

## GENERAL STUDIES - PAPER II

Time Allowed: 3 hrs.

Max. Marks: 250

Q.	Marks	Instructions to Candidate
1.		<ul style="list-style-type: none"><li>• There are 20 questions.</li><li>• All questions are compulsory</li><li>• The number of marks carried by a question is indicated against it.</li><li>• Answer the questions in <b>NOT MORE THAN 200</b> words each. Contents of the answer is more important than its length.</li><li>• Answers must be written within the space provided.</li></ul> <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 \_\_\_\_\_  
2. Invigilator Signature [Signature]

# REMARKS

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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)

Our Highest judicial court i.e. Supreme court is the sole interpreter and protector of our constitution. It check any tendency of the majority government to undermine the "basic structure" of the constitution as laid out clearly in "Keshvanand Bharti case" as well as Minerva Mill case.

Power accumulation or majority power often leads to judicial activism as seen in the following cases-

→ Supreme Court's (SC's) decision on right to privacy as an extension of right to life. It will have implication on Government's ambitious Aadhar project.

→ Government's actions regarding role of Governor and president's rule in states such as Arunachal Pradesh, Goa and Manipur. In all these cases SC said, "Governor's role should be unbiased".

Remarks

3 - SC's and Maharashtra (i.e. Bombay) HC's decision regarding meat ban against Government's decision to ban cow slaughter is another point in this regard.

The confrontation Between legislature and judiciary can affect separation of power in the following manner.

→ Confrontation with respect to Memorandum of procedure and selection of judiciary to higher post can have implication for justice delivery and idea of constitution at large.

→ Earlier confrontation with regards to National-judicial appointment commission (NJAC) was another point in which judiciary ultravised the NJAC thus upholding Independence of judiciary instead of

Thus confrontation, a healthy competition for good governance and justice delivery is the need of the hour; where SC will continue to play the role of protector of the constitution.

Remarks

SC's role in  
 protection of  
 constitution

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)

Article 262(1) of the constitution warrants for adjudication of river water disputes by a tribunal. Thus came the Interstate/River Water Disputes Act, 1956, which provided for tribunal for river water disputes.

However these tribunals were often marred with various issues and deficiencies such as

Not effective

- Delay in making successful award foreg. Ravi-Beas & Cauvery tribunal have been in existence without any award till date

- The issue of finality: The award of tribunal often end up @ the Supreme court with the parties of disputes not accepting the award.

- one tribunal of every river water dispute leads to tribunalisation which results @ lack of uniformity and coordination.

Remarks

- No time frame within which the award is to given.

Most of the above said deficiencies are addressed by the new Inter state River water disputes (amendment) Bill, 2017.

- It gives for a single permanent tribunal, with its benches to 4 major cities.

Finality of judgement i.e. appeal of the award cannot lie to the Supreme court.

Four and half years is the time frame

- A Dispute-Resolution Commission for conciliation and negotiation for resolving the disputes amicably.

However there are certain issues which needs to be addressed such as:-

- ⇒ Single tribunal with various benches will have same effect as earlier.
- ⇒ SC recently said it will still have the say in finality of the judgement.
- ⇒ It does not talk about supply side-management of water.

(2)

Positives  
Negatives

Remarks

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)

Indian constitution draws from various sources while retaining the idea about India and its diversity. We borrowed what suited to our conditions, aspirations and diversity.

- Parliamentary or portfolio system of government.
- A federal structure as provided to G.O. Act, 1935.
- Collective responsibility of executive towards legislature.
- President as the titular head of the state.

As opposed to British Sovereignty of parliament our's parliament is not supreme, of course it's sovereign. Because in India "we the people of India" are supreme.

From American constitution we also borrowed certain features such as —

British Sovereignty of Parliament

American Judiciary  
P. T. O.

Remarks

India's position  
middle path

Independence of judiciary

Judicial review.

Separation of judicial from executive.

However as far as supremacy is concerned,  
in our case, constitution is supreme i.e.

constitutional supremacy is the core and  
essence of our — democracy.

foreg. Our judiciary looks upon preamble  
when in doubt. Judiciary is the protector  
of the constitution. It upholds the  
ideals of constitutionalism.

Thus Indian constitution is a fine blend  
of British sovereignty and american judiciary  
rather than a compromise between British  
Sovereignty and judicial supremacy.

