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## **IAS TOPPER'S**

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### **AANAND PRAKASH MEENA**

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**GENERAL STUDIES - PAPER II**

Time Allowed: 3 hrs.

Max. Marks: 250

Q.	Marks	Instructions to Candidate
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Name Anand Prakash

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

Mobile No. \_\_\_\_\_

Date \_\_\_\_\_

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

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Signature A. P. Singh

**REMARKS**

- Q1. Recently, there has been a controversy over "Master of the Roster". What are the issues involved? Discuss the problems with current system and their consequences. What could be the possible way-out? (10 Marks)

Ans Recently, judges & senior judges expressed their discontent and accused CJI for selective allocation of cases.

- CJI is the sole authority to decide the benches in a particular case as he is the master of the Roster.
  - There are various issues involved as:
    - Conflict of interest as a discretion is not free from corruption. e.g. If a judge is under scanner, he can allocate case to his preferred judge.
    - It is not in the interest of final judgement as senior judges with more experiences can be neglected.
- These issues have evolved from

Remarks

The current system in judiciary.

- Currently CJI is the administrative head.
- In 2nd judge case, the insertion of Collegium system strengthened this system.

The consequences of these problems are:

- ⇒ They lead to internal faction in the judiciary.
- ⇒ Judiciary is amenable to outside influence from executives.

The possible way out of this situation is

- Administrative division within Judiciary should also have Collegium where cases are decided on the basis of seniority.

Remarks

- Q2. The judiciary has been actively encroaching on the powers of legislative and the executive in India, and in doing so, it has been doing a disservice to governance in the country. Explain with appropriate examples. (10 Marks)

The Article 13(2), Article 32, Article 226, provides implicitly the power of Judicial Review to the judiciary.

- Judicial Review has been used to enforce fundamental rights of citizens and morality in the government. eg: Assam-Brahmaputra government was restored in Neham Rabia Case.
- Judicial Review also checks hasty and ill thought actions of govt executives. eg: Cancellation of Coal blocks which were not favourable to exchequer.
- However Judicial Review has resulted into Judicial overreach which goes against separation of power and violates Article 50 which endeavours to remove executives from judiciary.

Remarks

- It results into laws/regulation by unlected representatives in a democracy.
- It also oversees various hindrances in the governance. eg: Supr SC banned sale of strong alcohol along highways, it compromised state revenues.
- It also participate in the polarization of citizens. eg: Huge protest against SC/ST Act amended by SC. SC could have sought legislative unanimity.

At the same time, Judiciary is a vital cog in Balance Checks & Balances between legislature, Executive and Judiciary. One balance should be adopted by all the three branches of government.

Remarks

- Q3. There has been controversy over the Article 35(A) and its legality. In this background, elaborate on Article 35(A) and its implications. (10 Marks)

Article 35(A) was inserted through Presidential order. It gives power to state of Jammu and Kashmir to decide its permanent residents and give special services to them with relation to property, jobs, scholarships etc.

- o This has been disputed as it was not inserted through Article 368 which is needed for amending the Constitution.
- o It also goes against fundamental right to equality (Art 14), against discrimination (Article 15) and Art 19 (right to profess occupation). e.g.: Gender bias as women marrying person outside J&K are not entitled to inherit property & also their children can't be given status of Permanent Residents.
- o On the other hand, supporters of

**Remarks**

This article says that, it was with respect to Instrument of Accession signed by Rajah Hari Singh.

- The implications of Article 35(A) can be observed through mobilisation of J&K citizens against the scrapping of it.
- This has led to political instability in J&K - e.g: J&K is boycotting Panchayat elections in opposition of Article 35(A) being challenged in SC.
- It has also thrived terrorism as they are polarising people with fake agendas.

Given J&K special status (Article 370), it is best that 35(A) should be decided after proper consultation with J&K representatives.

**Remarks**

- Q4. The actual working of the State Finance Commissions (SFCs) has not been as effective and efficient as the Union Finance Commission. Critically examine. (10 Marks)

The 14<sup>th</sup> Finance Commission reported that states do not take proper action on the recommendation of state Finance Commissions.

