

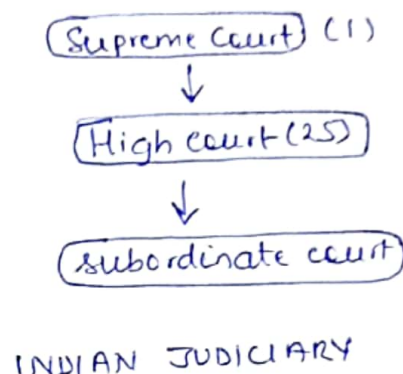
1.

Judicial accountability refers to practices and processes that ensure that the judiciary is functioning in line with constitutional and democratic ideals.

Need for New Law

→ Debate over collegium system of appointment which has been

called opaque, arbitrary, closed door affair.



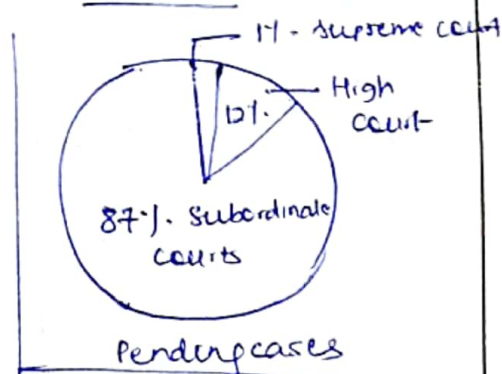
→ Unfilled vacancies across the judiciary.

→ Piling of pending cases. = 5 crore

→ Allegations of judicial over-reach.

(eg) Arjun Gopala case (2017) -

Supreme court exercised executive's power by banning firecrackers in Delhi.

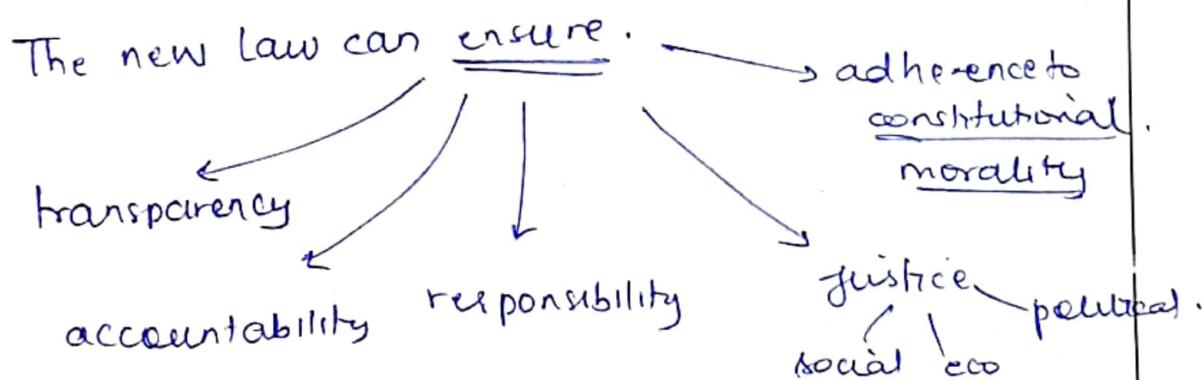


→ Judges verdicts often come under scrutiny.

(eg) Dissent rate for Supreme court
Judges was only 1% during emergency
in contrast to 11% normally.

→ Rising under-trials in Indian jails
⇒ raised demands for "Bail not jail" from judiciary.

(eg) NCRB 2020 : 75% jail inmates in India are under trials.



An accountable judiciary ensures

effective access to justice which is a part of

Constitution's basic structure as per

Coal field's case 1980



2.

^(FR)
Fundamental rights (part III, Articles 12-35)
and DPSP (part IV, articles 36-51) are two
crucial components of the constitution that
ensure political rights and socio-economic
rights respectively.

Reconciling - A Tough Task

→ Sajjan Singh Case : ~~case~~ (1951)

↳ FR can be amended to implement
DPSP.

→ Dorairajan case (1960)

↳ FR can not be overturned to implement
DPSP.

→ Golaknath case (1968)

↳ reiterated the verdict of the Dorairajan
case.

Indira Gandhi led government introduced
an amendment placing FR subordinate
to DPSP ⇒ challenged in
court -

→ Kesavnanda Bharti Case 1973

- deemed the amendment null & void.
- Established that judicial review based on FR is a part of the basic structure.

→ Minerva Mills Case 1980

- established that the constitutional rests on a bedrock of balance between FR and DPSP.

In the present day, both FR and DPSP hold a unique but distinct role.

Each plays its part in the creation of a vibrant government and society in

the world's largest democracy, by ensuring a govt -

"of the people, by the people, for the people" — Lincoln



3.

The Prime Minister's office is a government body that functions as a secretariat for the PM's activities.

Functions

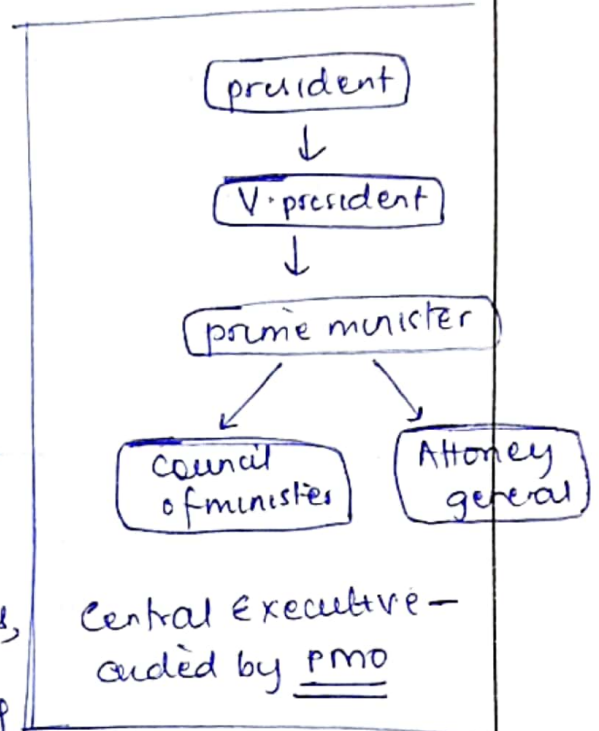
→ coordinates activities on behalf of the PM.

→ sets meetings, timelines, and agenda pertaining to PM interactions.

→ coordinates with other ministries to aid the functioning of PM.

(eg) PMO collaborates with MEA during foreign visits by PM.