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)

The doctrine of separation of power is one of the basic feature of our constitution as laid down in Keshwanand Bharati verdict of Supreme court (SC).

Supreme court under Article 142 can issue such decree or direction so that complete justice is done in any case pending before it or otherwise.

Supreme court's order on liquor ban can be said to be a judicial overreach for the following reasons:

- It is a subject of legislature and executive regarding the regulation and control of liquor.

- It takes away the rights of the affected people.

- Various states have started finding loopholes in the judgement and circumvented it thus resending the judgement.

Remarks

- It is against the very idea of "separation of power" as laid down by judiciary itself and thus arbitrary.

However SC in various other cases have used its power to do complete justice such as

- Union carbide case.
- Clearing of Tajmahal:
- Appointment of Lokayukta in Uttar Pradesh etc

Thus the power of S.C under article 142 should be used in cases involving gross injustice or constitution only.

However SC direction had some benefits also  
 @ case of liquor ban:

"Drink and drive" is one of the major reasons of accidents along the national and state highways thus it will curb accidents -

- Apart from accidents it also curbs illicit, illegal and spurious liquor trade along highways and state boundaries.

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)

↔ Judicial backlog and pendency is also attributed to lack of a efficient and integrated case management system.

With integrated case management information system (ICMIS), this issue gets resolved.

ICMIS is a information technology enabled programme which allows filing of cases, checking status of cases etc. online thus reducing time-delays. This application is for advocates.

In the backdrop of fast growing ICT systems India needs to adopt this to our judicial system & it will have far reaching consequences.

Our Information Technology platforms are rather weak.

Initiatives such as e-courts, e-judiciary, COURTNETS of NIC etc are in right direction towards inclusive justice delivery.

*digital or paperless court*

Remarks

While ICMIS is a good step towards a digital, a more needs to be done:

- Resolving and hearing petitions through video-conferencing.

- Law commission has also called for audio-visual recording of cases for more transparency.

- Use of ICT is informing the dispute parties regarding the dates of case, hearing, status etc thus fast tracking the justice delivery.

- Initiatives such as 'Tele-law', 'Droptel-law' and 'Nyaya Mitra' are other initiatives which thrive towards legal education and justice delivery to door-step. Such initiatives can be adopted.

⇒ ICT can bridge the distance gap between the SC and far flung areas of India such as Northeast.

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)

In India, marital rape is not criminalised. It is given as an exception to our rape laws. Following are the arguments regarding non-criminalization of marital rape:

It would destabilize the institution of marriage as idea of marriage in India is different from western world.

Can be misused in case of any dispute between the couple.

However, the idea of non-criminalization of marital rape takes away the bodily right of the women and leaves her at the mercy of her husband in case of rape.

It upholds the idea that women are just dolls or property in the hands of men, which is against humanity and right to equality as enshrined in our constitution.

Remarks

In a democracy like India, where women are equal partners in Nation building, such draconian law can undermine the idea of constitutionalism.

Several countries have already criminalized the marital rape.

Non-criminalization on the pretext of Indian culture and institution of marriage is retrogressive.

INDIA needs a marital rape law → it will have various benefits such as -

It will move us toward a right based approach for women rather than welfare and charity based approach.

Women may voice their concerns easily against domestic violence including marital rape.

Rape laws in India thus will become neutral and uniform.

In the light of rising crime against women NCRB data shows that 36% of crime are because of husband and their relatives.

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)

Bureaucracy is the steel frame of any democratic country. It needs to be robust as mountain as well as compassionate and empathetic as mother.

2<sup>nd</sup> ARC has recommended various measures for improving the accountability of bureaucrats towards public services; "Risk profiling" being one of them:—

↔ 2<sup>nd</sup> ARC calls for "risk-profiling" of bureaucrats according to their capabilities and responsibilities as well as post.

↔ "Risk-profiling" means their susceptibility towards unethical means such as corruption etc. needs to be categorized and profiled in such a manner so as to categorize various bureaucrats. This will go a long way by ensuring accountability at public at large.

Remarks

"Risk-profiling can improve the administrative lacunae as well as accountability & the

following manner:

→ Easy tracking of bureaucratic acts of commission and omission.

→ Corruption can be curbed.

→ Public can be aware regarding their roles & holding bureaucrats accountable.

→ However it might exert some pressure on bureaucrats dealing with important post and sensitive issues.

