

# GS SCORE

BATCH - II  
TEST - 4

Roll No. \_\_\_\_\_

## ESSAY

Time Allowed: 3 hrs.

Max. Marks: 250

### Instructions to Candidate

- Both sections are compulsory.
- Attempt one essay from each section.
- Each essay carries 125 marks.
- Write each essay in about 1000-1200 words.
- After finishing the first essay, attempt the next on a fresh Page.
- Any page left blank in the answer-book must be crossed out clearly.

*(Examiner will pay special attention to the candidate's grasp of his/her material, its relevance to the subject chosen, and to his/her ability to think constructively and to present his/her ideas concisely, logically and effectively).*

22/9/2017

Name Shruthi Srinivasan

Mobile No. [REDACTED]

Date 21/9/17

Signature [Signature]

1. Invigilator Signature \_\_\_\_\_

2. Invigilator Signature \_\_\_\_\_

### Remarks

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## SECTION - A

1. To be successful in Men's world, a woman must be more ~~man than man~~.
2. Laws are spider webs through which the big flies pass and the little ones get caught.
3. True equality means holding everyone accountable in the same way, regardless of race, gender, faith, ethnicity - or political ideology.
4. Wise men speak because they have something to say; Fools because they have to say something.

## SECTION - B

1. India hasn't unraveled true potential of its long coastline.
2. We forget that the water cycle and the life cycle are one.
3. One should like to be able to love one's country and still love justice.
4. Sustainability is about Ecology, Economy and Equity.

2. " LAWS ARE SPIDER WEBS THROUGH WHICH THE  
BIG FLIES PASS AND THE LITTLE ONES GET  
CAUGHT "

Spider webs are peculiar things, they are light, airy and deceptively fragile, harmless at first glance. but when one  
nears them, its only then that one  
gets entangled.

Comparing laws to such seemingly deceptive spider webs has its own set of problems. — there are both sides to the coin. It depends on our understanding of the law, and the strength of the cob webs.

through this essay, the author attempts to provide a clear evolution of the term law, and present the current legal system with its pros & cons. Though the illustrations and analysis of the above is centred in Indian context, the international law scenario is also touched upon. In conclusion, it is left to the reader to conclude whether laws really are

Remarks

you are writing for UPSC, so take an stand. Share your viewpoint.

Spider webs allowing the big flies to pass unaffected, or tea shammers held by partisan hands.

WHY LAW ?

The jurisprudential evolution of 'law' dates back to the social contract theory propounded by Jacques Rousseau, where common masses felt the need to surrender their rights & freedoms to a 'sovereign' authority, in lieu of security and safety.

The commands laid by this sovereign authority, backed by sanctions and accepted by majority of population - was held to be law. John Austin felt that laws were needed to secure the society from chaos to order.

NICE  
Connect  
and  
Analysis

Remarks

Moving further in the wheel of time, English notions of the Rule of law - accompanied by pillars of equality, liberty, justice and non arbitrariness emerged. And these principles remained the foundation for evolving legal systems all across the world.

clearly, the intention of law throughout its evolutionary process has never been to be partial or biased towards a certain set of population.

The emergence of International law too, was an outcome of the need for a stable, orderly society, for global commons and international issues to be sorted out.

improve alignment.

It will enhance visual appeal of your essay.

peacefully. Handpicking the powerful, and denigrating the less privileged has never been the underlying rationale of any legal system.

BUT... THE PRESENT SCENARIO

In recent times, with the advent of modernity and fresh newer concepts like neo-imperialism, technological supremacy, trade liberalisation and global integration among nations, it does appear that laws have become mere tools at the hands of the powerful.

Some notorious instances of bending the international law in favour of the powerful are as follows

Remarks

\* US Nicaragua Case (1920s)

Though the International Court had issued judgment in favour of Nicaragua, and held US guilty of breaching territorial sovereignty of Nicaragua by laying mines there, US Government at that time blatantly ignored the judgment.

Being the largest contributor to League of Nations at that time, no one really could question the US hypocrisy.

\* Kyoto Protocol (1997)

Being one of the landmark protocols to Rio Agenda of 1992, all member countries were expected to ratify this Kyoto Protocol. However, US refused to ratify the same, but other non-permanent

Such examples provide objectivity to your essay.

Security Council members were forced to justify it.

Clearly, such double standards for UNSC permanent members & others raise reasonable doubts as to efficacy of international law.

\* China - Philippines PCA Dispute 2016

The arbitration dispute over the maritime boundaries in South China Sea between

China & Philippines, was awarded against China in July 2016.

But China openly refused to oblige.