→ caters to everyday tasks like document filing to aid the constitutional processes



Role in policy making

→ Many PMO positions are held by senior civil servants of the All India Services (A 312)

→ They provide inputs into the policy making process.

(eg) EWS Amendment Act policy framework.

→ They provide frameworks on which elected executive members build policies.

→ They collate different suggestions, and influence policy decisions.

(eg) NEP 2020.

PMO thus ensures that the PM's role as head of government continues seamlessly.

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4.

Section 124A of the IPC pertains with to sedition law - which charges people who incite violence against or attempt to overthrow the government : It was introduced in colonial era on recommendation of Macaulay Commission.

Need for re-examination

- remnant of British era.
- originally meant to suppress colonial ~~suppression~~ ^{dissent}.
- Law Commission has also debated its need.

Striking a Balance

- Civil liberties & human rights should not be compromised.

(eg) Article 19 - guarantees freedom of speech & expression

- Should not be used to quell dissent against government → as per Supreme court ruling.

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→ In Kedar Nath vs. State of Bihar —
court held that sedition should only
be used in exceptional cases

→ Allegations that sedition is used to target
of individuals

(eg) Congress' protests on arrest on
comedian Kunal Kamra.

However.

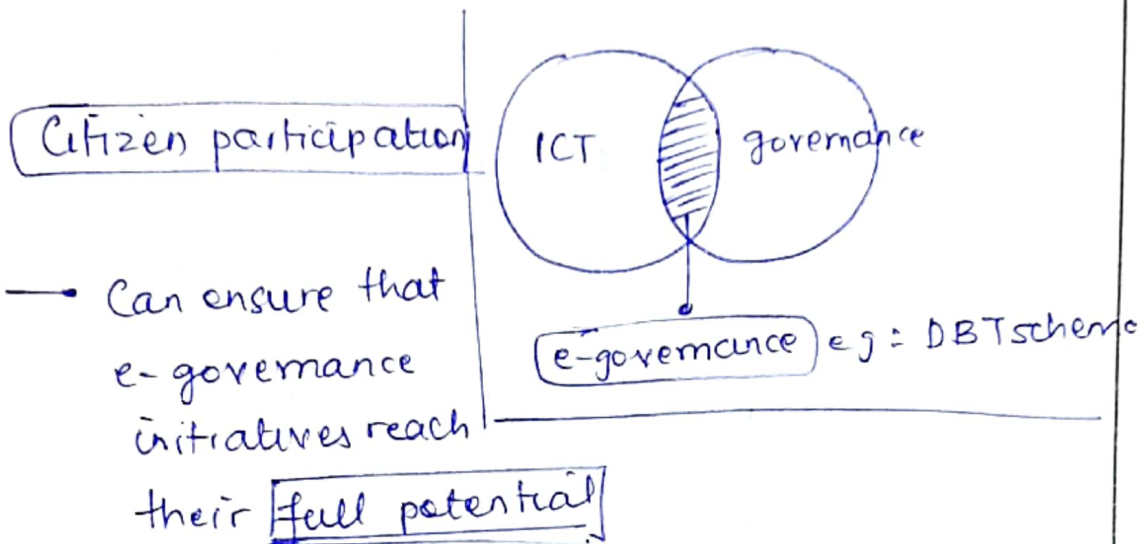
- Sedition law helps weeds out anti-national elements (eg) Khalistani forces
- Needed to maintain harmony in country
- Acts as a reasonable restriction on Article 19 — rights are NOT absolute!

In line with this discussion,
the new bills introduced in monsoon session of parliament 2023 seek to
remove the provision of sedition from
Indian law.



5

E-governance refers to the use of ICT to enhance the efficiency, transparency, and accountability in governance structures.



(eg) Only 2 crore ~~more~~ farmers registered on e-NAM currently.

Can help weed out corruption in rural economic system and leakages too.

(eg) Computerization of PRIs in Andhra Pradesh $\Rightarrow$ 80% MGNREGA wages paid on time.

Participation $\Rightarrow$ intended beneficiaries will gain.

(eg) Schools in rural areas need to use e-VIDYA portal.

→ W/o participation, e-governance initiatives will not meet their goal.

(eg) Ayushman Bharat Digital Mission.

→ Will help mobilize 65% Indian pop. in rural areas

(eg) Adoption of OPI payments.

However, concerns

- 600 million Indians do not have internet access
- only 30% Indian women use smartphones
- ⇒ gender divide

Solution

- Bharat Net - has spread fiberization to 400,000 miles across India.
- PM-Jan Dhan - to meet goal of 100% financial inclusion.

These solutions will help India tap into the marvels of the 4th Industrial Revolution technologies to create citizen centric governance.

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6. The Aspirational District programme of NITI Aayog focused on 112 least developed districts in India with the aim of accelerating their growth and progress.

Objectives achieved

- NITI Aayog has reported that most districts reported rise in income level.

- Competitive federalism (via NITI Aayog ranking of aspirational districts) achieved.

② Jaisalmer topped 2022 ranking

- One district - one product → a success!

- In LWE affected districts, violence fell by 75% in last decade.

- idea of welfare state met

(u/A38)

However, concerns remain

— recent clash in aspirational district

(Nuh, Haryana) $\Rightarrow$ scope for improvement.

— Districts continue to lag behind other districts.

— Human development indicators are still below national average.

prevent communal violence

(eg) through POCV Act 2002

Solution

education, health
— should be focus.

tech based reforms

(eg) Aadhaar, seeding of ration card.

contain LWE

(eg) Sarnadhaan doctrine

Success of Aspirational District is needed for social, economic & political justice (preamble) & to meet the Gandhian ideal of Sarvodaya through Antodaya

7.

NGOs refers to non government & not
for profit organizations that work
towards a social cause. India has
3-3 million NGOs.

Role of Technology — Advantage.

→ Enables ~~enable~~ better connectivity
with beneficiaries

(eg) online educational surveys of
of PRATHAM.

→ enhances communication

(eg) Goony NGO using social media
for disaster relief.

→ Helps in efficiency in work

(eg) Bachpan Bachao Andolan
using data to track
child labour rings

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→ Beneficiaries provided with new aids
eg) Old Age India NGO - provides
older people with new tech to
keep them engaged, like mobiles.

→ Helps spread awareness

eg) MEER foundation using online
communication channels to raise
awareness about acid attacks.

→ For monitoring progress.

eg) PETA & TRAFFIC ~~for~~ using
drone to track animals

NGOs are a part of the nation's
social capital and must be
developed as the operational
arm of civil society.



8.