Overall the idea helps towards achieving accountability which seems missing from bureaucrats. In this way people have more faith & bureaucracy have values at large.

Remarks

✓ No poor review  
 ✓ No participation of stakeholders  
 ✓ Administrative commitment for effective democratic



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)

"Justice delayed is the justice denied"

The long pendency of cases along with weak grievance redressal system is the weakest link in justice delivery system. It is double whammy for the poor and vulnerable.

"Justice should not only be done but it should seem to be done"

India is having various institutions of grievance redressal such as —

Courts are the temples of democracy and final destination of grievance redressal in case of justice.

Lok adalats - Lok adalat are a formal form of institutions of justice delivery. People resolves their disputes amicably without lawyers.

NTRC

NALSA

Police Complaints Committee

Judicial Accountability

Remarks

### Alternative disputes Resolution

Such as Arbitration, mediation and conciliation.

Gram Nyayalaya Act 2008, these are mobile courts and deliver justice at the doorstep and often involves a social worker.

However there are certain limitations of institutions of grievance redressal such as:

- Judicial pendency of cases and backlog.

- Judges to people ratio is very less. It is

17 per million population. Law Commission

wanted it to be 50. In USA and China

this figure is 151 & 170 respectively.

- Lack of awareness among general population.

- Lack of financial resources.

- Far-away institutions and Geography

isolated communities

- Lack of reporting of gross injustices to

hinterland areas.

Thus Grievance redressal must be the first priority

with scheme CPSGRAMS inter-alia others.

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)

According to a study by World economic forum thousands of jobs are being lost every year due to automation of Industries and mass-manufacturing.

India's demographic dividend along with cheap unskilled labour is in synchronisation with labour-intensive industries and not automation of industries.

Recently Government cleared its stance that it will not allow "uber" 's driverless cars.

INDIA because it may lead to job loss.

However automation and mass-manufacturing is the need of hour if we need to make 25% share of manufacturing in our GDP under "Make in India" initiatives.

In absence of robust labour reforms this new impetus on mass manufacturing will not be of any use thus -

Labour reforms are the urgent need for such companies and India as a whole.

Handwritten notes on the right margin:  
 H/W  
 Alternative  
 Labour laws  
 Make in India

Remarks

# Labour Cells

Govt. of India has taken certain initiatives such as

(i) Instead of 46 forms of labor related have been reduced to just nine thus contributing to ease of doing business.

(ii) World Bank's of "ease of doing business" ranks states according to labour reforms.

(iii) No labour inspection for three years for new startups.

(iv) Establishment of SEZ (Special Economic Zone) where "hire and fire" i.e. labour hiring laws are very flexible.

3 Further government needs to do certain other action and take measures such as -

- flexible labour hiring policy.

- Contractual labour along with social security by the employer & state.

- Self-certification of labour and other industry inspections

- More industrial townships on the line of SEZ.

Thus we have to balance the aspiration of our demographic dividend, labour which unskilled and demand for mass-manufacturing and automation of industries.

Remarks

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)

Under recently announced "QS world - university ranking" Indian universities fared badly. Even our top research and development institute i.e. IISC Bangalore didn't make it to top 200.

This clearly suggests something big is lacking in our quality of education.

Lack of innovation is clearly visible in India. According to a study by ASSOCHAM, 18% of our engineers are unemployable in software industries.

Lack of interdisciplinary and multidisciplinary approach in our academia and curriculum.

70% of our top institutions of higher education are catered by the private sector where lack of regulation and absence of lab to

field connectivity programs are hampering the innovation atmosphere in India.

Give heading

Remarks

Education temples have become education shops as visible to our medical education. Corruption and selling of degree and absence of innovative ideas are defining us today.

← India Innovation index → explain  
 India states to drive the innovative spirit in the following manner. (by Niti Aayog)

Q22 It creates a atmosphere of innovation among states and make them compete with each other and drive them towards spirit of innovation and idea of competitive federalism. How

It calls for performance based incentives for the states.

Innovation along with research investment and scheme have been given the highest weightage.

Thus there is a clear need of such index along with other initiative of govt. such as 20 universities of eminence is 2 years is a way forward.

Remarks

what need done

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)

According to FAO of United Nations, India processes just 1-2% of its food product as against 15% and 20% of Brazil and Indonesia respectively.

Along with lack of food storage facilities this amounts to a huge loss of food item in India and the world specially developing and least developed countries.