Of course, the weak enforcement mechanism of international law were a factor, but Chinese growing supremacy in global front also was major factor.

Remarks



DOMESTIC SCENARIO: LAW AS A SPIDER WEB?

The domestic scenario in India vis-a-vis the justice delivery of our legal system is in shambles.

The stark example<sup>is</sup> of Kingfisher Ayoon Vijay Malaya escaping to the UK, despite owing ₹ 900 crore to Indian banks, while poor farmers are committing suicide, unable to repay meagre loans of ₹ 2 lakhs. The injustice and open bias of the law, its implenting spirit and our societal perception towards "illegality" - smacks of hypocrisy.

In our country, from school admissions to job promotions, everyone needs to know

Remarks

the 'right people' to get the required benefits. Being law abiding honest citizens, does not seem to be useful anymore. Thus, the 'bigwigs' get away with their 'money', power, status or connections, while the ones without any of these 'assets' get caught in the legal maw of the system. The spider web does seem to be closing in on the unfortunate and smaller flies.

In one of the famous short stories by Pranchand, he discusses the secret of being misled - अज्ञान ही  
अज्ञान the wealthy, corrupt zamindar

Remarks

keeps on accumulating wealth by taking bribe and being in good books of officers. While his illiterate servant, gets jail term for stealing food for his hungry wife. Promoted beautifully portrays how the law seems to be wide awake only for the down trodden and blind for the big shot offenders.

Good  
Correct  
grasp

ANALYSIS

Having said that, a closer analysis of the situation is warranted. In each of the above instances, including the violations of international law, can we actually blame the 'law' per se to be biased towards the powerful?

Remarks

the law — plain letter of the statute,  
and intentions of the rule book has  
never been to treat its subjects unequally.

There is no law that allowed vijay  
malaya to not repay his loan, and go  
on accumulating further loans. It was  
the on ground realities of our system,  
and the imprudent decisions by our  
banking officials & airport authorities that  
led him to escape punishment till date.

It is the loopholes in the  
implementation procedures, where the executive,  
and administrative agencies (including our  
parliamentarian legislators, judiciary & media)  
fail to provide foolproof mechanisms to

Remarks

catch the guilty. The fault lies in each of the machineries of our legal system — less with the law as such and more with the implementation of the law.

Is the law really a spider web choosing its helpless victims? Or, is it a tea strainer, hand-held & micro managed by implementing agents to let go the victims of their choice?

It is how we see it.

V. goods  
63  
125

you have represented some very good dimensions. Your examples of USA Nicaragua case and other examples provide objectivity to your essay.

Remarks with  
Connectivity, Premchand's novel was good.

**GS SCORE**

*Remarks*

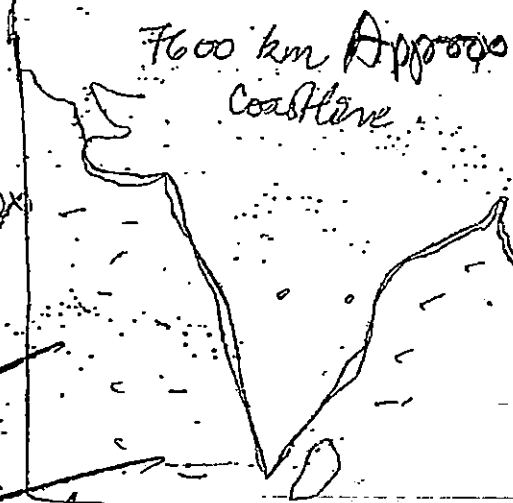
"INDIA HASN'T UNRAVELLED THE  
TRUE POTENTIAL OF ITS LONG COASTLINE"

Geographically and historically, over a  
period of billions of years when earth  
was formed out of hot nebulous gases,  
countries of the world were taking shape.

India, was eventually very lucky to  
have been blessed with almost every aspect  
of topography and different biome systems,  
that are conducive to overall economic  
development. we have lofty high rise peaks,  
fast flowing rivers, sandy desert and a  
triangular peninsula jutting out into the  
Indian Ocean.

Remarks

the significance of  
 such a long 7600 km Approx  
 coastline is immense;



maritime security, economic

resource exploitation, underwater deposits and

tourism can flourish. However, for successfully

utilizing each of these benefits, it is first

necessary to have necessary infrastructure to

attract investors.

India does not yet seem to have  
 unravelled the true potential of its long

coastline. Through this essay, the author  
 tries to present historical context of the

Indian coastline - from ancient dynasties to

present-day modern era. Potential benefits will

Remarks



be evaluated, vis-a-vis comparison with other coastal countries. In conclusion, certain laudable measures by the present Government are disused, with a view to increase focus on our coastline for better benefits.

