

GENERAL STUDIES - PAPER II

Time Allowed: 3 hrs.

Max. Marks: 250

Q.	Marks	Instructions to Candidate
1.		<ul style="list-style-type: none">• There are 20 questions.• All questions are compulsory• The number of marks carried by a question is indicated against it.• Answer the questions in NOT MORE THAN 200 words each. Contents of the answer is more important than its length.• Answers must be written within the space provided. <p>Any page or portion of the page left blank in the Question-cum-Answer Booklet must be clearly struck off.</p>
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1. Invigilator Signature _____
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Name PAWAN SWARNEL
Roll No. _____
Mobile No. _____
Date 19/09/2017
Signature Swarnel

REMARKS

GSSCORE
MOCK TEST SERIES 2017

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Q1. "A government with an absolute majority will see a conformist judiciary". To what extent is this applicable in Indian perspective. Critically examine, whether the confrontation between powerful legislature and judiciary affects the constitutionalism? (12.5 Marks)

A govt. with absolute majority leads to conformist judiciary when the appointment of judiciary has role of legislature or executive in dominance.

However, India still follows the collegium system where there is primacy of judiciary. This maintains its independence.

It is one the most important reason for striking down of National Judicial Appointment Commission.

Also, the instances of judiciary giving verdict in opposition to govt's view like Patel's privacy, non-mandatory nature of Aadhar shows non-conformist & independent nature of Judiciary.

Judiciary is independent

Remarks

Effect of confrontation on Constitutionalism

Positive:

- Evolution of refined legislations and policies after debate which conforms to Constitution.
- Effective checks & balances so that none crosses constitutional boundaries.

Negative:

- Reactionary policies by legislature. Ineffective to judiciary.
- Judicial overreach by courts affecting separation of power.

Formulation of basic structures Thus the constitutional mandate separation of powers has to be maintained and the boundaries need to be respected by legislature and judiciary.

Remarks

Q2. "Though the Cauvery and Ravi-Beas Water Disputes Tribunals have been in existence for over 26 and 30 years, respectively, they have not been able to make any successful award till date". What are the deficiencies of the existing tribunals for inter water disputes? Mention the important provisions of Inter-State River Water Disputes (Amendment) Bill, 2017 and explain in detail the pros and cons of the bill. (12.5 Marks)

50 of 75 major rivers of India are interstate and most of the population lives in their basin areas. Thus water disputes assume significance.

Deficiencies of existing tribunals:

- Delays in giving awards.
- Lack of experts and lack of scientific hydrological data.
- Tendency to disregard their award and appeals to Supreme Court.
- Change of tribunal head → re-hearing of case facts → delays.
- No arbitration mechanism before the issue is brought to tribunals.

Inter state water dispute 1956

separate tribunals for each dispute

Remarks

Provisions of the 2017 Bill :

- Permanent tribunals with benches.
- Award to be given in time limit of ~~4.5~~ years.
- Hydrological data would be available from independent bodies.
- Arbitration mechanism before filing case for tribunal (pre-dispute mechanism).
- No need to publish award in Gazette.

Pros:

- Independent data would enhance trust of states.
- Time limit for award and pre-dispute arbitration would reduce delays.
- It would also reduce frequency of appeal & litigation with courts.

Cons:

- It is not clear how permanent benches would be different from existing structures.
- Absence of binding awards and availability of appeal to Supreme Court is no different from earlier system.

Remarks

Parul

Q3. Indian constitution presents India as a compromise between the British Sovereignty of Parliament and American Judicial Supremacy. What are the arguments for and against the statement; elaborate with examples. (12.5 Marks)

Remarks

Remarks

Q4. Does Supreme Court's Judgement on liquor ban on highways subject to judicial overreach and violate doctrine of separation of powers? Substantiate your arguments. Also mention the benefits of such directives. (12.5 Marks)

Supreme Court's judgement is considered to be judicial overreach and in violation of separation of powers as:

Appellm
terms

→ It was the prerogative and constitutional role of centre to create a legislation on this issue. Judiciary encroached it.