Sustainable development Goal (SDG)-2 calls upon states to do to reduce world Hunger to zero by 2030 and asks them to ensure the minimization of food loss.

↳ Although India is self sufficient in food production it still loses thousands of crores yearly in food losses; following are the reasons.

- Lack of food processing facilities in vicinity of Agricultural Mandis.

- Natural vagaries such as flood, sleet, rains, etc thousands of tons of grains are left rotten

Remarks

SC is a case directed the central government to distribute the excess grains to poor instead of letting it rot. India had enacted food security programme, a long back which is largest of such kind in the world. So to ensure uninterrupted food to needy, India needs to do something to minimize its food losses.

→ Effective dealing with food wastage can help in developing India. How

With 25% of the poor population and 38% of our child stunted due to malnutrition, this can go a long way in ensuring food security.

Food security along with better targeting can reduce the overall poverty - and the same amount saved can be used to spend of health and education of the poor.

Crop insurance cover can help farmers and reduce the instances of suicides among them.

Thus ensuring food security by way of minimization of food loss will go a long way in developing our country and nip in the bud the problem of poverty.

Remarks

what need is there  
 water for come  
 people & Japan



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)

→ Diplomacy is having various channels of securing national interests. Track-II diplomacy is one of them.

Track-II diplomacy stands for use of discussion and pressure tactics for another nation to lessen down the confrontation and chances of war. In case of INDIA and china the Track-II diplomacy does not work for the following reasons:-

(i) Doklam issues is not directly related to India though it is having security implication for INDIA. It is essentially a part of Bhutan.

(ii) China has said "with drawl of forces" as precondition of talks.

(iii) China believes in brute force and is growing assertively in its relation with neighbours. It has soured its relation with most of its neighbours.

Remarks

poor cultural contact  
 poor for spoken in China  
 reservation on Indian mind

(iv) Doklam plateau is a 269 km stretch of land and lies at the trijunction of Bhutan, China and India, and it is just 500 km from a crucial choking point i.e.

Chickens neck or Silliguri corridors. Thus India too needed to be assertive and aggressive.

(v) Border security talks had already started to mitigate the crisis at the border.

(vi) India and China are two giant players of South Asia who competes with each other every walk whether it is economy, polity or influence on neighbours thus talks and compromise is regarded as defeat in such cases.

(27)

ALL  
LAWYERS

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 is the new theatre of India's foreign policy.  
 The importance of Indian ocean naval presence is manifold for overall Indian foreign policy.

- 50% of the world trade passes through Indian ocean, so security and sovereignty is the issue.

- pirates off the coast of somalia are another potential threat to Indian ocean, thus by suppressing them India can be a net security provider to the region.

- Chinese naval vessels are often present in Indian ocean which is serious from India's point of views.

- Malabar exercise which is a tri lateral exercise adds feather to Indian foreign policy and diplomacy by way of naval presence @ INDIA-OCEAN.

Remarks\_

Freedom of Navigation as provided by the United Nations Convention on Law of Sea (UNCLOS) necessitates Malabar exercise @ the backdrop of disputes @ South China sea. Whom china considers as its personal lake.

Indian Naval presence affect India's bilateral as well as multilateral relations —

Bilaterally it has soured India china relations further. China sees Malabar as an armed association or grouping.

Increasing value of India as a net security provider @ Indian ocean.

It is crucial for India to exert its power @ the region to lead the world @ respect

of Freedom of Navigation thus increasing its value multilaterally.

Engaging with developed naval powers such as USA and JAPAN results @ advanced knowledge exchange and better war readiness

Indian littoral states along Indian ocean sees India as a growing regional power viz. china and its projects @ Sri Lanka and other.

Remarks

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

Worldwar-II resulted by a great loss to humanity. Lakhs of people mainly civilians died. Among this back drop emerged the United Nations by early middle of 20th century i.e. 1945; with a mandate of securing peace and security by the world, securing cooperation among nations states by way of peaceful resolution of disputes. It succeeded by its endeavours such as -

It succeeded by securing disputes between Yugoslavia and Herzegovina.

It succeeded by carving out Israel from Palestine state by 1948.

United Nations peace keeping forces are operating by many war torned countries South Sudan.

However it failed to prevent major global crisis such as -

USA's invasion to Iraq and use of brutal forces on Saddam Hussain regime.