The NEP 2020 envisions the setting up
of foreign educational institutions in
India under the purview of the
UGC (est. 1952)

IMPLICATIONS

positive

- Facilitates knowledge
diplomacy
- prevents brain
drain
- reduces outflow
of students
- ⇒ forex saved.

negative

- commercialization
of education
- further societal
divide since only
rich can access
- No caste
reservation
clause
- ⇒ social justice
hampered

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- | | |
|--|---|
| → New ideas, <u>synergy</u> | → may push <u>Western agenda</u> on Indian students. |
| → Will help raise R&D above <u>0.7% of GDP</u> | → Will not use <u>vernacular languages</u> |
| → Will help reduce pressure on <u>Indian universities</u>
(eg) reduce their <u>high cutoffs</u> | → Will hinder traditional 'guru - <u>shishya</u> ' <u>paranpara</u> |

Thus a slow and cautious approach is needed keeping in mind -

"feature of nation is built in her classrooms"

— Brother's commissioner



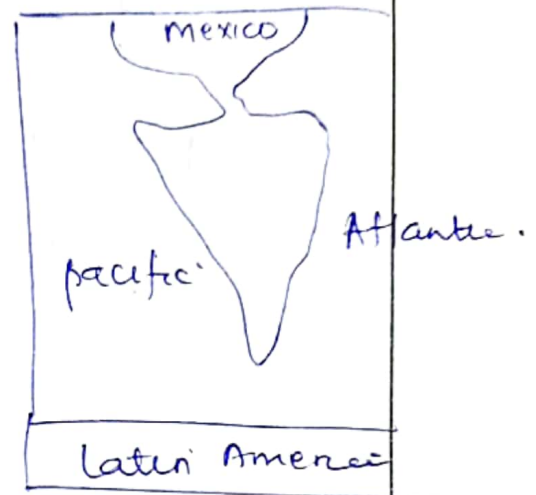
9.

The Latin American nations consist of the Spanish speaking countries in central South America -

Critical element

→ presence of mineral deposits -

(eg) Lithium in Chile



→ Rare Earth Minerals ⇒ helps in China + 1 strategy.

→ Oil in Venezuela ⇒ diversification of oil basket.

⇒ imp. post Ukraine war.

→ common climate change activism

(eg) both have opposed ~~wealth~~ coal tax

— cooperation in G4, BRICS etc

→ can be taken to next level

— Global South connect.

— Latin America has raised concerns
w.r.t CCIT (1996)

↳ need to get them on board.

— presence of Girmitiya community
⇒ rich Indian diaspora

— Similar challenges {
• poverty
• inequality

Scope for collaboration

concern {
• instability in the region
• China making headway

India should continue this relation
in line with our G20 theme
Namdharia Kulenbuhur

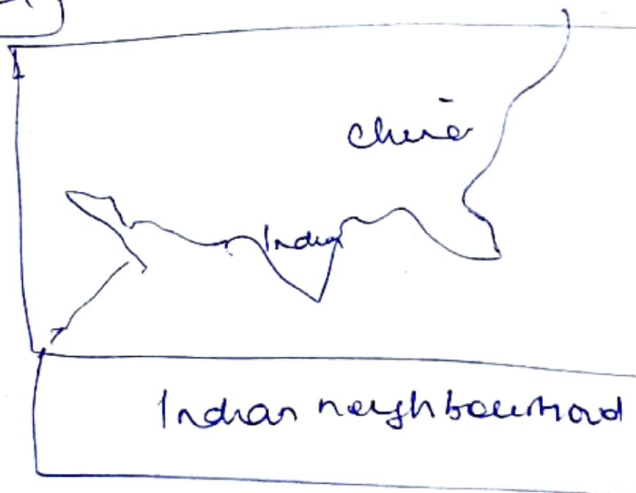
10.

Debt trap diplomacy is a form of neo-colonialism in which China provides nations with highly subsidized loans which these nations are eventually unable to repay, thus strengthening China's hold over their economy & decision making.

Impact on India

→ Pits Nations against India.

(eg) Pakistan debt to China



→ Strengthens their BRI initiative

(eg) in Nepal :

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- countries' sovereignty dilutes
(eg) Sri Lanka in debt trap to China.
 - Instigates nations against India.
 - Instability in the region
⇒ "common security" affected
⇒ "shared prosperity" under threat.
 - India has countered with
 - ✓ diamond necklace strategy
 - ↓
development partnerships
 - ✓ evacuee matreysi goodwill
- India has continued cooperation in its neighbourhood via BAGAR
~~SAR~~ "Neighbourhood first policy"
Further collaboration in SAARC,
BIMSTEC, BBIN will help us
counter China.

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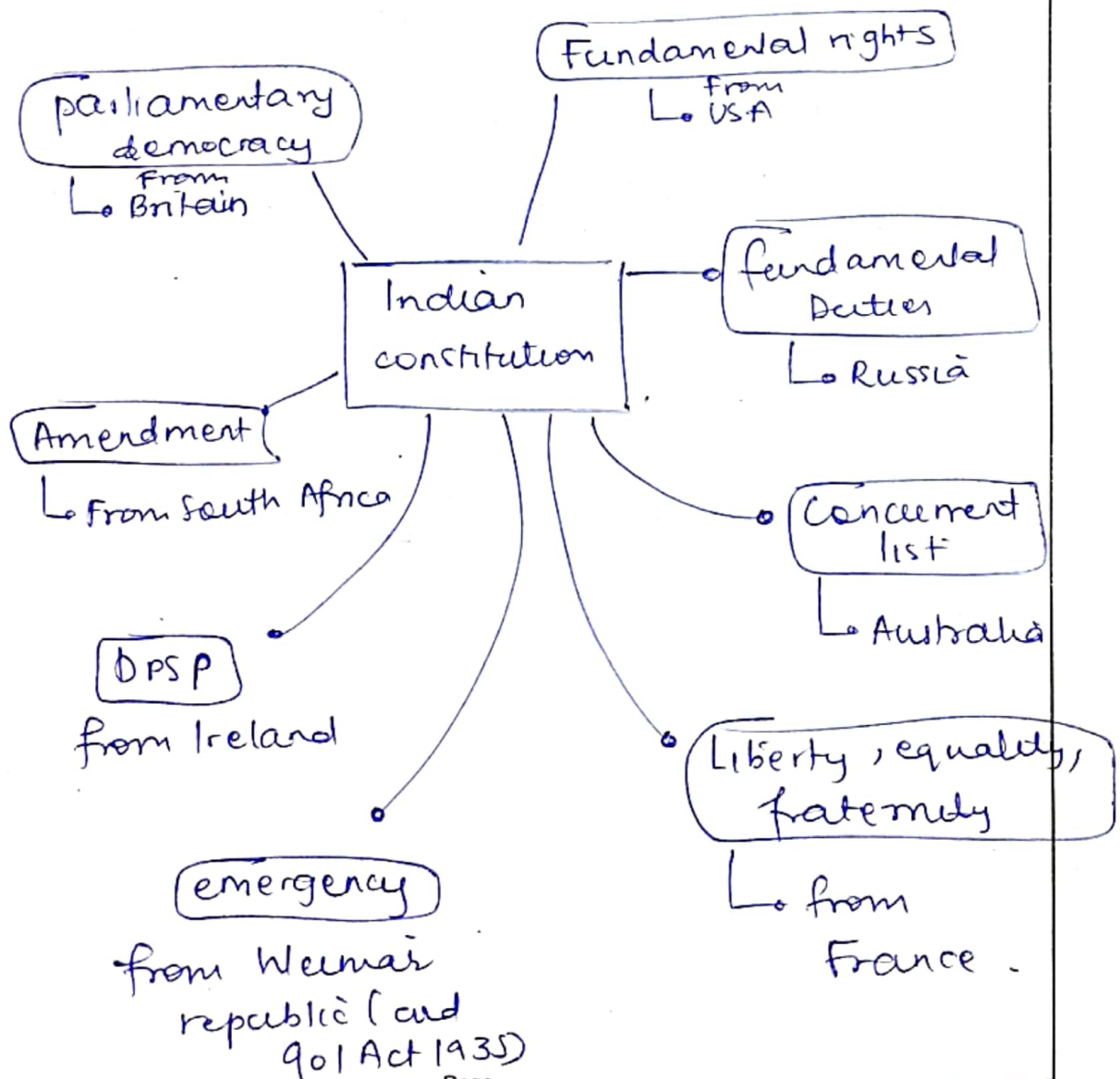
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11.

