

UPSC

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

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शब्दों की
संख्या
अधिक
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Q1) Belief that Indian Constitution is a borrowed constitution is nothing but a myth. Discuss.

Indian Constitution was adopted & enacted on 26th Jan, 1950 after 2 year, 11 months of debates in Constituent Assembly.

Thus, it was culmination of the best ideas from the global standards and tweaked according to Indian conditions.

Borrowed Features : (With Indian Changes)

(i) Fundamental Rights from USA - But exclude rights of Media or Gun. Instead focus on SC/ST and affirmative Action.
Eg. Article 25-30. (Part II)

(ii) Presidential Power in Emergency - from Germany - Unlike Germany, this power is nominal for president and depends much on discretion of Council of Ministers, (44th CAA, Art. 356).

(iii) Parliamentary Form from UK - Unlike

UK - parliamentary monarchy is replaced by Judicial & Constitutional supremacy.

(iv) Constitutional Amendment procedure -

Canada but India has both fixed and flexible (simple and special majority).

(v) Fundamental duties from USSR -

but India has not made it enforceable even after (Swarn Singh Committee).

Indian Constitution - a comprehensive document is culmination of values and principles and not just features.

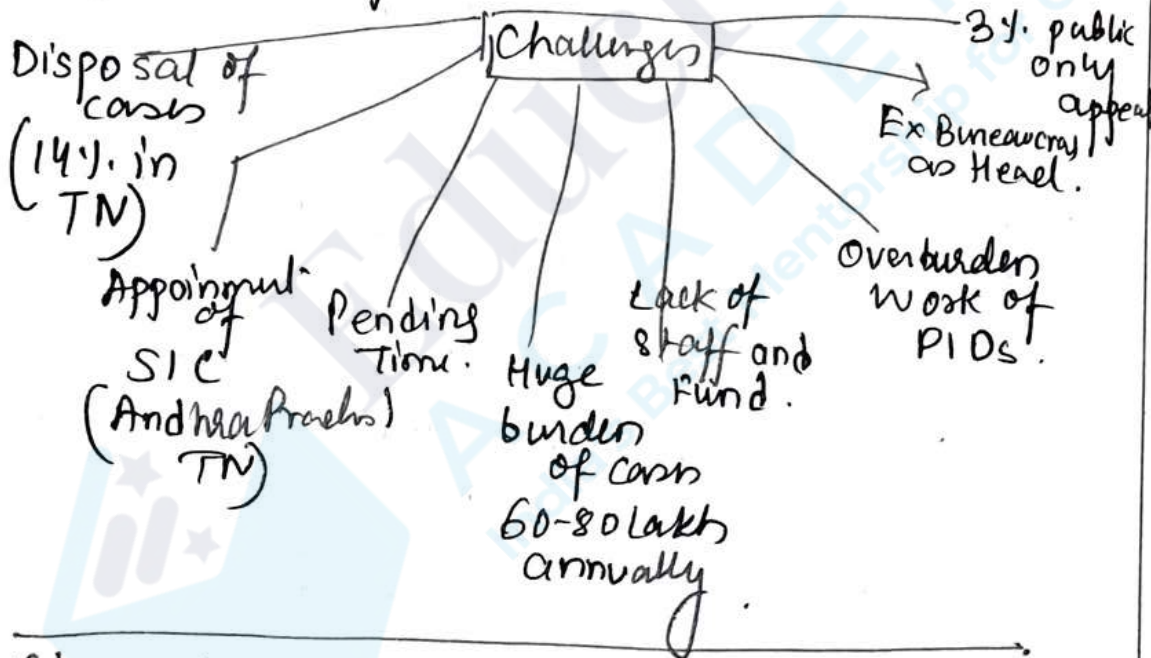
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Q2. RTI is considered a sunshine legislation but is not without its own challenges. Highlight the changes made by RTI (Amendment) Act 2019, discuss the Statement

Right to Information Act, 2005 was a sunshine considering its role in transparency, accountability and answerability of Public officers to public.



Changes by RTI (Amendment) Act 2019.

- Central Govt will determine the term of CIC, SIC
- Central Govt will appoint the CIC, SIC (earlier there was committee.)

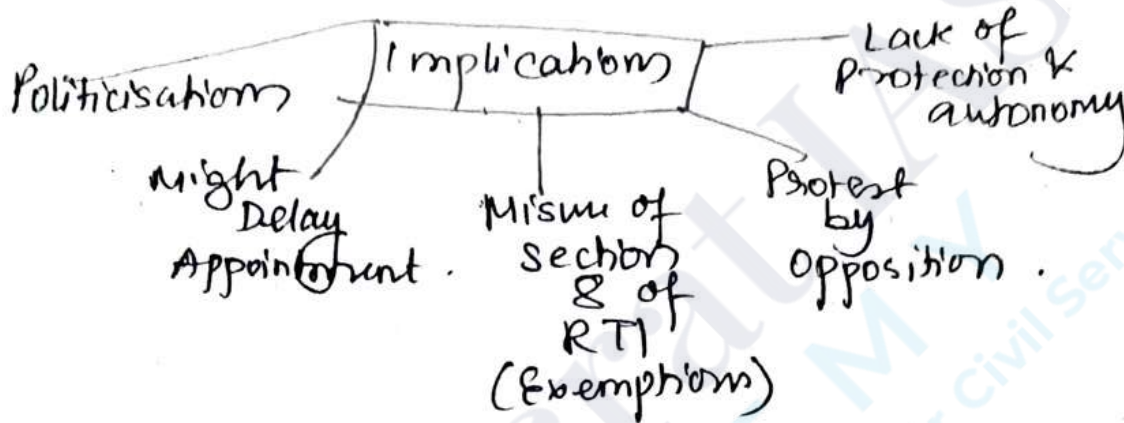
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(c) Salary's condition to be decided by same.



for the Amendment → Non-constitutional body, So rationalisation of Salary.
→ can fasten the appointment with right political will.

BR Ambedkar once held that it is not the law, but implementation and intent of law that makes it good or bad. Spirit of 'public centrality' should be followed.

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Q3.

What are civil society organisations? Discuss their role as development partners of government and highlight the concerns associated with their functioning.

Civil Society organisations are non-political groups aimed at achieving objectives of socio-economic interest.

Eg. NGOs, Pressure Groups.