- State Finance Commission were made constitutional through 73<sup>rd</sup>/<sup>74<sup>th</sup> Constitutional Amendment Act which heralded Panchayat and Municipal Authorities.</sup>
- This was to help in the decentralisation of resources to local government to grass root democracy and development could be achieved.
- There are various issues in the working of State Finance Commissions:
- They suffer from vacancies, as appointments are not done on time.
- As their recommendations are not

Remarks

binding, State government are not obliged.

- They also suffer from capacity in human resources with respect to human resources available to centre.  
eg: It can be attributed to nepotism, spoils system.

State Finance Commission are necessary for the realisation of Gandhi's yesterday — power to people.

- They should have more powers regarding implementation of their recommendation - eg. Make their reports public so that public pressure can be built.

- Q5. Write a short note on the different sessions of Indian Parliament. Why do you think parliamentary disruptions by members of Parliament are on the rise, during last two decades? Examine the causes. (10 Marks)

Indian Parliament is based on Westminster model. It has various sessions:

- i) Budget session: In this Budget prepared by the executive are thoroughly discussed. Legislatures can proposed policy crit motion etc to hold the executive & more accountable
- ii) Monsoon session: It is held in the months of July-Aug which coincides with onset of monsoon.
- iii) winter session: In the months of November-December. This is the smallest session.
- iv) special session -> President can also call for special session to decide

Remarks

on situations pertaining to national interest.

• It has been observed that Parliament is facing frequent disruption in the parliament, Reasons are:

→ Lack of time to express their view.

eg: due to hectic schedule, all the members cannot express their views.

→ Use of Parliament as a theatre of politics rather than chamber of deliberation.

eg: live recording and this

→ In order to curb these and make Parliament more productive, following should be done:

(i) Proper implementation of recommendation by Committee of ethics.

(ii) B Venkatachalias Commission recommends that Lok Sabha and Rajya Sabha should work at least 120 & 100 days respectively. It will give more time

**Remarks**

- Q6. There have been divergent views over creating an All India Judicial Services (AIJS), while Centre and the Supreme Court is favoring AIJS, several States and High Courts are in opposition to it. In this context critically, examine the creation of AIJS. (10 Marks)

The Article 312 empowers Rajya Sabha for the creation of All India Service. In pursuit of this, 42 Constitutional Amendment Act proposed for All India Judicial Services (AIJS)

- This would have following benefits
  - It can lead to clearance of backlog cases in a professional manner. e.g.: 3.3 crore cases are pending.
  - It can bring talented persons as this would be based on merit, e.g. Currently Collegium system works on discretion.
  - However, it has been opposed by

Remarks

States on grounds of:

- They perceive AJSS as dilution of federalism as it will come under central authority
- Members of subordinate judiciary fear hampering of their promotion
- High Courts are apprehensive as this would lead to more focus on literary aspect of judge whereas Collegium system also gauges a judge's practical aspect.

Justice is the first virtue of any social architecture. AJSS can help catalyse Judiciary System with its professionalism. It should be adopted after Consensus among all the stakeholders.

**Remarks**

- Q7. Recently, issue of Parliamentary Secretaries occupying office of profit has been the bone of contention between Centre and Delhi Government. In this context, elaborate on concept of Parliamentary Secretaries and Office of Profit. Also, discuss the ruling of Supreme Court over determining office of profit. (10 Marks)

Ans: A office of profit has not been defined in the constitution, but Article 102 related to disqualification of members have office of profit as one of the ground for disqualification.

- There are various issues in office of profit as well as Parliamentary secretary:
- It goes against separation of powers.  
eg: legislative duty is to hold executive accountable, Parliamentary secretaries work with executives, this entails conflict of interest.
- It bypasses 91<sup>st</sup> Constitutional Amendment Act which put ceiling on number of minister [10% in states, 15% in centre]
- The definition of office of profit

**Remarks**

i) given by SC in Tanya Bachhan case

ii) If the office comes under government

iii) whether Office have powers.

iv) Any pecuniary gains to the office holder.

According to SC, even if a person is not taking remuneration but the office has capability, then also he would be liable to hold office of profit.

Representatives should first think themselves as public servants, which works in the Interest of public,

**Remarks**

- Q8. Role of Quasi-Judicial bodies' has become very significant in cost-effective speedy adjudication in India. Whether their practice can be considered as breach of the concept of separation of powers enshrined under the Directives of the Indian Constitution? Give justification to your argument. (10 Marks)

Article 50 provides that good steps should be taken to separate executive from judiciary. This strengthens the spirit of separation of power.