The Indian constitution - which has also been called a "borrowed constitution" (due to its incorporation of other constitutions) - stands out because of its focus on social justice, pluralism, and equality.

Amalgamation can be seen as below -



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Thus. Dr Ambedkar - father of Indian constitution said that all constitutions were ransacked and their best features were added to the Indian constitution.

Social Justice

- mentioned in preamble.
- Article 38 : creation of welfare state and Article 39 → have provisions to ensure that a social justice is delivered.

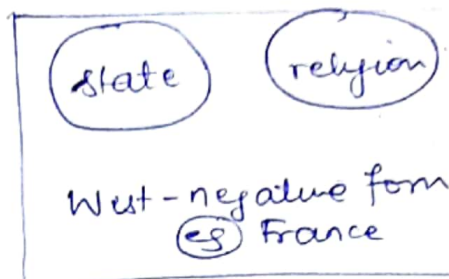
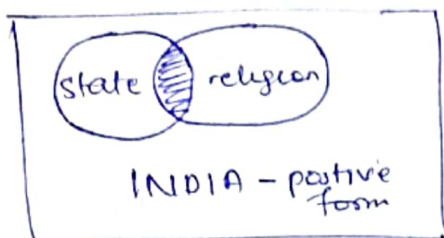
↓
equal rights & opportunities to all sections

Pluralism

- marked by presence of diversity.
- Indian constitution upholds the "unity in diversity" principle.
- Articles 25-28 — Religious freedom
- Article 29-30 — minority rights protected.

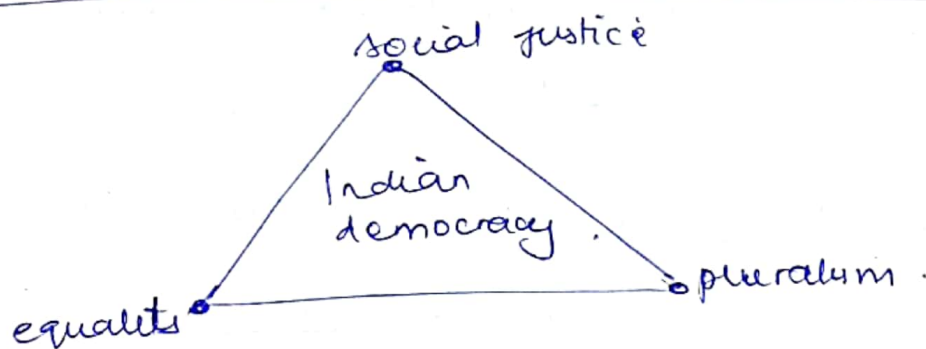


→ Indian secularism is of positive form.
→ encourages pluralism.



Equality

- of status and opportunity (preamble)
- Article 14-18 - Right to equality
- Article 46 - catering to needs of SC/ST to ensure equality.
- Articles 51A - ~~women~~ gender equality - ~~sanction~~ practices derogatory to women.



To take forward the vision of Dr. Ambedkar,
young Indians should uphold constitutional
morality to build a robust democracy
in the Amritkaal.

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12.

Debates in parliament and in civil society
have brought to the forefront the demand
to criminalize marital rape, in line
with the vision to denounce practices
derogatory to women (u/A 51A).

Implications

① POSITIVE SIDE

- Women empowerment in line with SDG 5 (gender equality)
- In line with Puttuswamy case verdict which ~~held~~ upheld ^a the women's right to bodily autonomy.
- Will deter violence within marriages
⇒ ~~to~~ strengthens prevention of domestic violence act 2005.
- In line with Kant's categorical imperative that women are
• not means, but ^{an} end in themselves.



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- enhance (Nari shakti)
- shift in societal attitude towards women
⇒ viewing them as equals.
- ensure constitutional vision of gender equality (u/A 14, 15, 16) are upheld in letter & spirit.

NEGATIVE IMPLICATION

- Fear that marriage as a sacred institution & family as a sacred unit will come under threat.
- Belief that it will raise divorce rates.
- Can allegedly be misused.
(eg) Kolkata high court recently asked a woman to not wage 'legal terrorism' against her husband with misleading cases.

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- Traditional conception of marriage
will alter → concern raised by some
- Belief that such a law will
disproportionately affect Hindu
marriages
- Allegations that demand for
marital rape criminalization is
a 'western' thought that is
against Indian ethos.

Thus, while the ^{debate around} implications of crimin-
alization of marital rape continue,
we should keep in mind Societal
sensibilities while also remembering
Sri Sri Vivekananda's words -

"no nation can fly
with one wing tied".