Role as Development Partners of Government

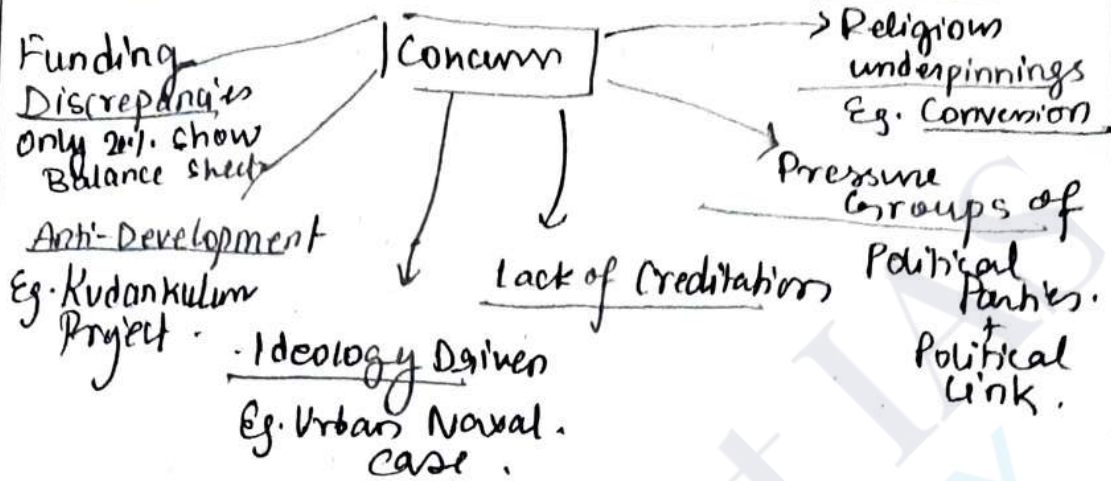
- a) Welfare and development of section of people.
Eg. - NAZ Foundation (LGBT)
- Sambhav (Disabled People)
- b) Fill the Gaps for the vulnerable section.
Eg. Jagori group for women.
- c) Data and Insights. Eg. Centre for Monetary Indian Economy, Pratham's ASER report on Education.
- d) Help in reducing societal/economic inequality.
- e) Awareness, Communication, Education of Schemes Eg. Family Planning, Mission Indradhanush.

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Way Forward

- Policy Framework on Standards of Auditing.
- National CSO Accreditation Council.
- Allow PPP projects in grass root development work. Eg. Mission Shakti, Odisha.
- Deepen democratic spirit by amending the CSO.
Eg. Social Stock Exchange

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Q4. What do you mean by Doctrine of Essentiality. How has Judiciary used this doctrine to address conflict between various Fundamental Rights. Explain with ex.

Doctrine of Essentiality is the principle applied to dissect the issue of religious and non-religious activity w.r.t its centricity to the religion.

With the recent Hijab Verdict by HC, this has come to notice again.

Judiciary has used following way

a) Sabarimala Case — Article 21 over Article 26-30, where Temple Entry was not central to religion.

b) Sikhism — Keeping Kaupan was central to the main religious tenet of it. Hence right to religion / worship, Article 25 prevail.

c) Allow any caste priest to temple — SC.
It's not part of religion.

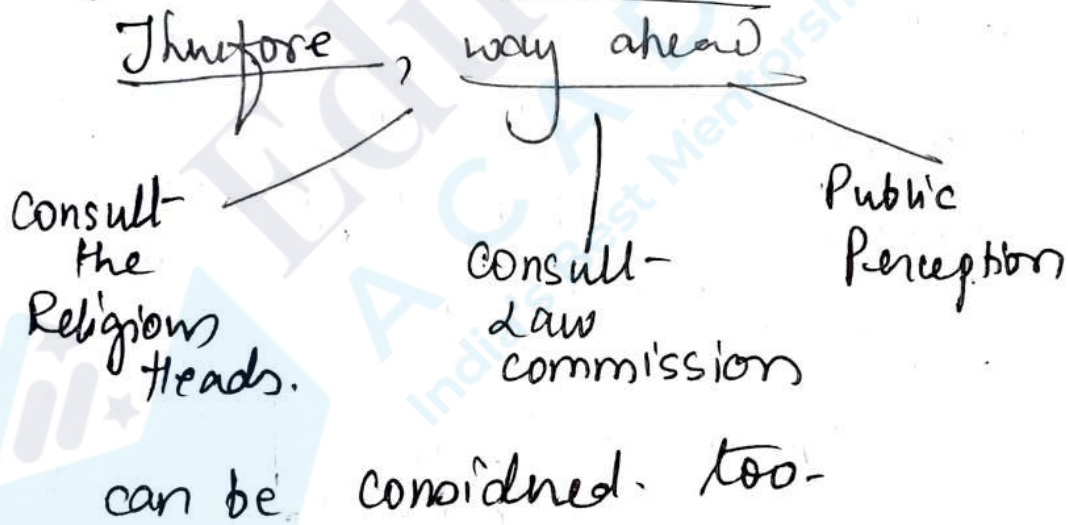
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(d) Jalikattu Verdict — Article 21 preserves
our Cultural rights (art 26).

As not main / essential part of religion.

But recently in Hijab case, SC
held that it would not be
appropriate for judiciary for
determining essential practices of
religion.



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Q5. How Indian Judicial System different from that of USA? Should India move towards a more federal judicial system. Discuss.

Both the system follow an independent and strong judiciary — butwank of the protection of democracy

However, there lies differences:

Indian Judicial System

American Judicial System

- | | |
|---|----------------------------------|
| (i) Appointment by collegium. | (i) Elected Judiciary |
| (ii) Free from political influ | (ii) Political party has a role |
| (iii) Retirement — 62, 65 years (HC, SC). | (iii) Term — 12 years |
| (iv) cannot practice after the term | (iv) can practice after the term |
| (v) More <u>teeth</u> and power to SC | (v) less power. |
| (vi) Integrated Judiciary | (vi) Federal Judiciary |

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Original Jurisdiction is wide.

It is narrow.

Appellate Court of HCs is SC.

Federal Court is the appellate in central laws only.

Indian Judiciary is better served through Integrated Approach rather federal :

(a) Maintains Unity and integration among States.

(b) Federal System, but with Unitary tilt

(c) Appellate system ensures complete justice (Art 142) and prevention of Error of Judgment.