Quasi judicial bodies include representatives of executives as well as judiciary which provides judicial functions eg: National Green Tribunal.

This is to help judiciary with technical resources pertaining to the cases.

At the same time, it can also lead to politicisation of judgements.

Eg: Representative of executive might be liable to influenced by government to work in their favour.

**Remarks**

- o However, given the poor condition of Indian Judicial system like pendency of cases, delayed justice, quasi judicial bodies can deliver timely justice.
- The need is to dilute the political influence. This can be done through:
  - appointment should be done by committee and the criteria of appointment should be made public.
  - service of UPSC can be taken to interview the candidates, for objective appointments.

Remarks

- Q9. It has often been recommended that the adjudicatory power under the anti-defection law be transferred to an independent body to remove the existing partisan element. How far do you agree that such a step would strengthen the functioning of the law?

(10 Marks)

The 52<sup>nd</sup> constitutional amendment act inserted 10<sup>th</sup> schedule to the constitution. It is also called Anti Defection law:

→ Provisions:

- Member will be disqualified if he voluntary gives up his membership of party
- Independent ~~can~~ representative joining political parties will be disqualified.
- Nominated member joining political parties after 6 months will be liable to be disqualified.
- Speaker / chairman will be deciding authority and his decision will be final.
- The adjudicatory powers vested in Speaker / chairmen has been

Remarks

- Contentions as :
- Speaker is not completely political neutral person. He decides in favour of his party.
  - This results into miscalculation of judgment. Judges should be free and fair.
  - SC in Kihoto Hollohan case decided that Speaker's action are liable for Judicial review.
  - Apart from the various suggestions that Speaker should decide after mandatory collect consultation with Election Commission would entail justice.
  - Such a step would curb House trading, Aaya Ram Gaya Ram phenomena and would make a stable democracy.

Remarks

Q10. Do you believe that longer lives have translated into healthier lives in India and the world? Examine. (10 Marks)

- Health is an important aspect of public well being.
- With increase in advancement of technology and medicine, the average life expectancy in earth has increased:
- This can be analysed from two perspectives:
- 1) Increased lives provides man to contribute more to his society, economy.
  - 2) It also helps the nation's growth as its Human Capital is strengthened.
- However due to various situations

Remarks

like Climate change, Extreme weather events, dependency & in Old age. puts extra pressure on persons.

- The requirement calls for comprehensive schemes to ensure better life in the old age. Indian government has taken following steps:
  - 1) B��an Mantri Vaya Vandana Yojna for insurance which would provide income security
  - 2) Ayushman Bharat would provide health security
  - 3)

Remarks

Q11. Ayushman Bharat is a turning point for the health sector. Critically analyze the significance and shortcomings of this initiative by India. (10 Marks)

Ayushman Bharat would benefit 10 crore families and would provide 5 lakh insurance cover per annum to a family.

It has 2 components-

- (i) Health and wellness centre
- (ii) Strengthening of Primary Healthcare centre.

Significance of this scheme lies in health security to nation as:

- More than 70% of Indian incur Out-of-Pocket expenditure.
- This is a step towards Universal Health Care.

However, various flaws in the

**Remarks**

schemes are:

- ⇒ More focus is on providing insurance.
- Steps should be taken that private players do not manipulate administration to gain more.
- ⇒ This can also lead to increase in basic health care services in Private Players Hospitals as they would seek more benefit.

Ayushman Bharat should be integrated with Janaushadhi Yojna to provide effective and affordable health services to the needy persons.

Remarks

- Q12. Land reforms in India have neither been beneficial in increasing the production of farms nor in setting up new industrial units. Comment. Also, evaluate the need for repealing the existing land ceiling laws. (10 Marks)

1) Indian farmers suffer lack of productivity per hectare as they have average landholdings of 2.1 hectare.

Land reforms were seen as panacea to these problems like:

- 2) Cooperative farming was seen as a method to increase production by pooling lands.
- 3) Consolidation land holdings could have aided the cooperative farming.