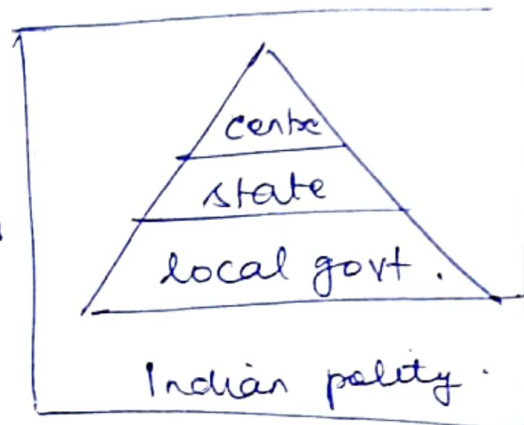
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13.

Indian model of federalism has been
derived from the Gol Act 1935 and
inspired from Canadian polity to
create a state that is federal in
form, but unitary in spirit

Too centralized

- constitution envisions
India as a union
and not federation
(Article 1)

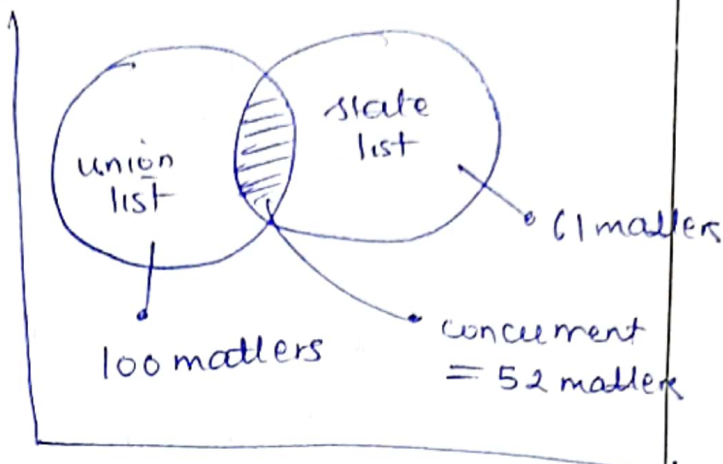


- Punchi & Sarkari Commissions noted -

“Too much centralization leads to
blood pressure at the centre
and anaemia in the periphery”

- Over 100 + president rules imposed
(u/A 356)

- Union list is much larger than state list



- Integrated judiciary, unlike USA
- Recent ~~con~~ tensions b/w Delhi govt and centre ⇒ accusations of over centralization.
- Governor can be removed at president's will.
- Space for state autonomy
- state list subjects ⇒ union cannot interfere w/o Rajya Sabha approval.
- Independence of judiciary
- State can contest centre's decision in court (eg) Delhi govt. demanded right over services of Delhi.



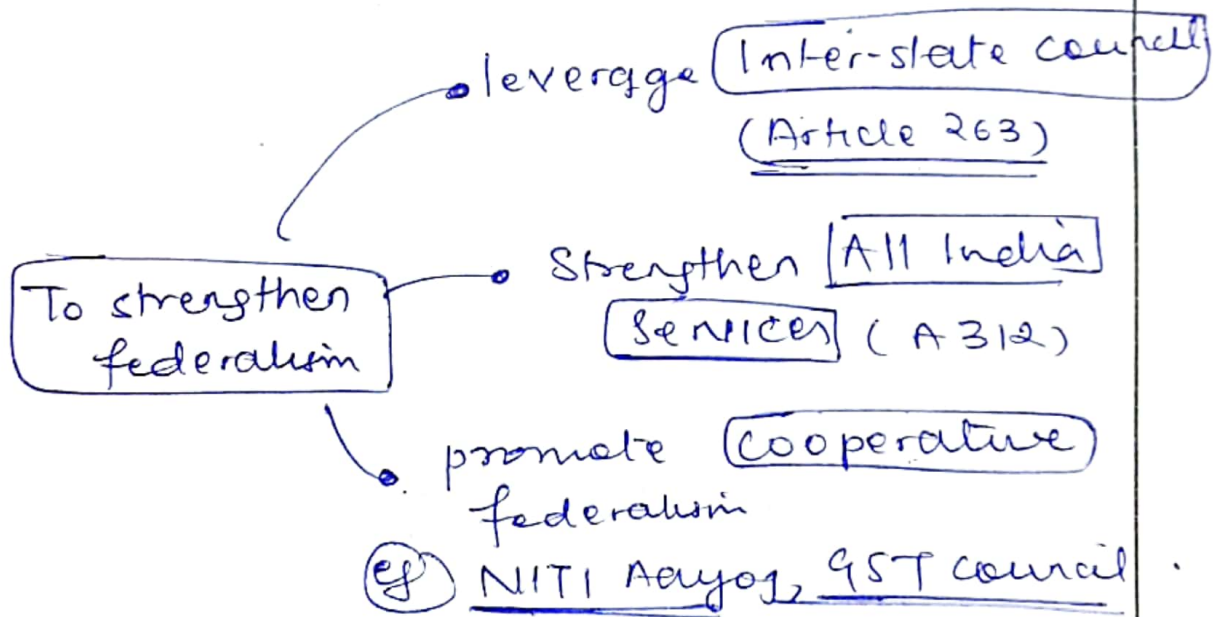
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- Governments decisions must be in line with the decisions of elected state govt as per (Nebam Rebia case)
- State emergency can not continue beyond 1 year w/o either Election commission approval or presence of national emergency.



A strengthened federal structure will allow for enhanced democratic functioning while ensuring —

"Ek Bharat, Shresth Bharat"

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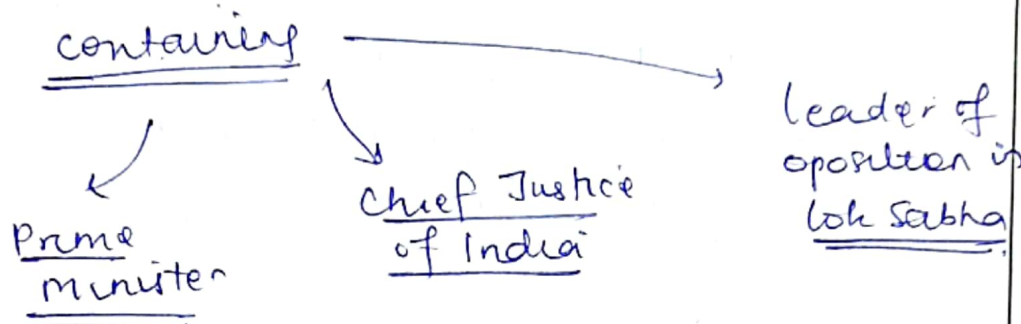
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14.

In the Anoop Baranwal case, the Supreme court held that the EC1 will be appointed by a prudent on recommendation of a panel



Fundamentally changed

— previously, centre would appoint EC1

— Concerns were raised w.r.t impartiality of EC1.