However, we can enhance the retirement age of Judiciary (USA like)

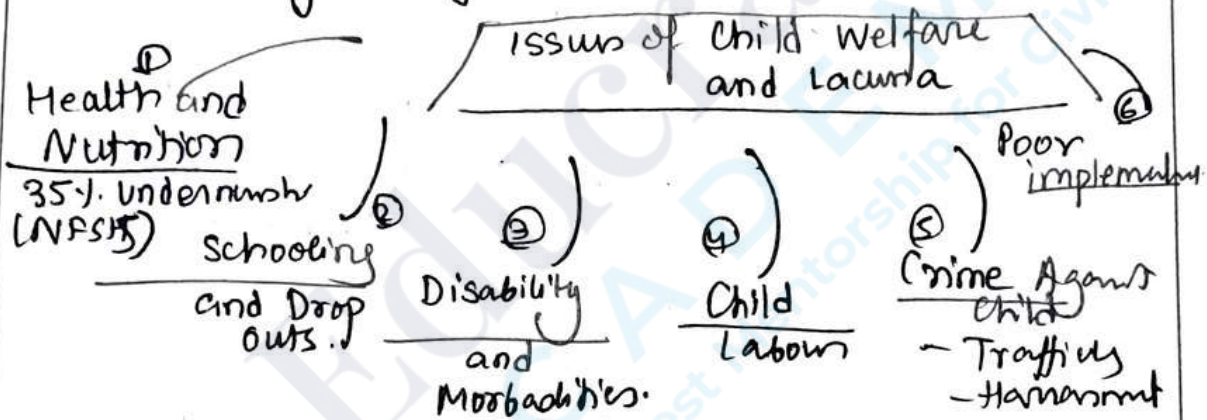
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Q6. Objectives of a welfare government remains incomplete without a progressive ecosystem for Children's Development. Discuss with special emphasis to recently passed Juvenile Justice Amendment Act, 2021

India has the most child population with $1/3$ of its population, close to 43 crore below 18 years of age.



Welfare Schemes for Children and Juvenile Justice System

- a) in JJ Amendment Act → Empower District Magistrate for Adoption
- constitute Child Welfare Committee by States in every district (JJ Act)
- provisions for Child Session Court (JJA Act)
- Ease the Adoption procedure.

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Other Welfare Schemes

- 1) Legislative — POSCO Act
— Right to Education Act
— Prohibition Child Labour Act.
- 2) Schemes — Eklanya School Model for Tribals
— Accessible India for Dignity Children.
— Gramroot schemes — Choo Lo Aasman (Dantewada Chhattisgarh)
- 3) Small Well Being — Manodarepan (Mental Health)
— Beti Bachao Beti Padhao.

With the signing of Hague Convention and UN convention on Child Rights it becomes imperative to address children's welfare.

Their present decides country's future.

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Q7. Judiciary is increasingly becoming a super-legislature that undermines the basic tenets of a parliamentary democracy. Comment.

Judicial intervention in the legislative domain of governance is often termed as Judicial Overreach or Judicial Activism.

Eg: Vishaka Guidelines → POSH Act -
In recent time, such instances have come:

- a) NJAC - In the appointment of Judiciary, undermining the role and spirit of checks and Balance.
 - b) Same Sex Marriage - Parliament is the legitimate source of divinity charge. on Section 377 and Marriage.
 - c) SC's intervention in appointment of Election Commission by a committee.
- Implications
- 1. Fringing on Separation of Powers (Article 51-DISP)
 - 2. Primary Role of People Representation
 - 3. SC not accountable or (RTI)

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BUT, SC's timely intervention in legislative realm is due to :

(A) legislative vacuum.

Eg. ECI, PDSH Act 2013.

(B) laid back attitude of Parliamentarians

Eg. Adani JPC Case.

(C) SC's prime responsibility is to serve the the spirit of Constitution.

Finding the balance and restrain
will work.

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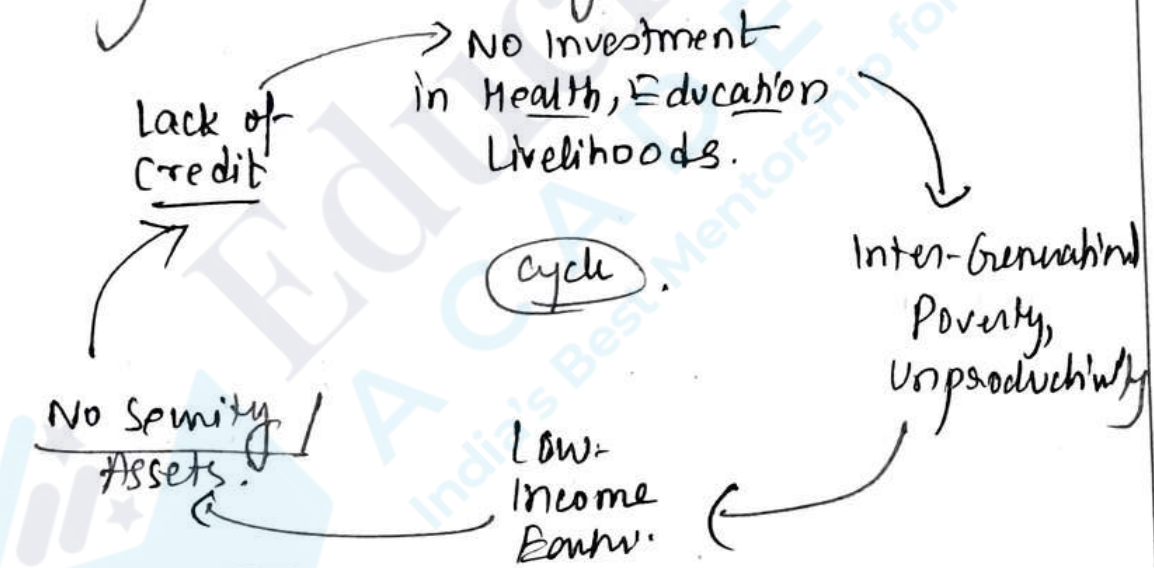
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08. Microfinance is the surest way to break the vicious cycle cycle of poverty and unemployment. Do you agree? Give reasons for your answer.

Microfinance is the finance through short-term, credit with small ticket-size to mostly unorganised sector mostly without security.



Yes it is : Reasons

- 1) Credit with security helps in easy investment.
Eg. Social Entrepreneurship Mode of SEWA.
- 2) Empower to invest in Education, Skills with high ROI.