→ The negative impacts were not considered by judiciary which were being taken into consideration by govt were not putting blanket ban like:

- loss of livelihood & unemployment
- resultant social chaos
- effect on health & social security of unemployed people.

However, such an action by court has been justified because:

→ liquor on highways was leading to

Remarks

accidents and loss of lives.

Benefits:

→ Reduce accidents due to drunk driving. Every year around 1.5 lakh people die of road accidents & substantial ^{cases} ~~proportion~~ includes drunk driving ~~cases~~.

→ Improve transportation and road safety.

→ Reduce time for transportation.

→ Reduce alcoholism and associated evils

like - health issues
 - social problems, - domestic violence
 - destitution of women when male member dies of alcoholism.

→ legislative vacuum in the area filled up.

Thus, though well intentioned,

Judiciary needs to assess impacts of its verdicts on economic & social sectors and restrain it to the boundaries of activism.

Remarks

Q5. What is integrated case management information system (ICMIS)? With fast growing IT system, India needs to cope with the changing world. Do you think ICMIS would help Indian judiciary be digital court. Critically comment. (12.5 Marks)

ICMIS is a digital system where all the information of pending cases and the record of disposal by courts would be kept. It would help digitisation of process and track pendency.

Report of Digital Court

How it would help judiciary?

- Digitisation of court records.
- Availability of data on pending cases and number of judges.
- would help reduce pendency by tracking pending cases.
- would help deburden the judiciary of its 3 crore pending cases and 10 million being added every year.
- It would streamline the processes like

Remarks

registration and checking status of cases online. Thus reduce manual labour.

Keep track of verdict and case

helpful in assessing a judge's performance

to be used as criteria for appointment

in proposed Memorandum of Procedure.

However, there are certain

challenges:

- Existing records and data from different sources do not match → contradictory data.
- Would need skilling & training of existing staff.
- It would only digitise but reduction of pendency is not guaranteed.
- How litigating illiterate & poor can access it is a question.

~~Digital
reform~~

Remarks

Q6. Do you think criminalizing marital rape may destabilize the institution of marriage and is more prone to be misused? Justify your opinion. Why India needs a law against marital rape? (12.5 Marks)

Marital rape is not criminalised or recognised in India.

Challenges with criminalising marital rape:

→ Social opposition as marriage is a sacred institution for societies and patriarchal interests would support privacy in the sphere.

→ It can be misused as seen in domestic violence law where more than 70% cases were frivolous.

→ How to establish a case of marital rape is also a challenge.

→ It would increase rate of divorces and destabilise marriage institution.

However, despite these issues, there is need to criminalise marital rape in India because:

Many countries
change the
law

Remarks

Why India needs it?

- Sexual violence
Mental violence
- It is needed to stop exploitation ~~and~~ women under institution of marriage.
 - To give women right over their own body and protect dignity.
 - To promote value of equality & respect for women where she could not be allowed to be abused.
 - To break the patriarchal shackles.
 - Directive principles as well as Fundamental Duties ~~mandate~~ mandate protection of women's dignity. ~~There is~~ There is
- need for such a law and it should ~~be~~ include proper safeguards against misuse to save victimisation and protect the institution of sacred marriages which are integral part of our culture.

possible misuse

Remarks

Q7. "Risk Profiling of the bureaucrats would result in improved accountability towards public services". Analyze in the context of 2nd ARC recommendations, how "risk profiling" can be done and its ramifications for administrative improvements? (12.5 Marks)

Risk profiling means assessment of risks associated with the position and also the past performance of the civil servant over corrupt behaviour.

ATTENTION
 VS
 nature of
 work

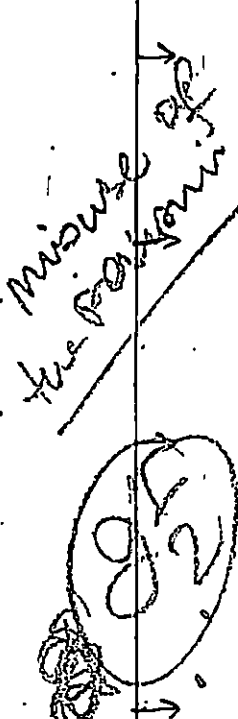
How risk profiling can be done?