However, due to various reasons, the production have not increased as well industrial units have not been set up to provide linkages at the farm gate.

- 2) Lack of Digital land records has

**Remarks**

aided this.

- More focus on sustainable farming by the farmers.

The repealing of land ceiling laws can lead to increased productivity.

- It can introduce large farms which could have purely commercial outlook.

At the same time, proper concern should be addressed:

- Repealing of land ceiling can further lead to alienation of lands from poor farmers and increased inequality.

Farmers should be linked with scientist to improve their productivity.

Mera Gaon Mera Gaur initiative of Department of Agriculture works in the direction

**Remarks**

- Q13. Conventional wisdom suggests that industrialization and urbanization go hand in hand. Do you think this applies to India as well? Evaluate the concept of hidden urbanization in this context? (10 Marks)

Industrialization and urbanization complements each other.

- Industrialization has aided in urbanization as it provides necessary technology, resources for the benefit of urban people
- This results in pull factor which helps in urbanization
- Urbanization also aid industrialization as it provides necessary input in the form of labour, market, human capital.
- This also applies to India as well. e.g. Kolkata developed into an industrial town and urbanization

Remarks

followed it-

- At the same time, Indian urbanization is different from western urbanization.
- Haphazard planning has encroached public resources and thus in this way urbanization is not aesthetic. It aids slums.
- Slidden urbanization can be applied to India.
- various initiatives such as SMART CITIES, HRIDAY, AMRUT, SWACHCH BHARAT helps in development of urban areas.

Remarks

- Q14. The multiplicity of labour laws and difficulty in coping with them are an impediment to industrial development in India. Critically examine. What are the labour reform measures initiated by the government for ensuring compliance and promoting ease of doing business. (10 Marks)

Industrial development requires land, labour, capital, market and entrepreneurs. These are called as factors of production.

Among these labour cost decides the competitiveness of company's product in the market.

- Due to multiple labour laws, industrial development is hampered:
  - It leads to procedural delays and various delays in compliance to rules.
  - It also increases the cost of production.

In order to counter these problems,

Remarks

following steps have been taken by government:

- Wage Code: It has been formulated to remove discrepancy in wages by amalgamating previous laws related to wages.
- Pandit Nehru Employment Generation Programme in which owners are incentivised to bring labour into Employee Provident Fund. It would help in data collection.
- SKILL development Programme through SKILL India can increase the capacity of workers.

Remarks

Q15. The State is obliged to protect the residuary rights of prisoners after they surrender their liberty to a legal process. But, lakhs of under-trials languishing in India's overcrowded prisons make it to be a difficult task. In light of this, discuss the reforms? (10 Marks)

→ Almost 3 lakh undertrials are present in Indian Prisons

→ This is problematical as it goes against the tenet of Justice — "Justice delayed is Justice denied".

In order to reform the problems related to undertrials following reforms are suggested:

→ Mullah Committee suggested open Prisons so that undertrials are not isolated from the outside world.

→ whole reform should be related to reforms in Criminal Justice System as suggested by Malimath Committee

→ Undertrials should be segregated

**Remarks**

- from Convicts of heinous crimes
- Fast Courts can be set up for speedy trials so that justice is conveyed.
  - More allocation should be provided in financial sphere to the Prison authorities for qualitative Counselling.

Undertrials are also Indian Citizens. They should be given chance to live with dignity - long time as undertrials suppresses their social attitudes.

**Remarks**

Q16. Is death penalty, a solution for dealing with child sexual abuse cases? Do you agree? Elaborate the issues in tackling this problem effectively along with the measures needed further. (10 Marks)

The child sexual abuse is on the rise as can be witnessed from Kathua Rape Case etc.

various provisions dealing with child sexual abuse are:

- POCSO Act → This criminalises persons committed of offences against children.
- Death Penalty → States like M.P, Haryana, Rajasthan has enacted laws which provides death penalty to persons who are convicted of crimes against children under the age of 12 yrs.
- Even central government has

Remarks

proposed such a law.

- But this does not cure the root cause of the problem.
- social value system has degraded
- Insensitivity towards female & gender due to patriarchal mindset
- Lack of reporting of crimes by women also emboldens the culprit.