— (eg) Since 2004, no EC1 has completed a 6 month tenure.

⇒ Hence Supreme court felt need for fundamental change



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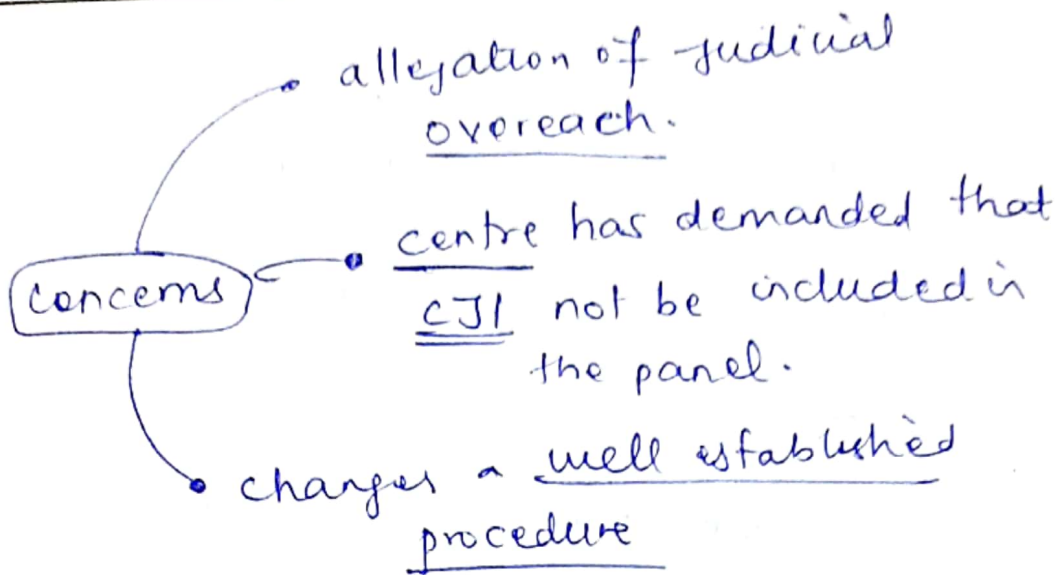
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(For reaching implication)

- Will ensure unbiasedness of ECI
- will create an atmosphere of trust -
- opposition parties' allegations that ECI was being used ~~for~~ to favour ruling party will be allayed.
- Opens doors for the changing of appointment process of other constitutional posts
(eg) Speaker of Lok Sabha.
CAG (Article 148)
- Will uphold the Election Commission - as enabler of elections -



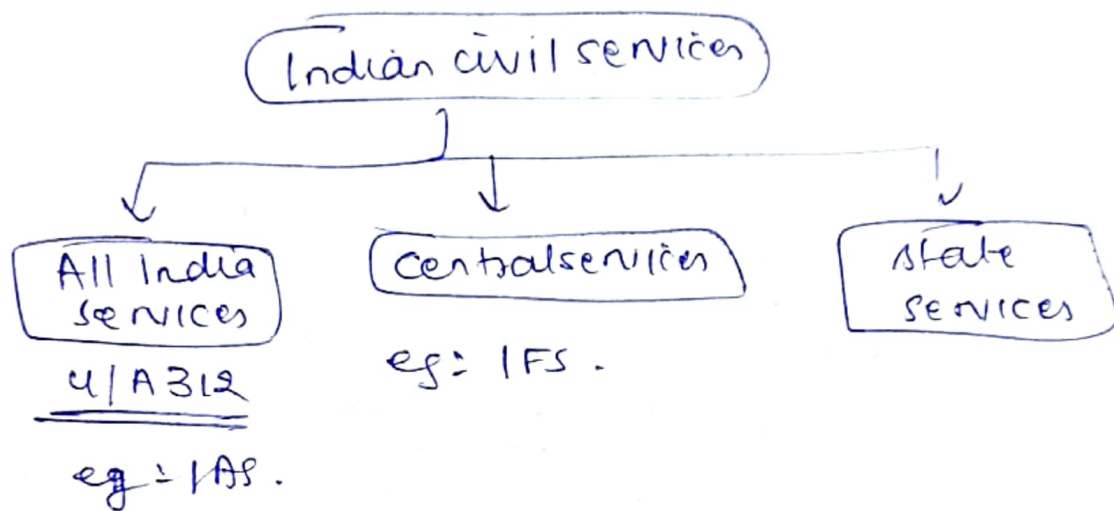
Further reforms needed to strengthen electoral process.

- lay down qualifications for ECI.
- debar ECI from post retirement jobs → constitution is silent on this.
- incorporate new tech into election
(eg) remote voting machines

These measures will ensure free
& fair elections (basic structure)
in line with Article 324 of
the constitution..

15.

The Indian civil services which were envisioned as the steel frame of Indian admin, ^{is} ~~are~~ undergoing a period of change marked by new trends & challenges



Diversified challenges

- New issues (eg) Rising inequalities
(eg) Oxfam : Top 1% Indians hold 40% wealth.
- Need for technological competence
(eg) use of AI tools
- digital threats (eg) cyber warfare.

→ alleged degradation of ethics
(eg) corruption scandals IAS
poorja Singhla
IRS Sameer
Wankhede.

→ Global culture infiltrating India.

(eg) 'Sir/ma'am' culture of workplaces
being replaced by 'first name'
culture. ⇒ ~~also~~ challenges
hierarchy & protocol in ICS.

→ poverty has sustained ~~open~~ in open
economy (eg) 221. BPL as per 2011
Holistic Reforms Tendulkar estimate

→ Hota committee recommendation
of incorporating new technology in ICS
should be considered

→ Consider merit based promotion.

(eg) in Singapore civil service

→ 2nd ARC recommended that a

Code of ethics should be implemented.

☞ in US civil services

→ Civil Services Bureau — an independent body to regulate transfers can be set up.

→ Lateral transfers — move in right direction.

→ Mission Karmayogi — to equip civil servants with 21st century skills.

→ Pecuniary benefits to reward good work → as suggested by 6th pay commission

These measures will allow civil servants to ensure efficient service delivery & uphold national unity and cohesion in line with the vision of Sardar Patel



16

Open data policy ensures that non-sensitive government databases can be shared with the public to ensure greater transparency and accountability in governance structures.

ROLE.

- Aids the RTI Act 2005 which the 2nd ARC called the 'master key of good governance'
- Encourage jān bhagidaan in policy making.
(eg) ^{citizen} using open data to spot trends → frame policy suggestions → send to govt.
- Check against fudging in government databases ⇒ helps spot corruption.
- ~~Any~~ Open data ⇒ citizens can raise concerns in e-governance.