- Regular assessment of annual performance reports.
- Peer review of the functioning by maintaining anonymity.
- Vulnerability of post for conflicts of interest cases be marked and suitable solutions can be provided like - voice for bureaucrat to express the risks freely; destigmatising the communication around risks.
- The Vigilance Department and intelligence agencies could be involved to get information.

Efficiency

Remarks

Ramifications for administrative improvements

- 
 Misuse of the power of
- Reduce or help solve the cases of conflict of interest.
 - Better monitoring of high risk prone bureaucrats.
 - Reduce corruption in riskier posts by profiling bureaucrats with high integrity record.
 - Bring in transparency and proactive disclosures leading to efficiency in administration.

- Thus as suggested by 2nd ARE, the risk profiling helps prevent the cases of corruption & improve administration.

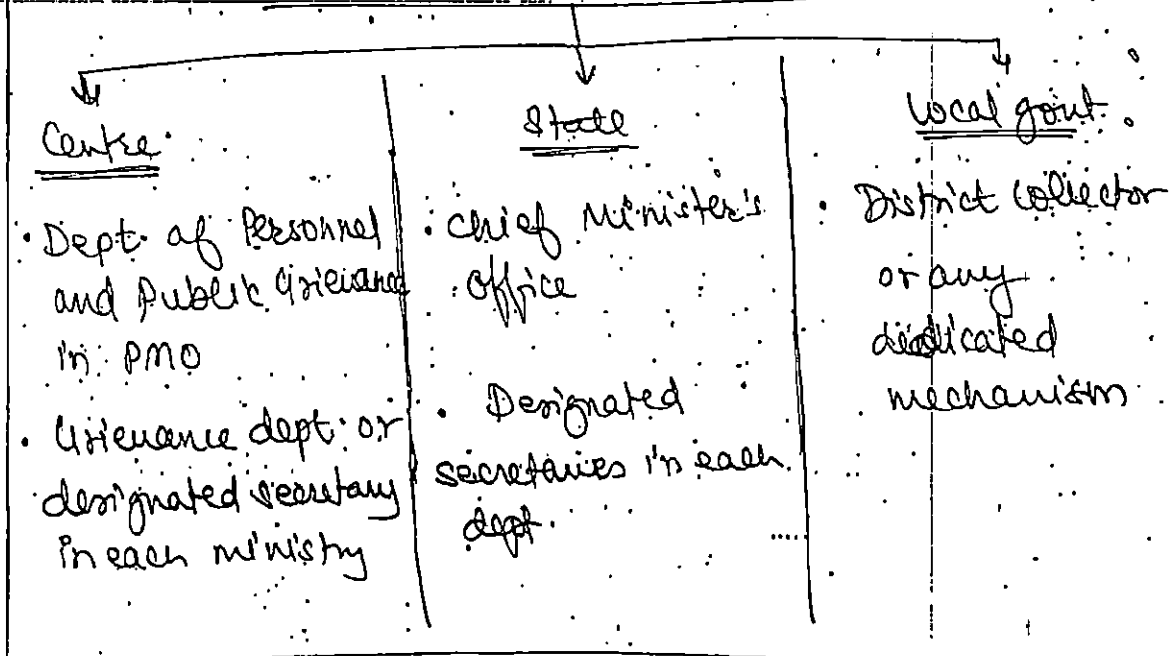
Remarks

Q8. "Grievance redressal is the weakest link in the justice delivery in India". Evaluate the role of institutions of grievance redressal in India and their limitations? (12.5 Marks)

Grievance Redressal is where the people have mechanism to register their complaints and get them solved.

Justice delivery
Administrative
Political
Cultural
Economic

Grievance Redressal Institutional Framework



Role played:

- Hearing & registering complaints.
- Approaching to appropriate authority for redressal.