FROM CHOLAS TO CONGRESS?

The use and exploitation of sea routes dates back only to the Chola Kings. Whose naval power was unrivalled. Their emphasis on Navy ensured their communication beyond Indian subcontinent - Sri Lanka and Cambodia. Cholas were truly Imperial only due to their Naval prowess.

Arab travellers and Chinese scholars never felt the need to come through sea,

Remarks

Since contiguous land offered direct routes. It was only with the Portuguese and Spanish explorers that sea routes to India were discovered.

This led to the realisation among domestic rulers of the importance of coastal provinces. But even then, the coastal routes were primarily used for trade - horses, slaves and spices. Even the Mughal rule did not expand towards seas.

British, colonial rulers laid rules of maritime trade, which was continued by the Indian Congress post independence. Thus, coastal efficacy was limited to trading purpose till mid-twentieth century.

### GROWING INTERNATIONAL AWARENESS :

In mid 1960s-70s, the discovery of manganese nodules on sea bed and sub soil, led to the gradual acceptance of oceanic deposits as exploitable economic resources.

Moreover, the telecommunication revolution also brought home fact that laying of submarine cables under sea provided long distance connections through satellite.

Further, post world war II naval weaponry had improved; hence the significance of maritime security also emerged.

All these culminated in UN convention on law of sea 1982 (UNCLOS). By this time, almost all countries in the world, especially those exposed to long coastline,

Remarks

realised the potential benefits of having a long coastline. India has been a latecomer here ~~(to)~~ but has caught up fast enough.

### POTENTIAL BENEFITS

The benefits of long coastline are manifold; each of following points enumerate potential applications of having a long coastline too :-

\* Trade : Traditional benefit. India's trade by sea constitutes 95% of total volume of trade. It is cheap, efficient and safe mode of transportation.

### \* Bilateral Relations

Setting up patrol ships common for entire coastal area would augment bilateral ties. Indian ships also provide patrolling services to Maldives.

Remarks

\* Soft power diplomacy:

- holding common cultural festivals along the coasts. eg - Myanmar and Mizoram  
Share common festivals across maritime borders.

- providing maritime security to whole region

\* Tourism sector can be promoted - by setting up maritime national parks, etc.  
eg - Sri Lanka has set up local cruise

boats for tourists

\* Economic Resources Exploitation

- manganese nodules in Indian Ocean

- Islands of Andaman, Nicobar & Lakshadweep

can be niche pockets of tourist potential,

Specific exports eg - snorkelling corals etc.

- Gujarat can be ship building & breaking capital

Remarks

Clearly, the potential is huge. What remains to be seen is how well India has utilised each of these potential.

It would be incorrect to say that none of potential benefits have been exploited, some of measures are:

- ① International Sea Bed Authority Agreement for exploiting Mn nodules - extended for another 15 year term
  - ② Sagarmala Project - for port led infrastructure development - to make all major ports of India crucial points on International sea routes via 8th degree channel
  - ③ Inland waterways Bill 2016 - declaring 6 waterways as National Waterways and another 111 to be declared soon.
- Promoting inland waterways to connect

Remarks

hinterland to the coasts - ~~land~~

to reduce export-import logistics.

④ Coastal Marine Police force - set up in each of the 10 coastal states of India - for security and protection of coasts.

⑤ Maritime Regulation Zone Act, 1974

along the lines of UNCLOS 1982 - to have uniform law regarding territorial seas, continental shelves and exclusive economic zones.

COMMENDABLE EFFORTS YET

Clearly clearly, Indian government emphasis on coastline cannot be said to be non-existent. The laws governing specific distance from baseline, the maritime boundaries, the maritime security aspects are laudable. Even

Remarks

the recent push for infrastructure development of ports is a much needed reform.

However, even more efforts are needed, directed at specific reforms to overhaul our coastal benefits.

Certain areas of focus can be -

① Coastal States cooperative federalism -

States are never consulted on any maritime issue; issues of national security are automatically felt to be union govt prerogative.

Need to involve states, especially coastal states in policy formulation.

② IORA Initiative - Indian Ocean Rim Association -

Since 2000, this initiative has been lying dormant. the littoral states along

Indian Ocean need to be included more in maritime development of region.

Remarks-



③ Reduce logistics delays in Indian ports -

eg - the average turn around time for shipping vessels in South Asian ports is 6-7 hours while in Indian ports it is 3-4 days!

④ Bilateral trade volume by sea is preferred mode, but our ship building industries are all located outside India.