Remarks

Only war  
prevention  
in Africa

(H)

It failed to prevent Gulf crisis.

It failed to resolve Kashmir dispute

between Indian and Pakistan

UN also failed by its endeavour to prevent the rise of ISIS and other global terrorist organisations.

UN failed by mitigating dispute by South-

China sea

UN had played a crucial role by seeing for ourselves a world which is largely run by international treaties such

UNFCCC, UNCLOS, UNHRC, etc

It various arms and institutions are playing a great role by making the world a better place to live by.

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)

↔ Foreign policy changes according to the global scenarios and geo-political realities of the world. New alignments and axis develops as all the nations drive their foreign policy by National Interest. In this backdrop India is changing its foreign policy approach with respect to China-Pakistan, Russia axis, West Asia and South Asia.

With to China-Russia-Pakistan Axis "valued,

Since long Russia has been our "special and privileged strategic" partner.

Recently it conducted a joint military drill with Pakistan. China is already a close friend of Pakistan by CPEC & OBOR etc.

Thus a China-Pakistan-Axis is developing. India need not see Russia along with.

Axises. It need to develop its foreign policy with Russia by dephenating it with the axis.

NAM  
 AT East-Asian  
 For America  
 Pirel-Asia

Remarks

### West Asian theatre

In the backdrop of ISIS, Shia-Sunni conflict, Pakistan's close relations to middle east, political stability, India's foreign policy must

be guided by three factors:

(i) Energy security

(ii) Indian diaspora

(iii) Connectivity to central Asia

further it must dephenate israel and palestine issue

### South Asia

China's rising assertiveness in the south china sea and influence in south east Asia needs to be tackled by its closer engagement with nations by way of projects such as IMT corridor, Kaladan multimodal project, joint exploration with Vietnam in south china sea.

In reply to OBOR, India has launched BCIM (Bangladesh, India, Myanmar, China)

forums such as SAARC minus Pakistan etc needs to be strengthened.

close cooperation with Sri Lanka, Bangladesh is necessary in the backdrop of port developed activity of China.

Remarks

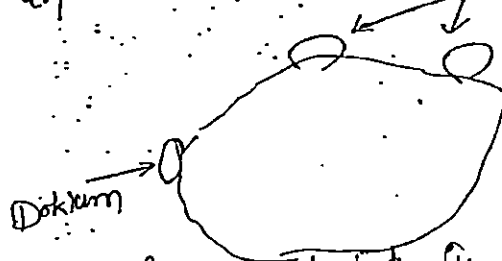


Q16. The recent standoff at Doklam Plateau shows the strong relationship between India and Bhutan. Why is Bhutan special to India? In the month long, high tension confrontation, India's real test was to assure Bhutan, to not crumble under Chinese pressure. Examine.

(12.5 Marks)

Doklam is a 269 km stretch of land in Bhutan which is just 500 km away from strategic Silliguri corridor. In this regard India's strong relation with Bhutan is very special which dates back to 1949 when India decided Bhutan's foreign policy and as per India Bhutan friendship treaty 2007, India has the responsibility of respecting and securing territorial integrity of Bhutan.

As a result of which Indian Army troops are permanently stationed in Doklam. China since long has been alluring Bhutan for ceding Doklam in lieu of two territories north of Bhutan.



Bhutan has shown terrific restraint in the face of a asserting and aggressive China thus it special to India.

Remarks

In the month long high tension confrontation between India and China India's main task has been to assure Bhutan not to come under any Chinese pressure.

India assured Bhutan of respecting territorial integrity by way of India-Bhutan 2007 treaty.

There have been two agreements between China and Bhutan regarding status quo. These by clearly publicizing internationally. India held high moral ground and prevailed over Bhutan.

Various Big powers such as USA, UK & Japan have supported India directly or indirectly thus diffusing pressure from Bhutan.

Thus Bhutan has been a special friend and Doklam standoff was a limus test and Bhutan passed with distinction.

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)

↳ At the time of independence Gandhiji criticized the idea of creation of Jews state with a muslim majority states.

After independence India voted against the division of palestine in 1948.

In 1988, India was the first country among south asia to recognize the palestinian state authority.

In 1992 the diplomatic relation between Israel and India started.

In 1998 during kargil war Israel provided India with strategic technical & formation

India has been the largest importer of arms from the Israel.