• NDRP, NHRC
• Increased accountability
• No Police Complaints Committee

Remarks

- Providing adequate solution to public for grievances.
- As an interface between govt. & people.
- Role of trust builder and keeper of public confidence.

Limitations?

- 3
- Lack of publicity to grievance mechanism.
 eg. many people do not know that there is central Banking Ombudsman in India.
 - Often unreachable or insensitive to complaints.
 - Delay in resolution of complaints.
 - Due to these reasons, people have been using Right to Information Act as a grievance redressal tool to pressurise officers.
 - Lack of personnel capacity.

It is an important part of any governance system and needs to be strengthened and people oriented.

Remarks

Q9. Labour reforms are very significant in the light of automation of Industries and for mass manufacturing. To what extent has India been successful in implementing labour reforms. Suggest alternative measures to be implemented by the government.

(12.5 Marks)

Automation & artificial intelligence would cost global economy around 30-40% of its jobs in next decade. The automation in industries is taken up partly as a result of labour issues.

The success of labour reforms:

- Provided strength to labour unions which help maintain bargaining power.
- Recent Model Shops & Establishment Bill allows women to work in night shifts and establishments to run 24x7.
- States like Rajasthan, Karnataka have increased the number of workers from 10 to 20 without power and 20 to 40 with power for an industry to be organized and hence applicable to labour laws.

Remarks

Maternity Benefit
 Payment of wages

very
 reforms

2017

2017

has helped reduce contractualisation in the states:

Failure's

→ There are more than 200 labour laws which make compliance process complex.

→ These vary from state to state. Industries prefer mechanisation instead of manual labour.

→ Stringent requirements for firing or reducing labour makes companies opt for contractual labour.

→ most companies keep small size to stay out of ambit → informality → no social security.

→ Minimum wages not at par. Casual

labour not paid minimum wage.

SC- in recent verdict asked govt.

establishments to treat them at par with

permanent labour.

Trade Unionism reduced productivity of labour. Indian labour productivity is only 20% that of Germany.

Thus there has to be balance in interests of industry & labour to go ahead

Remarks - with labour reforms in light of automation.

Why failed

3

Min wages
labour
empowerment
wants

Q10. Is there a relationship between lack of innovation in India with the level of quality of education in India? Elucidate with examples. How does India Innovation Index provide impetus to Indian states to drive the innovative spirit? (12.5 Marks)

Relation between ^{lack of} innovation & education quality

The Annual Survey of Education Report

(ASER) points out that ~~the~~ ^{many} 8th std students cannot perform 2nd std equivalent mathematical operation. Also Mr. Naseem Musthy pointed out unemployability of engineering graduates for lack of skills.

Simultaneously India has low rank in Global Innovation Index. The root of Innovation lies in education and points to their relation.

Example - low focus on general sciences like physics, chemistry and the low research output of India in basic sciences. Also fraudulent and forged PhDs and plagiarism in research articles published in predatory journals.

Remarks

Active Learning

India's Innovation Index :

Pillars of India's Innovation Index

It measures performance of states in terms of research output from higher education universities, research infra, fellowships etc. and incentive there accordingly.

Impetus to innovative spirit :

(3)

Key features

- Push states to fund research projects.
- Incentivise innovation & research infra in higher educational institutions.
- Improvement in dedicated research institutions and faculties.
- seeking global co-operation over research & innovation & expertise.

Importance

Indigenous research & innovation have been helpful in development of countries like US, Israel, Japan. It is a need for aspiring super powers like India to reduce its dependence on foreign technology &

Remarks

enhance indigenisation of technology

Q11. Minimizing food loss has the potential to be transformative in multiple ways for India and the world. Analyze the statement. Why effectively dealing with food wastage can lead to development in India? (12.5 Marks)

Around 40% of perishables and large quantity of food grains are wasted in India due to imprudent food usage, lack of proper storage & transportation infra.

Transformative potential:

- Cater to FOOD SECURITY of living population. While agricultural production has grown at 2%, population grew at 4% globally.
- Help fight hunger, malnutrition for starving millions... eg. famine like situation at present in ~~South~~ Sudan.
- Provide income to farmers & reduce their losses.
- Efficient utilisation of resources.