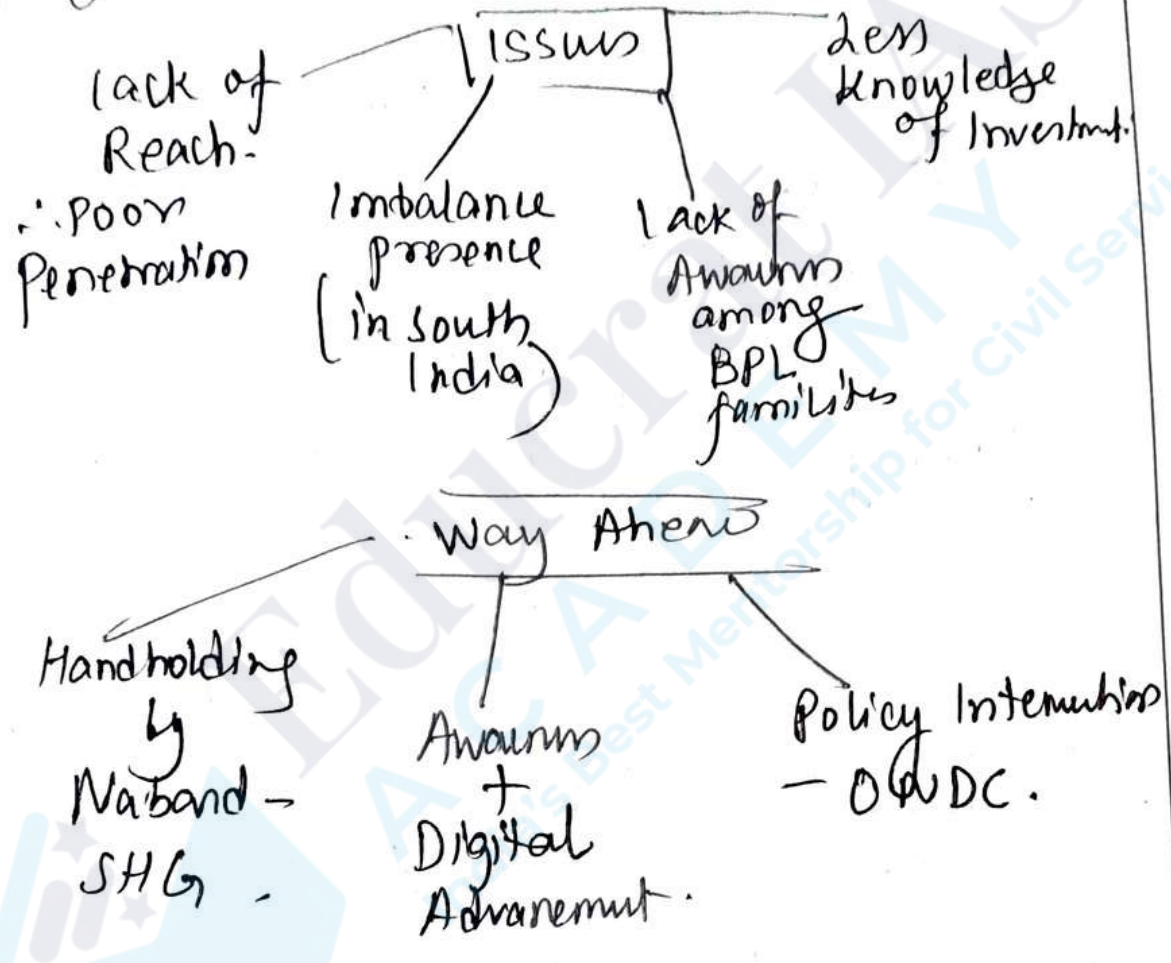
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- 3) Change in asset quality.
- 4) Socio-Economic Improvement in generations



To achieve SDG 1, 2 goals,
Microfinance is a guiding star.

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Q9. India's Balancing Act in the ongoing Ukraine crisis is borne of mature strategic thinking rather than mere necessities. Explain

India's act has been tagged as Strategic Ambivalence. But M.E.A. S. Jaishankar called it Strategic Autonomy

India's Balancing and Strategic thinking.

- 1.) Energy Need - Russia now the highest exporter of oil (80%). India imports from outside.)
- 2.) Balancing West - By welfare to Ukraine and release statements - 'Not the Era of War'
- 3.) Presence in Quad, IPEF - lining with USA.
- 4.) Abstain in UNSC - favouring Russia to counter growing China

- 5) India's Defence Need from Russia -
464. dependent, now diversify
- 6) Counter China with Russia.

The current move of India emphasises on Dialogue, Dissentiation and Diplomacy that favours India's interest as we see this as European issue and result of NATO's eastward expansion,

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10. What do you understand by Non-aligned Movement?
Is India's foreign policy still guided by the principles
of non-alignment? Justify.

Non-alignment Movement was a result of cold war era strategy where third world countries opted to neither join USA or Soviet block and maintain Independent foreign policy.

India's FP Guided by NAM 2.0 :

a) India's Strategic Autonomy and
balance of power USA and Russia countries.

b) Principle of Panchsheel and Support
Non-aggression viz-a-viz - China.

c) MEA Jaishankar said we follow now
Multialignment (in his book India Way)
as we now look East, West
i.e. more engagement

d) India's silence is not moral silence but
Strategic silence based on National Interest.

Foreign Policy depends on host of factors :-

- (a) Past considerations
- (b) Global Order.
- (c) Ruling Party Ideology.
- (d) Current Economic Realities etc.

Given India's \$ trillion economy pathway and 5th largest economy, we're now more engaged in the world affairs than non-aligned, albeit following strategic

distance

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11. Examine the role of Finance Commission in maintaining the fiscal equilibrium in the country. Also, compare the recommendation of 15th FC with its predecessor and implications of its recommendations.

Finance Commission is constituted by the President on per Article 280 every five years to decide the devolution of funds between Centre and States and other fiscal principles.

Role of Finance Commission in Maintaining Fiscal Equilibrium

- (i) keep the target of Fiscal Deficit - 14th FC 3.5%, 15 FC @ 4.5 of GDP.
- (ii) maintain equal and balanced distribution of fund \rightarrow checking skewed fiscal expenditure
- (iii) Suggesting fiscal council by NK Singh (14th FC) for independent assessment and control
- (iv) maintain propriety, wisdom of finance stimulus and incentives to States.

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14th Finance
Commission

15th FC.

(i) Devolution of fund
at 42%.

(i) 21% to States
1% for JK.

(ii) Area wise fund allocation
to municipalities.

(ii) Performance based
devolution of fund.