\* In spite of all the developments India has always been supportive of the palestine cause.

From 1948 with Israel

Assistance to palestine  
Anti-colonial stand

Remarks

Recently PM Narendra Modi visited Israel, this was the first ever visit by a Indian PM to Israel thereby creating a great shift in our foreign policy.

However India does not compromise our historical support to the cause of Palestine for the following reason. -

(i) Before this visit our president visited Ramallah which was also the first ever visit by any Indian dignitary and supported the cause of Palestine.

(ii) India has started dehyphenating Israel and Palestine owing to changing geopolitical realities. As the West Asian theatre.

(iii) Israel is critical to our armed forces and supplies.

Thus India is balancing Israel and rest of the muslim world. However changing geopolitical realities necessitates equal

emphasis of "look west policy" & Iran in the backdrop of Chinese assertiveness.

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)

↪ "Nuclear weapons are the worst form of technology that human has ever invented."  
 Today 16000 Nuclear weapons are estimated world over.

There have been earlier attempts to ban nuclear weapons such as

↪ NPT (Nuclear prohibition treaty)  
 ↪ CTBT (Comprehensive test ban treaty)

However these <sup>were</sup> very largely failed due to following reasons.

↪ They recognized only five powers such as }  
 UK, US, China, France, Russia.  
 ↪ India did not participate.

Nuclear race by North Korea is the manifestation of a global ban of failure.

↪ However recent attempts for Nuclear disarmament are good attempt towards a Nuclear free world.

Remarks

first of all any treaty need to recognize that Nuclear powers other than P-5 also.

Secondly, a ban of weapons should not be the way forward.

The disarmament of existing nuclear weapons can only be the precondition of joining

any treaty regarding nuclear ban.

A general consensus such as recent one at UNSGA should be developed among the P-5 and developed world also.

Thus a global ban on nuclear weapons is not only feasible but also the need for a safe and peaceful world. Nuclear weapon has been a source of contention between

many nations recent example being USA - N. Korea, N. Korea - South Korea and

Japan & S. Korea.

Remarks

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)

Hague Convention on the Civil aspects of International child abduction is a convention under which a <sup>member</sup> nation needs to have a domestic law to protect abduction of children below the age of 16 and their transportation to foreign Nations.

In India there have been many cases where the trans-national marriages and divorces has resulted to child with only parent and often that child finds himself to legal complexities which ultimately leads to his deportation to a foreign soil.

Following are the arguments in favour of signing the treaty:

- Rising cases and issues of child custody of transnational marriages.
- Women often is the victim and leads to another country and finds her entrapped to legal complexities.

Remarks

- Right of the child.

- lack of resources

following are the argument against:

→ legal battles need to be fought in the foreign soil which may not be feasible and economical for the disputed party.

→ Time consuming and cumber some process although with added advantages

How much may be the cumber some process and legal complexities involved India should sign this convention and secure for

Indians and its diaspora a legal platform to fight their case.

India has come up with a draft bill in this regard which provides for a central authority to hear the application of

Such grievances

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)

↔ CPEC (China-Pakistan-Economic Corridor) is part of OBOR (One Belt One Road) which passes through the P.O.K. (Pakistan occupied Kashmir), India claims this territory.

Indian concerns

↔ passes through P.O.K. Sovereignty and territorial integrity issue.  
 ↔ Unlike earlier Karakoram Highway which was built by multi-lateral support, CPEC is sole initiative of China. This indicates collusion with Pakistan.

↔ India was not take up to confidence before taking this initiative.

↔ Chinese plans lack transparency on various aspects.

India did not participated in BRI forum i.e. Border Road Initiative or OBOR forum because of its objective to CPEC (inter-alia) other concerns.

Answer  
 for 12.5 marks

Remarks

In its current form India definitely should not join it. Until a clear solution of India's sovereignty and integrity issues is found.

Regional implications of CPEC to South Asia

It seeks to connect Xinxiang province of China to Gwadar port of Pakistan.

China says it to be a economical connectivity. However it will alter the geopolitics of South Asia and beyond.

Security implications for India will be many fold.

It will circumvent India with its larger plan of "string of pearls".

It connects China to middle east, thus China will found new market with easy connectivity, this may result to loss for India.

Thus India needs to rethink its foreign policy to counter China's OBOR by initiatives such as Asia Africa growth corridor.

Remarks ..