Remarks

Why it can help development in India?

- (27)
- Reduced loss would ensure food security to starving millions → proper nutrition → leading to better health indicators. Improved Human Capital.
 - Increased farm incomes due to less wastage → development of agriculture.
 - These incomes can be invested for agricultural productivity.
 - would help food processing industry by increasing input for processing.
 - Better the social and health indicators of malnourished. Neso & NPHC estimate around $\frac{1}{3}$ of under 5 children to be malnourished.

Thus, it is necessary to reduce food wastage to improve agricultural, social, economic and health indicators.

Remarks

A food price controlled by XIII Party and promote development.

Q12. Explain what is Track-II diplomacy, and analyze, why it doesn't work in India-China context, with particular reference to Doka-la pass and Doklam plateau confrontation? (12.5 Marks)

Remarks

Q13. Discuss the significance of Indian Ocean naval presence in overall Indian foreign policy? How it affects India's bilateral and multilateral relations? (12.5 Marks)

Indian Ocean carries immense economic & strategic importance. 50% of sea trade and many hydrocarbon resources are available. Thus naval presence is of significance:

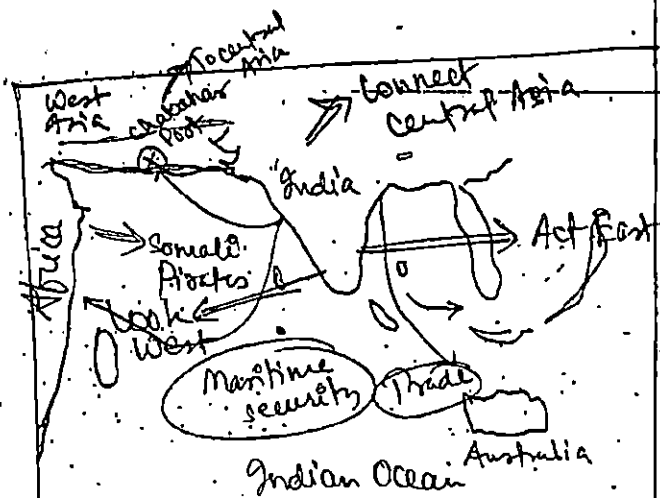
→ Ensuring safety & security of trade routes.

→ Connectivity to Central & Western Asia

through Chabahar Port

→ Important component of Act East and Look West as well as connect central Asia

→ The huge coastline of 7,500 km and Exclusive Economic Zone around has resource potential for hydrocarbons which is important part of maritime diplomacy of India.



Remarks

China's presence
close to India with WAFSPA

→ To balance Chinese naval presence in form of Maritime Silk Route and String of Pearls.

Impact on bilateral and multilateral relations

→ Boost trade ~~and Africa~~ and increase people to people contacts with Africa, West Asia. Despite no direct land route, India is 2nd largest export destination for Afghanistan.

→ Regional security ~~is~~ provided role of India strengthened.

→ Confidence building & freedom of navigation through exercises like Exercise DABBA, Malabar.

→ 95% of trade by volume of India with world is by Indian Ocean route.

→ Strengthening of diplomatic & strategic ties with Japan, Australia & Other littoral countries.

→ Regional connectivity & development through BIMSTEC, ACAP & soon.

Remarks:

Q14. Discuss the contribution and failures of United Nations bodies in preventing major global crisis, since cold war? (12.5 Marks)

United Nations was established in post World War-II times to ensure collective security, peace and socio-economic development.

Contribution:

- Military action in Korea to prevent another of Nylai like scenario.
- Prevented aggression of few nations over weaker powers like Jordan was protected from neighbourhood attack.
- Refugee Council has done immense work in rehab & human rights of refugees.
- Prevented escalation of Cuban missile crisis into Nuclear war.

Failures:

- Aggressions by major powers could not be prevented eg. Italian aggression in Abyssinia.