(eg) Data pertaining to vaccination numbers of Aarogya setu & COWIN app

Challenges: Quality

- large data collection i.e. BIG DATA is challenging -
- Need for ~~domestic~~ better data cleaning technology
 - (eg) removing duplication in data entries
- Technological advancements needed,
 - (eg) use of AI backed data analytics
- R&D is limited -

(eg) R&D expenditure as percentage of GDP
India = 0.7%
China = 2.1%

Challenges: Reliability

- Need for domestic data localization centres



- susceptible to cyber attacks
- Sensitive data is not shared ⇒ incomplete data.
- Many data sets are old & outdated.
⇒ need for up to date sources

collaborate with
private firms

learn from international
best practices

Solution

(eg) VS government's use
of Amazon Web
Services

Raise R&D expenditure

It is said that in the 21st century,
" Data is the new oil "

Hence, open data policy should be
fine tuned to enhance e-governance
structures in India - & their
accountability.

7.

Maternal nutrition - both pre natal and post natal - will help combat the zero food children phenomenon witnessed in India.

Global Hunger Index
ranking of India
= 107/121 in 2023

Zero Food children issue is exacerbated by

UNFAO - 1/5 of all undernourished children are in India

India has $\frac{1}{3}$ of the world's wasted and $\frac{1}{4}$ of the world's stunted children as per UNICEF

pre natal nutritious diets

maternal nutrition

post natal
regular checkups

Maternal health is the primary determinant of a child's health.

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UPSC

Answer Questions in NOT MORE THAN the Word Limit specified for each in the Parenthesis.
(Specimen Answer Booklet - For Practice Purpose Only)

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Maternal Nutrition : Need to make Priority

- 57% women b/w 15-49 years in India are anaemic (NFHS-5)
- Mother's ill health has direct implications for children.
 - (eg) via reduced access to breast milk.
- ICMR has shown that a child born to an underweight mother is twice as likely to develop health problems.

Maternal Nutrition : How to make it a priority?

- Strengthening of NFSA 2013 - in letter & spirit.
 - (eg) NFSA provides ₹6000 worth of monthly meals to pregnant & lactating women.
- Janani Suraksha Yojana.
 - focus on maternal health.



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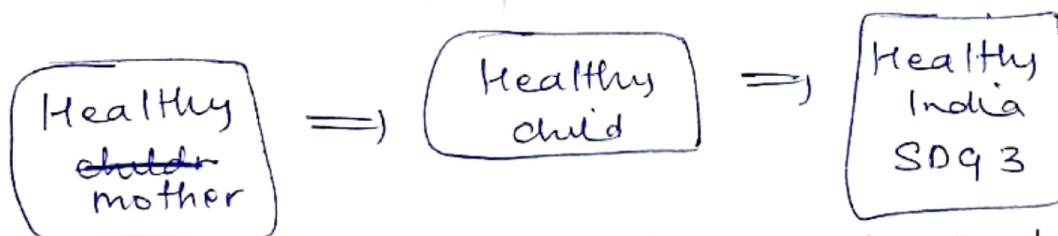
→ SUMAN - scheme targeting maternal wellbeing can be leveraged.

→ Aasha & Anganwadi workers can be trained to provide info and raise awareness w.r.t maternal health.

However, apart from maternal health, other initiatives are needed too to end the zero food children issue -

→ preventing PDS leakages → pointed out by Wadhwa committee.

→ "One Health" initiative to provide continuum of care to citizens.



After all, as Winston Churchill said -

"health of citizens is greatest asset of a nation"



18.

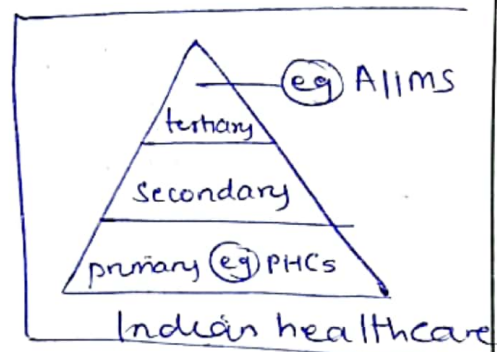
Rare diseases are those diseases which impact a very small proportion of the population, usually < 1 in 1 million.

(eg) Osteogenesis imperfecta i.e brittle bone disease.

Concerns With Rare Diseases

→ Limited diagnosis ⇒ many rare diseases go untreated.

→ Tertiary hospitals where rare diseases are studied are out of reach for poorer sections.



(eg) AIIMS, JIPMER, etc.

→ funds allocated to rare disease study is limited.

(eg) only 2.1% GDP is spent on health.

- Healthcare network is already burdened by "common diseases".
 - (eg) India has 1 doctor for 834 patients
 - (eg) Indian hospitals : 5 beds / 10,000 people.
- Expertise in the field is limited.
- Expensive treatment processes.
 - (eg) 58% healthcare spending in India is out of pocket.
- Societal stigma ⇒ isolation of such patients.
- Focus on generic drugs ⇒ not catering to rare disease needs

Resolution

- Raising awareness amongst patients
doctors
citizens.
- Raising R&D expenditure to 2% of GDP in line with global average ⇒ for breakthroughs in rare disease treatment

- National Health Policy : suggested saving health expenditure to 2.5% of GDP $\Rightarrow$ ensures greater rare disease treatment facilities.
- Ayushman Bharat can have special provision for rare disease patients.
- Technology like nano-robots, gene editing $\rightarrow$ can be explored for solutions.
- International collaboration with Israel, US, etc $\Rightarrow$ healthcare diplomacy.
- Biological Data centre @ Haryana - recently opened. Can be used to study rare disease genetics.