### HIDDEN POTENTIAL

Thus, the potential is still locked, Indian efforts at maritime security need to expand in view of increasing global efforts at coastal states involvement. It would be foolhardy to ignore the 7600 km

long treasure chest lying within one

Remarks

62  
125

Structured; yet conclusion is a bit weak as compared to introduction & description. Description is broken in discrete points, objective presentation is good, but flow of your essay can be ensured by developing your essay in paragraphs with continuity in argument.

Shores — and Indian efforts, in the coming years, must definitely include the maritime aspects in every policy framework.

— x — x — x —

Always cut  
your rough  
work

Remarks

Further hunt unutilised true potential of coastline

Geographically, India is blessed with almost every aspect of topography & diff. biomes that are conducive to overall growth & development. We have high rise both mountains, fast flowing rivers, and major water peninsular jutting out into India sea.

The significance of such a long 5000 km long coastline is immense for maritime security, economic resource exploitation, tourism & sea based exports and tourism. However for successfully utilizing each of above - need to bring necessary infrastructure & attract investors.

India does not seem to have realized potential of benefit its coastline. This may have to prevent historical background of Indian coast, its relevance to ancient dynastic power & to modern era. Maritime benefits will be enumerated, comparison with other coastal countries & posit some available measures to revive the same.

History

The naval power dates back only to Cholas - Imperial power of Cholas such for signifies on part of Chola kingdom, ensured that they stay a power for more centuries.

Arab traveller nam has import of sea route due to constriction of land sea trade. Naval expansion is not merely for trade, but also has cultural & geographic implications.

Present

- US Japan Pacific forum countries -
- FORA symposium -

Full coverage of sea

Trials of VINCIOS 1582

Remarks

Potential Benefit

All our the countries try to establish their supremacy over one sea / coastal zone - So benefit are irrevocable - Each illustration also show potential application of coastline

maintain security  
 bilateral rels - of India selling patrol ships 777 Maldives etc.  
 not merely -  
 soft power diplomacy  
 Cultural festival - 93% by volume  
 trade  
 manages nodules deposits - but why India seabed authority exists  
~~India also~~  
 Resource exploration  
 Tourism Coastal  
 eg - SL Kon cruise ship for tourists.

However -  
 It's not to say that India has completely neglected various  
 measures but

- SEA agreement several months ago
- Sojamales - Port led deal
- Inland water Bill - 111 volume
- NWG - description - ~~but~~ - ~~and~~ drill - attract investment
- Coastal Marine Police force - ~~proposed~~ but still positive mean  
 of importance of coast.
- ~~Maritime~~ <sup>zone</sup> Act 1976 - online of UNCLOS  
 declaration

still more initiatives needed.

to universal time protected, ~~proof~~ of ~~technology~~ needed  
 States to be made equal partners -  
 - Material trade by sea - 93% volume so upgrade  
 port infrastructure  
 - from around time - 6-7 hrs, 3M - 4 day.

Kooker is bye. Related. Vikken. 400 us to use it or  
 white goods.

Remarks

Law and Spider web

Spider webs are very tight & delicate things; tight, airy & almost breakable, but when we try breaking it, it is who get entangled in its web.

Comparing law to spider web has its own set of problems. It depends on our understanding of the law & in the strength of our web (we). Through this analogy, author tries to present - current legal system scenario (esp in India) present its pros & cons and leaving the reader to conclude whether laws are spider webs or tea strainers held by jarkisan hands.

Social Contract

Law - made by sover - life - short breath -  
Action - order chaos  
Need for law - command & control  
Enforce - rule of law - pillar of eq, lib, & non arbitrariness  
Clearly relative of law - never to be partial to the big guys.

PRESENT SCENARIO

In recent times observed, laws have become tools at hands of powerful.

Domestic case

- Vijay Malga - farmers  
- Subramanian Swamy - misuse of law  
- Tax  
- Land reform  
- Welfare scheme

Intl scenario

- China not following PLO ruling  
- US not ratifying ILO  
- US Nargis case - not accepted

religion & high sifarah

From school admission to job promotion, everythin eq in India, one needs to know people to get things done - being law abiding doesn't help anyone. The big guys get away through money, power, status & corruption. The ones without any of these "assets" have no option but to be in the spider web. At least in Intl law.

ANALYSIS

However, a closer analysis reveals the best diff bet - the law have intended to treat subjects equally but by the

Remarks

infernalistic agencies, the executive & administrative arm (one legislative & judicial that make loopholes in law for well connected i.e. themselves) (India)

Could blame the law?

Is law the spider web selectively choosing the victims?  
Or is it the law enforcement agencies - hand holding & micromanaging  
the Tea Order with victims of their choice

Remarks