Remarks

Korea punishment
 Terrorism
 How to solve

World was
 divided

Strong
 Minor

- 9
- US attack on Iraq over false pretence of Weapons of mass destruction.
 - Failure in solving West Asian crisis of Arab - Israel.
 - Terrorism - no uniform definition or convention yet passed.
 - Human Rights badly failed to stop intervention in countries like Palestine, in name of human rights.
 - Disarmament - NPT Article VI is not adhered to and UN Security Council Powers not taking demonstrable steps.
 - lack of Democracy & reforms in Security Council which prevents effective multilateral action, increasing democratic nature of UN to prevent upcoming crises and prevent failures like those in past.
- This there is need of strong

Remarks

Q15. In an ever-changing geo-political global scenario, new alignments and axis develop for self and motivated interests. In this reference what should be India's foreign policy approach taking consideration of China-Russia-Pakistan axis, the West Asian Theatre and changing South Asian parameters? (12.5 Marks)

As someone had said, in international relations, there are no permanent friends or enemies but only permanent interests. These are motivated by self & economic interests.

China-Russia-Pak Axis:

- Strengthening internal security
- Enhancing diplomatic ties with countries based on economy & cultural interests
- No compromise on Zero tolerance approach on terrorism
- Strengthening indigenous defense manufacturing base
- Confidence Building on Eastern & Western Borders

Remarks

Act C. Africa
 Act W. Asia
 Part. Asia
 India-US-Japan-ASEAN
 India

West Asian Theatre:

- India is increasingly being looked at as impartial security provider. This confidence should be leveraged.
- Boosting trade ties and ensuring energy security by ties with Iran & Afghanistan.
- Continued support for democracy & stabilization in Afghanistan and promotion of peaceful solution through instruments like Heart of Asia.
- Improving connectivity through Chabahar to immigrate look West & Connect Central Asia.

South Asia:

- Promotion to bilateral & multilateral initiatives like BIMSTEC while SAARC is dysfunctional.
- Promote connectivity through land & sea routes of leveraging initiatives like Mausam.
- Promotion of security & freedom of navigation in Indian Ocean littorals.

Remarks

Q16. The recent standoff at Doklam Plateau shows the strong relationship between India and Bhutan. Why is Bhutan special to India? In the month long, high tension confrontation, India's real test was to assure Bhutan, to not crumble under Chinese pressure. Examine. (12.5 Marks)

Bhutan is important to India

for:

- Buffer state between India & China.
- India's assurance to protect it from foreign aggression under Friendship Treaty.
- strong cultural & geographical linkages.
- To check Chinese influence in the region.
- It is also part of SAARC and of BBIN connectivity initiative.

The strategy of China behind escalating Doklam issue, which was peaceful till now, was to test and pressure Indo-Bhutan ties. To check if Bhutan gives up larger security role of India in favour of China.

Remarks

Thus firm support of India to Bhutan and path of diplomacy was the necessary factor in the crisis.

(4)

As the crisis has waned now, the initiatives and Indo-Bhutan relations have stood the test of crisis.

These need further to be strengthened by increasing border security, confidence building measures, both with Bhutan as well as China. There also has to be assertion of legitimate territorial interests.

Remarks

Q17. Does having close relations with Israel compromises India's historical support (along the UN lines), for Palestinian cause? Discuss critically in the light of the recent visit? (12.5 Marks)

In the recent visit, Palestinian pm remarked that he understands that close relations with Israel ^{can} co-exist with support for Palestinian cause.

The demand of Arabs for legitimate space for existence is worth and so does the historical demand of Jewish homeland. India's foreign policy which is guided by peace and co-operation and non-interference (Article 51 of Constitution) accommodates both these views. And hence basis for a peaceful solution of the conflict.

Further, India's relation with Israel is on economic, historical, defence & technology terms. That with

Remarks

Anti-colonial spirit
 Assistance to Palestine

Palestine is on issue of legitimate Arab and demand. Thus there is conflict between the two and hence

India's close relations ^{with Israel} do not compromise

India's historical support for Palestinian cause.