Measures needed to tackle this problem are

- Build value system which recognises gender equality through education system
- Awareness drive in the public of the rights and legal actions which can discourage anti-social elements

Remarks

Q17. The rise of protectionist regime in USA created the challenges for the Indian IT services industry. However, development of new technologies opens new opportunities for the IT services industry. Comment. Also, suggest ways to overcome these challenges.

(10 Marks)

India have trade surplus  
of over \$ 20 Bn with U.S.A. Most  
of this is attributed to India's  
BPO sector in IT Services

- Protectionist agendas like Buy American, Hire American, America first, tariffs by Trump administration threatens the Indian IT sector.
- At the same time opportunities in Artificial Intelligence (AI), cyber Physical system, Internet of Things (IoT) can be harnessed by Indian IT sector to hedge against such threats.

Remarks

- > For this India need to increase it's public expenditure in research. Currently it is less than 1% of GDP whereas USA's has 2.5% of GDP.
- > Simultaneously, the protectionist tendencies can be diffused through:
  - > Bilateral talks and diplomatic engagements.
  - > Diversifying Indian IT services market overseas. e.g. signing Free trade in services with countries.

Remarks

Q18. "The International Solar Alliance (ISA) is not only a step towards combating climate change, but also an important tool in India's foreign policy." Elaborate. (10 Marks)

The International Solar Alliance (ISA) was born out of Paris Climate Treaty. It has its secretariat at Nordq.

Major features of ISA

- Countries located fully or partially in tropical area can become members. However India is not averse to any other country joining it.
- 1000 GW of solar energy by 2030.
- Research in the solar technology.

How ISA can help in combating Climate change as:

- It can replace carbon fuels through renewable solar energy
- It can reduce carbon footprint.

Remarks

- It also acts as a tool for India's foreign policy:
- India can engage with member countries and garner support in UN and NSG.
  - India can also address the African Countries problem by sharing its supremacy in space. This can aid in tele-education, tele-health etc.

However, Cautious approach should be adopted by realising target set by ISA on time. This would impart confidence in India's ability to lead climate friendly world.

Remarks

Q19. What do you mean by Singapore issues in the WTO? Why Singapore issues have proven to be an obstacle in concluding the Doha Round of WTO negotiations? (10 Marks)

Singapore issues in WTO relates to gender equality in business and trade and more focus on loosening of trade barriers.

- Singapore Issues has obstructed Doha Round talks as:
- It has created faultline between countries of North and countries of South esp. Price clause has not been settled although it is must for food security in 3<sup>rd</sup> world countries.
- It has also diverted the focus of 3<sup>rd</sup> world countries and diffused the impact of G-83.

Remarks

Conclusion.

In "order to build consensus on Doha Rounds, steps needed are:

- > recognition of historical responsibilities even in the sphere of trade, this would bring developed and developing countries at equal footing.
- > consensus among member countries through proper deliberation. This would lead to more equitable world.

Remarks

Q20. Being a member of the Quad - a concord of four democracies - has many potential advantages that India could adroitly exploit. In this context, discuss the strategic and economic benefits which India could gain from being the member of Quad. (10 Marks)

Quad consists of India, U.S.A.,  
Japan and Australia.

### Advantages of Quad:

- \* Geo Strategic -

→ with its primary aim of  
free and open Indo Pacific and  
freedom of navigation and overflight,

India can ensure safety of Indian  
 Ocean.

→ This will also help in its

commercial operation related to  
 exploitation of oil and gas in  
South China Sea

→ This would contain Chinese

unilateral and predatory actions.  
 ex: Arriwaze on Spratly Island

**Remarks**

### Economic benefit

- India can avail the technology and research of member countries through mutual engagement -  
e.g: Japan has proposed Amphibious ship.
- It can also lead to further building of resources in the Ocean which would help Indian economy through Deep Sea Fishing & Blue Economy

At the same India should not let Quad dilute it's presence in Indian Ocean. For this self Indigenous technological research need to be promoted

Remarks

Q21. India diplomacy can be considered successful in handling the Israel and Palestine relations. Comment, also, discuss India's stand on Israel-Palestine Conflict. (10 Marks)

India has de-hyphenated its relationship with Israel and Palestine.

- Israel is important in the security narrative of India. e.g.: exporter of critical technology of arms.
- Palestine is important for the support of Arab countries which are vital for energy security.