(iii) Parameters include

Forest Income Distance Population Area

(iii) Additional factor
of Tax Effect (2.5%)
and Demographic
Performance (12.5%)

(iv) Fiscal deficit Target
for States at 3.5%.

(iv) It is 4.5% for
States (after COVID)

(v) Emphasis on
Fiscal Council

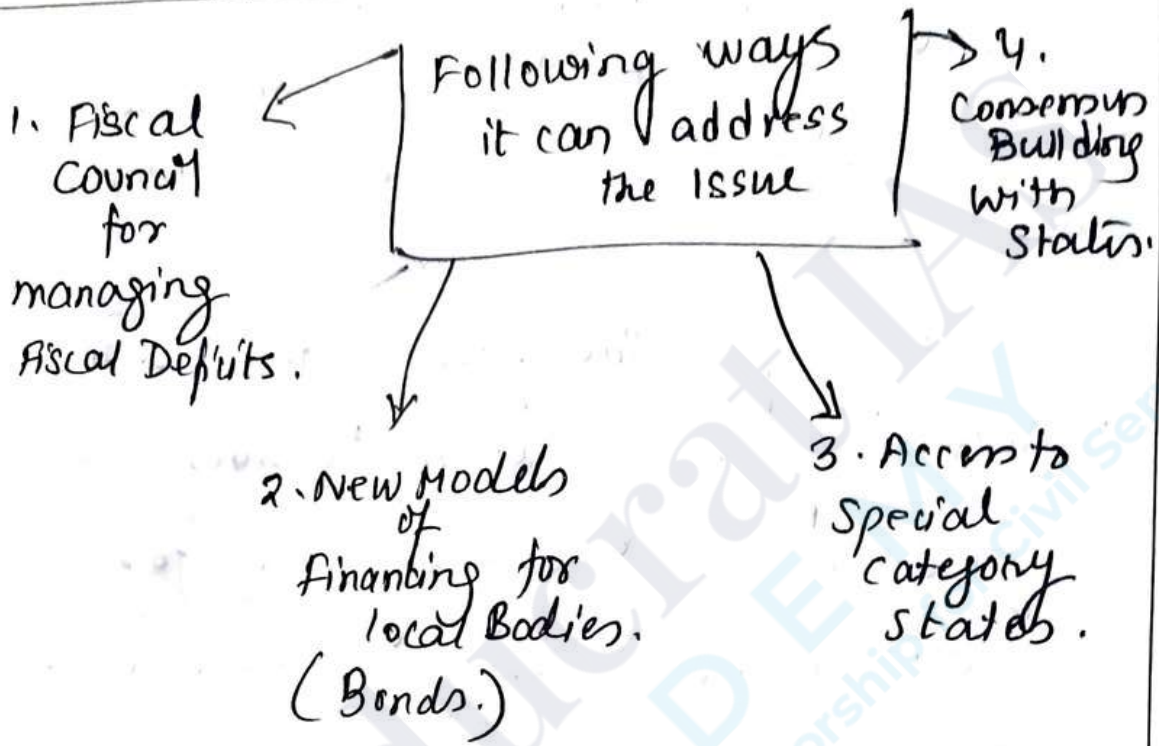
(v) Not mentioned in
FC.

With the trajectory is upto 2025, 15th
Finance Commission should meet the
targets of the growing economy.

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Thus, it should evoke the spirit of 'Cooperative federalism' and 'Fiscal Health'

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Q12.

What do you understand by First past the Post System. Why was FPPS preferred over Proportional Representation for elections to Lok Sabha / Vidhan Sabha.

First past the post system is the procedure of voting which considers the single largest vote (majority vote) for determining the success of candidature on a seat.

Eg. India's Assembly Elections.

Differences between FPPS and Proportional Rep.

FPPS	PR.
(i) Majority Vote (\$	(i) Proportional votes.
(ii) Candidate Specific.	(ii) Party Preference Specific.
(iii) Minority votes not considered.	(iii) Minority votes considered.

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Reason, it was selected for Lok Sabha :

- (i) Easy to understand by mass voters of India even from rural India i.e. clarity of options.
- (ii) Easy to calculate the success of candidate through ballot calculation.
- (iii) Stems the growth of extremist parties.
- (iv) Stable government with majority of votes.
- (v) Establishes Constituency Responsibility by the candidate.
- (vi) Truly representative of people's choice of person and not party.
- (vii) Time allotted to it is less than PR.

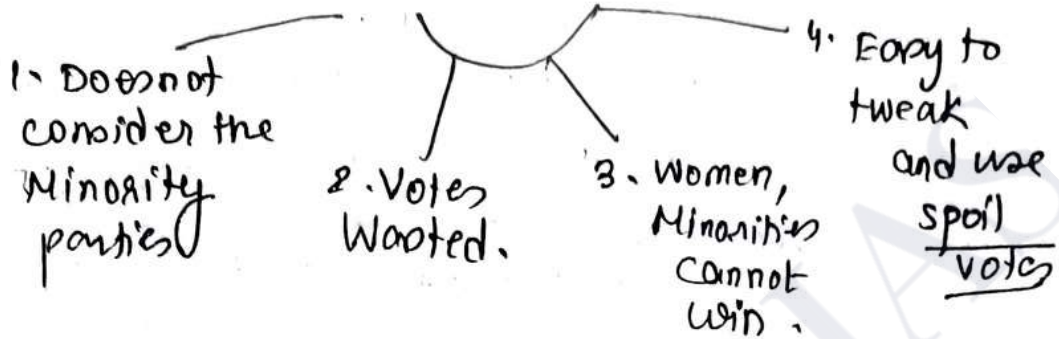
However, there are certain concerns as well : —

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way forward

- (i) May consider Mixed Representation (Germany) where votes dif division is close enough (46% vs. 44%)
- (ii) Take a new public survey and seek readiness of the public.