By combatting rare diseases, we will

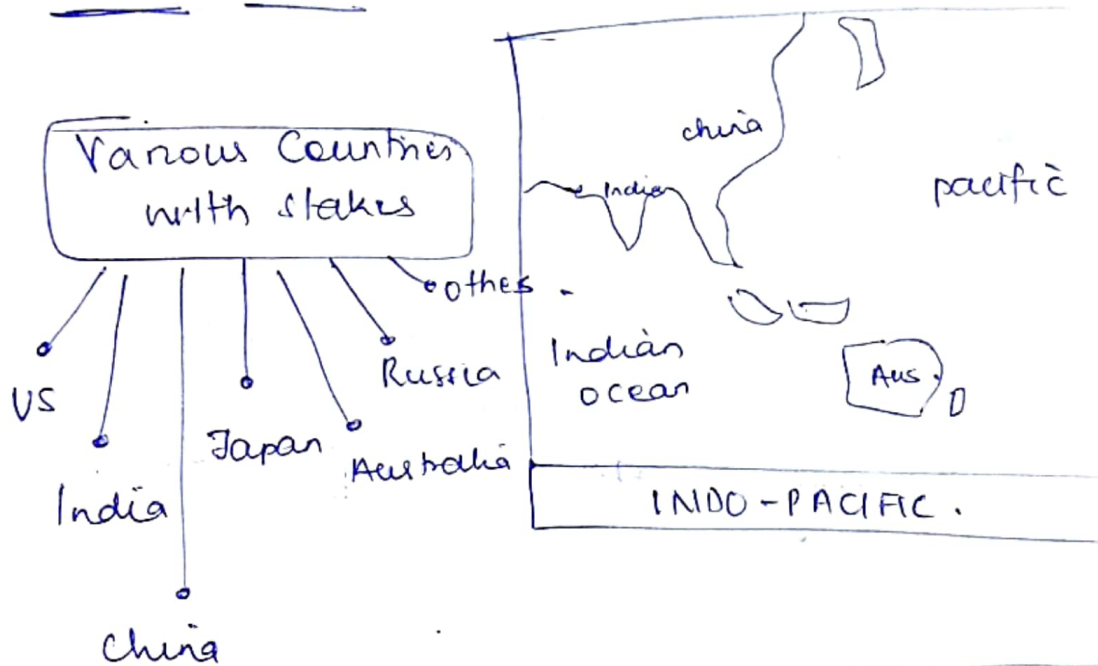
protect citizen's right to Health (u/A 21)

and ensure the creation of a welfare state that believes in -

"Sabka Saath, Sabka Vikas"

19.

The Indo pacific region - which holds 60% of world GDP and 60% of world's maritime trade is the next big hotspot of international geo-politics due to the presence of many major world powers like India, china, and US in the region.



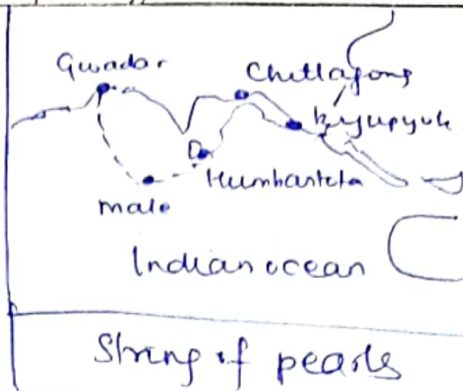
Need for realistic & effective collaboration

↳ Territorial disputes.

(eg) Spratly Islands.

↳ China's string of pearls. ⇒
wolf wears diplomacy.

- presence of rare earth minerals
 - (eg) uranium in South China sea.
- choke points
 - (eg) Strait of Malacca $\Rightarrow$ trade can be threatened!
- US activities in the region
 - (eg) US supporting Taiwan
- Potential rise in future importance of Indo-Pacific due to opening of Silk route via Arctic Ocean.



Need to acknowledge Intention

- conflicting intentions
 - (eg) India - open, free Indo-Pacific
 - China - expansionist policy
- To prevent breakout of violence

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- (eg) China's "silkroad strategy" to envelope Taiwan $\Rightarrow$ raising global concerns.
- To protect India's sovereignty
 - (eg) Chinese ships in indo-pacific region illegally entering Indian waters.
 - For effective collaboration w.r.t the region's natural resources -
 - For coordination b/w the various multilateral forums in the region
 - (eg) QUAD, ASEAN, AUKUS etc
 - To promote peace & understanding in line with Panchsheel & Article 51.

India's Intentions in the region are to create an free, open, rules based Indo-Pacific region. For this it, should continue to collaborate with QUAD, FIPIC, etc.



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20

The North Eastern Region (NER) makes up 8% of the country's land mass and houses 4% of Indian population. It can serve as a gateway to ASEAN & East Asia.

INTERNAL CHALLENGES

- ongoing Kuki-maitai dispute in Manipur.

- secessionist forces

- (eg) ULFA, NSCN

- regionalism : demand for new states.

- (eg) Bodoland in Assam.

- Assam Rifles are occupied by counter insurgency operations

- Resistance against AFSPA

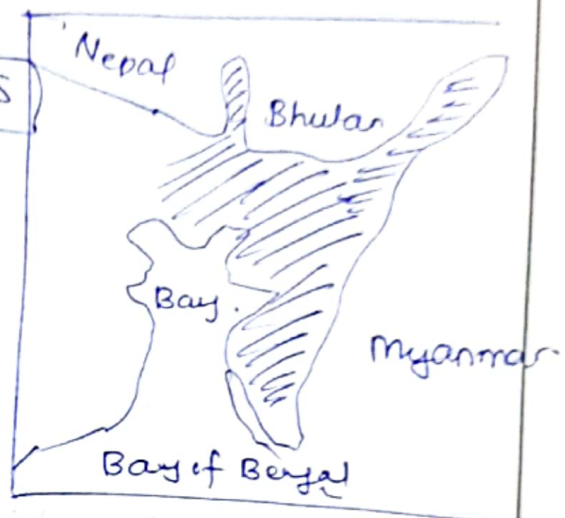
- Protests against CAA, NRC

- development deficit (eg) ^{average} $\uparrow$ TFR in

India = 2 ; in Nagaland = 3

$\Rightarrow$ alienation

- Over 200+ tribes in NER $\Rightarrow$ need for emotional integration.



External Challenges

- Open movement regime (upto 16 km) with Myanmar $\Rightarrow$ porous border.
- China & Pakistan backing secessionist forces
- Drug trafficking via Golden Triangle.
- Illegal immigrants (eg) Rohingyas from Myanmar.
- Coup in Myanmar $\Rightarrow$ instability in the region
- Bangladeshi terror groups like Mujhaideen operating in NER.
- Money laundering via borders
- China's upper riparian control over Brahmaputra waters $\Rightarrow$ frequent floods created.
- Human & animal trafficking

(Pivotal connecting space) - A peaceful & harmonious NER ⇒

- Effective completion of Trilateral Highway - India, Myanmar, Thailand
- Kaladaan can be used more effectively
- Land routes to ASEAN will be strengthened.
- Access to Bhutan will become easier
- Trade with Bangladesh will flourish
↳ our biggest trade partner in region
- Fullip to BIMSTEC BBIN etc

Hence, as pm modi said - "we need to act first for NER, act fast for NER".

(De-VINE scheme) is a move in right direction to turn NER into a pivotal connecting space.