Indian diplomacy has maintained a fine balance with regard to the Israel-Palestine conflict.

e.g. Refused to vote in favour of Israel.

Did not raise apprehension in Jerusalem.

**Remarks**

## India's stand on Israel - Palestine conflict

- India supports 2-Nation solution with separate homeland to Palestinians.
- India also provides aid to Palestine - e.g.: Nehru library was built in Palestine.
- India is favourable to home grown solution rather than imposed by outsiders.

Both the countries are important from India's Geo-strategic and geo-economical view point. Cautious approach should be adopted.

**Remarks**

Q22. A great game is unfolding in resource-rich, but landlocked Central Asian region, among China and India. In this context, discuss the significance of Central Asia for both India and China. Also, elaborate on Indian efforts towards "Connect Central Asia Policy".

(10 Marks)

Why Central Asia is resource rich  
region as it contains huge reserves of oil, natural gas and uranium

- Due to India & China being energy deficit region, the power struggle can be witnessed in Central Asian region. (C.A.R)
- India is approaching Chabahar port, International North South Transport Corridor, Shanghai cooperation organisation, TAPI Gas Pipeline to connect with (A.R)
- While China has embarked upon

Remarks

Belt and Road Initiative to pursue its interest.

- > India has adopted connect Central Asia Policy.
- In this various infrastructural initiative has been taken.  
eg: Chabahar Port, INSTC
- Cultural connectivity is also emphasised through people to people connectivity.
- Various bilateral defence exercises are held to increase inter-operability. eg. KALIYIND between India and Kazakhstan.

CAR can ensure Indian Energy security while India can help CAR in diversifying their market.

**Remarks**

Q23. Discuss merits and demerits of India's Foreign Direct Investment (FDI) in Africa's hydrocarbon sector. (10 Marks)

- Africa is endowed with huge resources related to oil, gas, hydrocarbons.
- However Political instability in oil resource rich region has obstructed its development.
- India has opportunity to increase its energy security by investing in Africa.
- ONGC videsh Ltd. has acquired stakes in countries like Angola which can help in Indian energy equation.
- However, private investment is lagging behind. Government need to incentivise private players as Africa is the emerging continent of the world.

**Remarks**

- Main competition has emerged from China as it has embarked upon various project through its economic strength ej: Djibouti base in Africa's Horn

India can channelise its leverage effectively by properly utilising forums like African-India Summit, NEPAD, etc.

**Remarks**

**Q24.** Trace the evolution of India's Foreign Policy since independence. Do you see a paradigm shift in this evolution? (10 Marks)

Any Nation's Foreign Policy is an important constituent of statecraft - Foreign policy determines a Country's engagement with foreign countries.

### Evolution of Indian foreign policy

- India adopted Panchsheel under Pandit Nehru which focussed on Mutual respect, territorial integrity, Peaceful coexistence.
- In the era of cold war when the world was divided into Capitalist and Communist block, India approached Non Aligned Movement policy. It focused on equal distance from these two blocks.
- India also approached Realistic

**Remarks**

foreign policy to secure its National security. e.g: Operationsmiling Buddha

- 3) Gujarat Doctrine was adopted to increase confidence of neighbour states based on unilateralism concession and non reciprocity.

The foreign policy has been aligned with India's national interest, currently policies like Act East, Look West, Neighbourhood first signals towards changing geographical equations with respect to India.

Remarks

- Q25. World Bank as a multilateral financial institution has lost its credibility because its quota and voting system has not kept pace with the changing realities of 1990s onwards? Explain. (10 Marks)

World bank is one of the outcome of Brettonwood institutions

- Its main aim was to finance the member countries and help in their development.
- It also aims at removing poverty.

However, its quota and voting system does not reflect the changing global realities -

- Quota system is biased toward western countries like G-7 members
- It does not give proper consideration to emerging economies like India and China

Remarks

- This goes against the principle of equality which was proposed by the founding countries.
- In order to reflect current conditions, steps needed are:
- Emulating IMF's methodology to award quota and voting system.
- More representation to the member countries which increases democratic culture in International institutions.
- Apart from these, other institutions such as AIIB, ADB, NDB, should develop objective criteria so that their research can be utilised.

**Remarks**