This is further demonstrated

by the fact that:

i) despite recent close ties ~~with~~ ^{with} Israel seen in cooperation in defence technology, irrigation + agricultural methods,

ii) there are advancements in ~~the~~ ^{the} Palestinian ties like cooperation on terrorism + financial intelligence.

Remarks

Q18. Is global ban of nuclear weapons feasible? Examine how effective will the ban be in making nuclear disarmament a reality? (12.5 Marks)

Recently, 122 UN members passed resolution on Nuclear Weapon Prohibition Treaty. However nuclear powers are not part of it. In this context the feasibility of global ban is considered.

Feasibility :

→ The world with nuclear weapons has not been without crises and there is constant fear of nuclear conflict. In cases like Korean peninsula conflict.

→ Ethically, the use of nuclear weapons threaten right to life of all humanity and hence deserve no place in the world.

→ In presence of nuclear weapons, the race to acquire more is ever increasing & never ending. Thus nuclear deterrence is no solution.

Remarks

→ The global debate has changed ^(altered) from disarmament to non-proliferation and even the record of powers in adhering to NPT, Article VI has been dismal. This calls for complete prohibition.

Effectiveness

→ Depends upon the participation of nuclear powers.

→ The resolutions provided on timeline & disposal method, would also determine effectiveness.

→ The non-discriminatory nature of process and monitoring by global agency would be effective. In absence of it the chemical weapons found in Syria & such cases could be repeated.

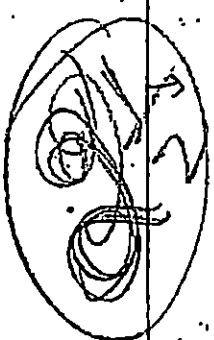
→ The simultaneous process of declaration of stockpile & its destruction has to take place globally as none would take individual risk.

→ The response of irresponsible powers like Korea would also impact effectiveness.

Remarks

Wrote very
to be done

Explains No. All possible



Q19. What is Hague Convention on the Civil Aspects of International Child Abduction? With the rise in trans-national marriages and complexities involved in modern day relationships, do you think India should sign this? Critically analyze. (12.5 Marks)

The Convention:

- Provides status of migrant children and how it should be decided.
- Deals with nationality of adopted children.
- The status of children born of transnational marriages, in dealt with.
- Provides rights to children over nationality, safety, security & protection & against exploitation & trafficking.

Child custody

Why India should sign?

- It would enhance inter country adoption & procedure would be simplified.
- would get cooperation of other signatories in stopping child trafficking.
- Would help in case of foreign couples adopting children in other countries and cases of surrogacy.

Remarks

→ Transnational marriages & live-in relations and their separation or divorce leads to complicated situation over status of children. The convention would provide objective criteria & guideline over it.

However, few challenges need to

be addressed like:

- fair treatment of all country nationals
- respect for domestic laws
- harmonisation of domestic laws with convention.

Remarks

Q20. China and Pakistan have invited India to join CPEC (China - Pakistan Economic Corridor), which is a part of OBOR (One Belt One Road) initiative of China. Should India join it or not, while having already declined to be part of OBOR forum? What regional implications CPEC is going to have in South Asia? (12.5 Marks)

Why India should join?

- Positive spillovers of economic development in Pakistan → would promote peace.
- Provide connectivity to central & West Asian region.
- Would provide new markets.

Why India should not join?

- The process is not consultative & inclusive.
- Not for genuine regional development but for Chinese hegemony.
- Sovereignty issue as it passes from territory of India in Pak occupied Kashmir.
- Can be used for military mobilization against India.
- Economically strong Pak would be a greater obstacle to deal with.

Remarks

Government

Regional implications in South Asia:

Positives:

- 3.
- connectivity enhancement
 - Economic development
 - Regional integration
 - greater bargaining power at multilateral fora for South Asian Powers.

Negatives:

- strained security relations between India & China or Pakistan
- Recent China-Russia-Pak axis & tacit support by Pak's deep state to terrorism would escalate the problem of terror.

Remarks