FPPS is suited to Indian psych and it should focus to deepen the spirit of representative power of democracy

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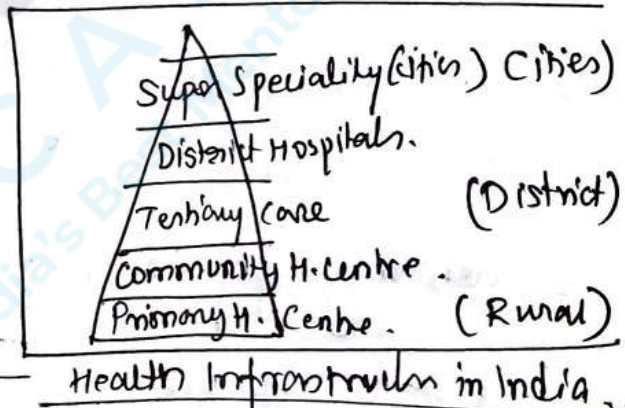
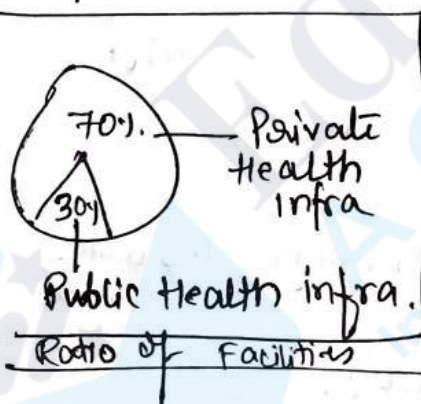
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Q13 Compromised Health Infrastructure has led to a situation where the marginalised are 'one illness away' from falling into poverty. Highlight the issues with country's health infrastructure, giving a suitable framework for reforms.

India's Health expenditure ~~is~~ has remain dismal in range of 1-2.5% of GDP and other issues like COVID, malnutrition further puts burden on Health Infrastructure.



1. Lack of Fund (2% of GDP)

2. Out of Pocket Exp. very high - 67%

ISSUES of Health Infrastructure

3. Coverage of Insurance is very less. 1-2% penetration.

4. Lack of Research, Equipment, Speciality Hospitals.

5. Dominance of Pvt. Sector (70%)

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Impact on Health

- a) Mortality Rates and Malnutrition correlated prevalent in tribal and rural areas (NFHS-5).
- b) Burden of costly health facilities.
- c) Growing non-communicable diseases
Eg. 7.5% Cancer, 10% Diabetes, 13% Obesity.
- d) Not access to early Diagnosis and Prevention.
- e) Growing population & burden (1.3 billion).
- f) Risk of diseases (COVID).

Way Ahead

1. Invest in Ground level infrastructure
PHCS, Community Centers
Eg. Mohalla Clinic
2. Invest in Digital Infrastructure
Eg. Ayushman Bharat Digital.

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(3) Save the cost of patients through insurance

(4) Foster up research, vaccination and preventive care.

Schemes like Ayushman Bharat, E-Sanjeevani, Primary Health Care facilities, Mobile Clinics, Ayush etc are good steps in the direction.

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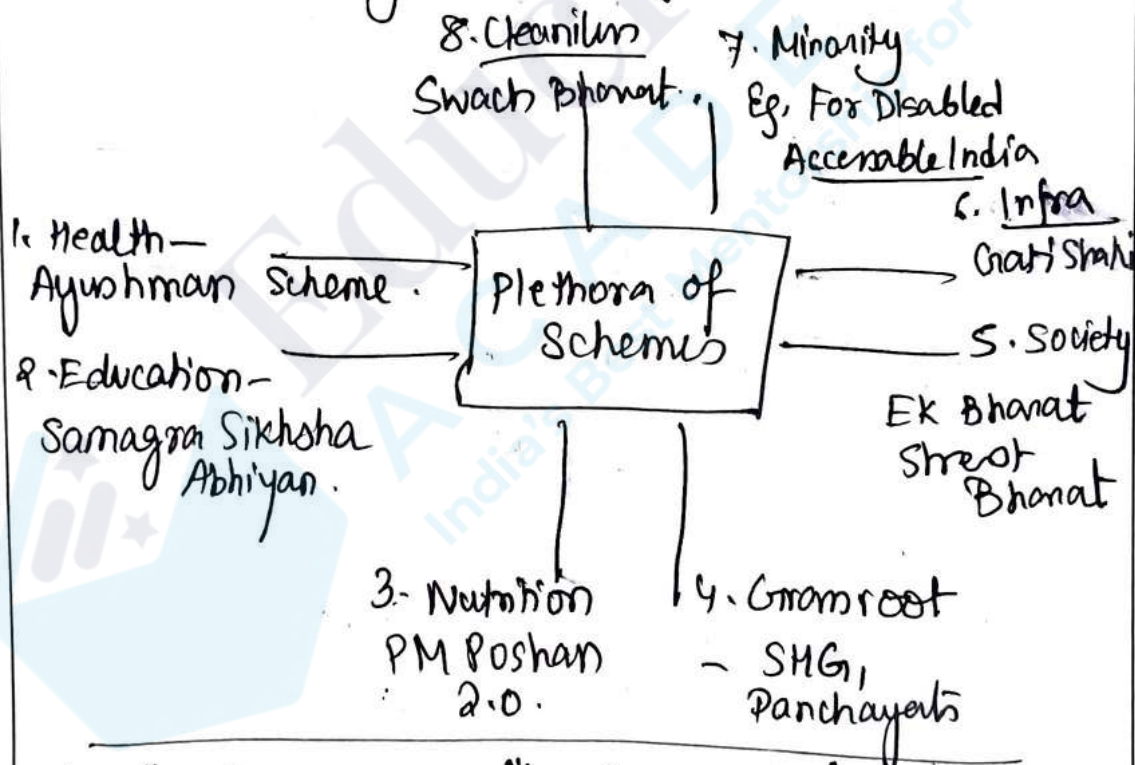
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Q14.

Despite the presence of plethora of developmental schemes, India lags behind in creating prosperous society, is it a design issue or implementation bottleneck? What suggestions would you make to improve the performance of developmental schemes.

Growth is precursor of development, and together they decide the prosperity and well being of society.



In spite the issues like these remain

- 1.) World's top polluting countries is India, Delhi, Mumbai in top 20.
- 2.) High Dropout Ratio and low enrollment

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with below any numerical and literary

3) Skill - 4/5 of engineers do not match market skills.

4) 50% women anaemic, 35% children malnourished.

5) Zero-Food, Hunger - 18% ~~the~~ infant had no food in 24 ^{hours} in NFHS-5 survey & time.

More than design ~~is~~, it is implementation issue due to:—

(a) Silo Based Approach.

(b) Bureaucratic Hurdle.

(c) Lack of Standards and coordination among States (Eg. One Nation One Ration)

(d) Lack of political will (Centre vs. State clash)

(e) Models of Data Driven policies still in line.

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Suggestions

(i) Multimodal, Multi-stakeholder Approach.

Eg. GATI Shakti syncing 13 ministries.

