-limited oil waivers where they exist; use rupee or designated-bank channels only within what Indian financial stability can bear.

• **Diversify crude at speed:** longer-term contracts with Iraq, Saudi Arabia, the UAE and others, strategic petroleum reserves, and demand restraint so that no single sanctioned barrel can shock the CPI.

• Ring-fence Chabahar as a humanitarian and Afghan-access project in talks with Washington, which is how earlier waivers were argued, and keep INSTC work on a modest, legal track.

• Speak to Tehran on the need to stay in the nuclear deal and to keep the Strait open; speak to Washington on India's energy poverty and Afghan stakes without offering to police the Gulf.

• Coordinate with Europe, Japan and others who also wanted the pact to live; a middle-power chorus is more useful than a solo lecture.

• **Prepare consular and shipping contingencies for Hormuz disruption:** convoy diplomacy, insurance, and alternate routes around the Cape if needed.

• Do not trade the Iran file for unrelated concessions that harm other interests (for example a one-sided trade deal). Issue-linkage is how a controversy captures the whole relationship.

• **Keep the public line boring and consistent:** non-proliferation, UN framework, energy security, Chabahar, and dialogue. Dramatic swings between "look West" and "ignore Washington" raise the risk premium on India itself.

Flow diagram

JCPOA 2015 and US exit 2018 -> Indian oil and rupee

JCPOA 2015 and US exit 2018 -> Chabahar INSTC Afghanistan

JCPOA 2015 and US exit 2018 -> Hormuz security

JCPOA 2015 and US exit 2018 -> US strategic partnership

Response -> Autonomy waivers diversify oil

Response -> Chabahar INSTC Afghanistan

Conclusion

The US-Iran nuclear-pact controversy hits India through oil prices, extra-territorial banking fear, Chabahar and Afghan access, and Hormuz risk, while the U.S. strategic partnership remains a parallel interest. India should respond by defending the UN-backed deal, diversifying energy, ring-fencing Chabahar, and talking to both sides without joining a war or a sanctions crusade. That is autonomy as risk management, which is what national interest requires in this file.

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Compiled answer key

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

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Q1 **10 marks**	**Q2** **10 marks**	**Q3** **10 marks**	**Q4** **10 marks**
Q5 **10 marks**	**Q6** **10 marks**	**Q7** **10 marks**	**Q8** **10 marks**
Q9 **10 marks**	**Q10** **10 marks**	**Q11** **15 marks**	**Q12** **15 marks**
Q13 **15 marks**	**Q14** **15 marks**	**Q15** **15 marks**	**Q16** **15 marks**
Q17 **15 marks**	**Q18** **15 marks**	**Q19** **15 marks**	**Q20** **15 marks**

Question-wise key

Q1 · 10 marks Solution
Q2 · 10 marks Solution
Q3 · 10 marks Solution
Q4 · 10 marks Solution
Q5 · 10 marks Solution
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Q7 · 10 marks Solution
Q8 · 10 marks Solution
Q9 · 10 marks Solution
Q10 · 10 marks Solution
Q11 · 15 marks Solution
Q12 · 15 marks Solution
Q13 · 15 marks Solution
Q14 · 15 marks Solution
Q15 · 15 marks Solution
Q16 · 15 marks Solution
Q17 · 15 marks Solution
Q18 · 15 marks Solution
Q19 · 15 marks Solution
Q20 · 15 marks Solution