(ii) Digitally Enabled programs.

Eg. DBT, E-Rupi, E-NAM, GEMS portal

(iii) Data Driven and Bottom up.

Planning — Eg. Models of Niti Aagay.

(iv) More autonomy and checks and balance

(v) Grievance Redressal to be improved.

Eg. RBI's ombudsman is a success can be applied in govt. schemes.

(vi) Auditing — Eg. Social Audit of MGNREGS

Thus, will and implementation are keys in drawing success.

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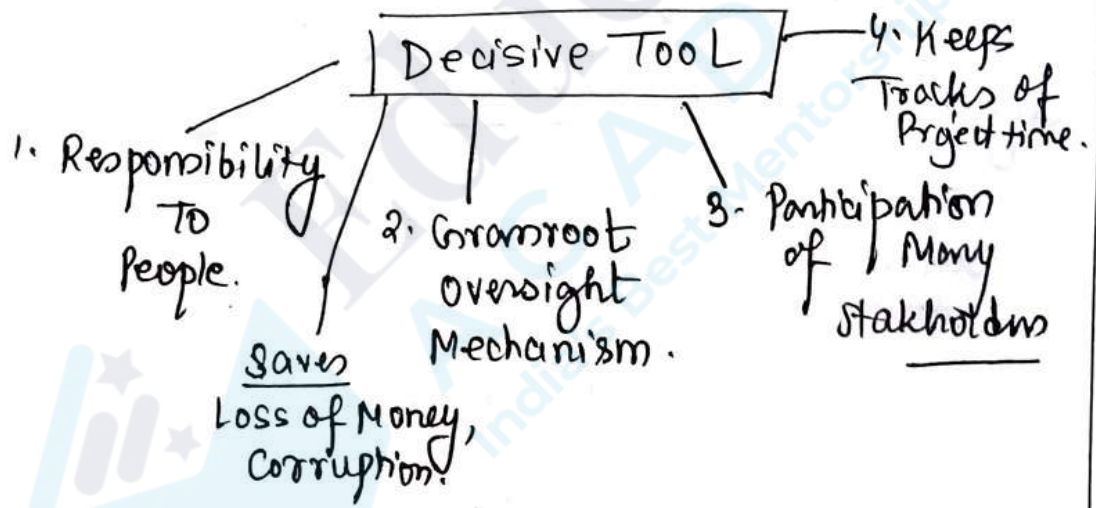
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Q15.

Social Audit is a decisive tool to make government programmes responsive to people's aspirations. Examine the status of social audit in India. In what ways social audit can be made more efficient.

Social Audit refers to democratisation of auditing procedure so that checks and balance of implementation of schemes can be participated by social stakeholders like NGOs, CSOs, people (voters) etc.



Status in India

a) Study shows MGNREGA's social audit to be success with more transparency and fair allotment and

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execution of work -

2) State, Region Specific models like one followed in Meghalaya is successful for improving Community Trust, Cohesion, Ground work.

3) Social Audit used in Panchayat work (Odisha, Kerala) empower the vulnerable's rights - women, tribal

Suggestions

1) design a multi stakeholder model.

Eg:- Asha, ANM, Aanganwadis on health.

2) Use of Technology - use of Gadgets, Tablets.

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3.) Make a standard model to be replicated and ease in comparison.

4.) Show the best practices over a common portal.

Social Audit ensures Jan-
Bhagidari and evolu Sabka
Prayan for Sabka Vikas.

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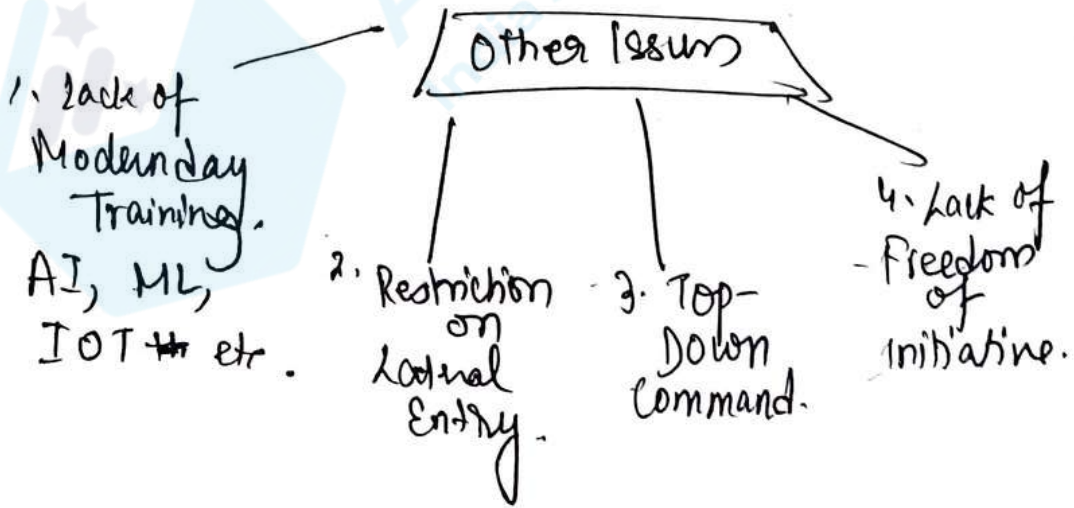
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Q16. An archaic and obsolete edifice of civil services does not augur well for a welfare state. Examine the various issues surrounding the civil services in the country. What suggestions would you make for their reform?

Civil Services is the iron framework of the administration in India.

Archaic and Obsolete Edifice

- a) Bureaucratic and full of procedures of British Era
- b) Following Archaic Laws of 1860
- c) Rigid official Hierarchy.



5. As a tool of Political
Clash.

(All India Service).

6. Ethical
and
issuues of
Corruption

7. Nexus
with
Politicians
(Vohra
Committee).

Suggestions

a) Modern day training on newer challenges like cyber attacks, epidemic etc.

b) Lifelong Training and learning. Eg. -
I-GOT, Mission Karmayogi

c) Integrate cadre relations and share of best practices.

d) Use of HRM and Performance Appraisal for checks and accountability (Hoota Committee).

e) Focus on Ethical Dilemmas and free them from political interference. Eg, SC's Prakash Singh Case.

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1f) Making the Bureaucratic Hurdle
into corporati like solutions

② Lean Management, - Kaizen etc.

1g) Keep the redrenal and whistleblowing
mechanism strong.

Therefore, a need to shift from
'Rule' based archaic style to 'Role'
based modern aspect is felt.

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Q17 The Representation of People Act, bedrock of free and fair elections in the country, has failed to keep pace with contemporary challenges. Highlight the shortcomings in the legislation, suggest reforms to make it more effective

The Representation of People (RPA) Act ensure the free and fair elections and uphold the spirit of democracy

However, in recent time following challenges can be addressed

a) Provision of Exit Polls — It does not mention opinion polls and polls on social media and internet is allowed.

(b) Provision of Election Bonds / Funds disables accountability of parties.
• Below ₹1000 not accounted -

(c) ECI Role in Political Parties — It cannot de-recognize a party.

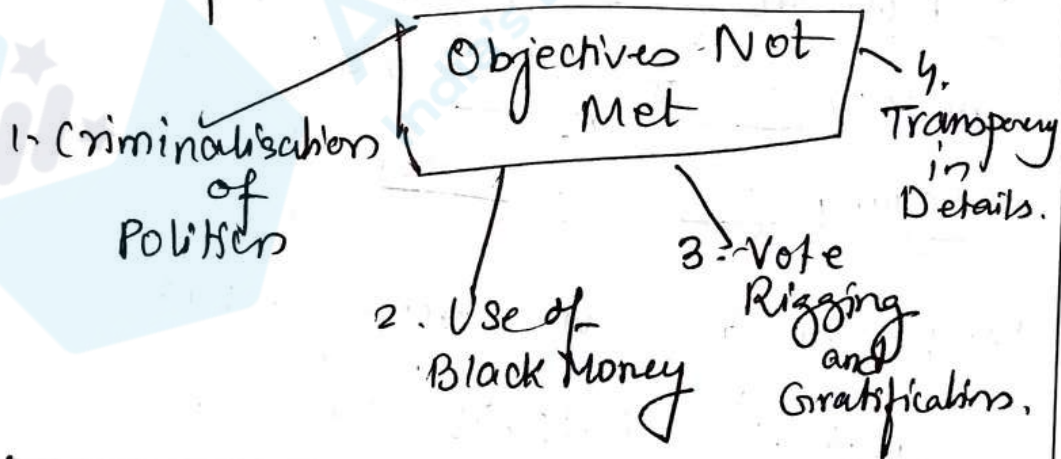
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(b) section 8(4) struck down can be reversed - used as tool for political vendetta in defamation case.

(c) Disqualification provisions of section 8 does not cater to modern day issues of spreading fake news, also not consider FIRs against MPs, MLAs.

h) Provision on lack of implementation and punishment not clear.



Reforms :

i) Incorporate usage of social media for MCC rules.

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- 2.) More power and autonomy to ECI on political parties.
- 3.) Disqualification Norms should allow 1 month of grace period of appeal to court (Section 8 of RPA. Vs. Lily Thomas)
- 4.) Consider the provisions of religious hatred, enmity spread with more rigorous consequences.

Election is a festival of democracy and RPA should ensure it meets the issues of time and improve the image of Politicians and Elections in India.

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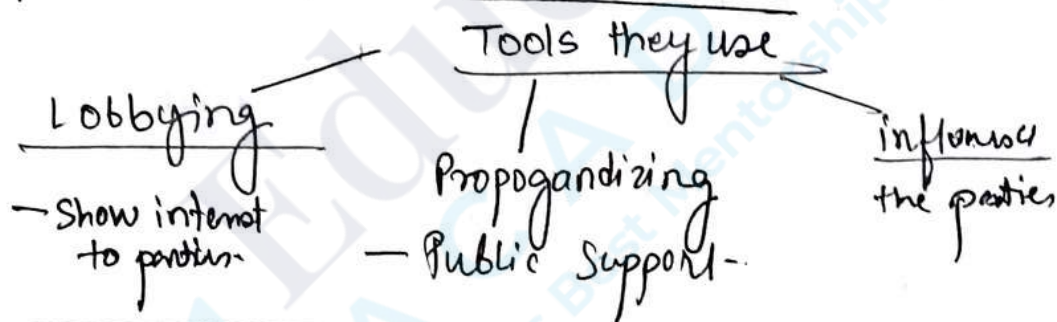
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Q18. What are pressure groups? Evaluate their role in public policy formulation with special reference to farmers organisations and trade unions.

Pressure groups are the non-formal and non-governmental groups addressing the concerns and interests of the specific groups with a due influence on political parties.



Role in Policy Formation

- a) Make a public perception and change the political stance Eg. Protest by Farmers by - All India Kisan Sabha.
- b) Influence in making laws - MKSS's effort in RTI Act 2005 (Mazdoor Union)

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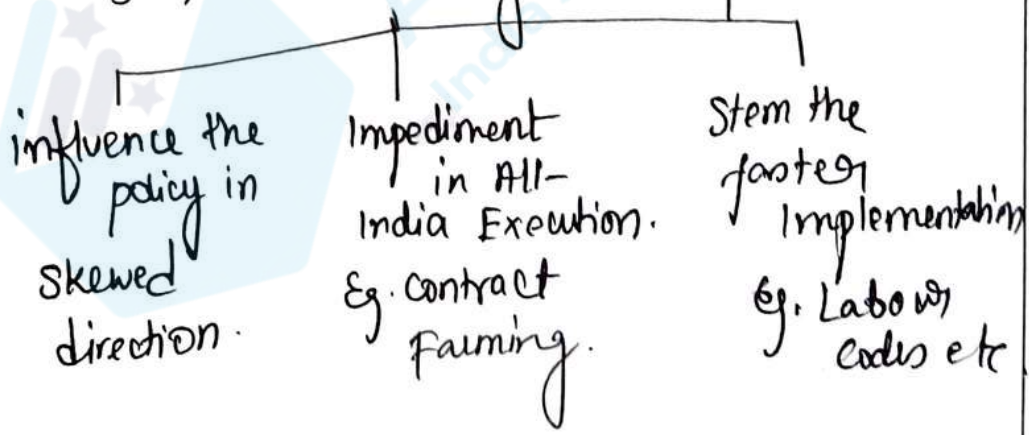
(c) change in policies and Rules i.e labour codes, Factory Act 1948 changes by All India Trade Union Congress.

(d) Represent the concern of the members and aid in representing views outside parliament

→ Farmer's demand on subsidy (FPOs group)

(e) Aid in addressing the status of Environment like water, soil by the reporting ground concern.

Still, issues may also persist i.e.

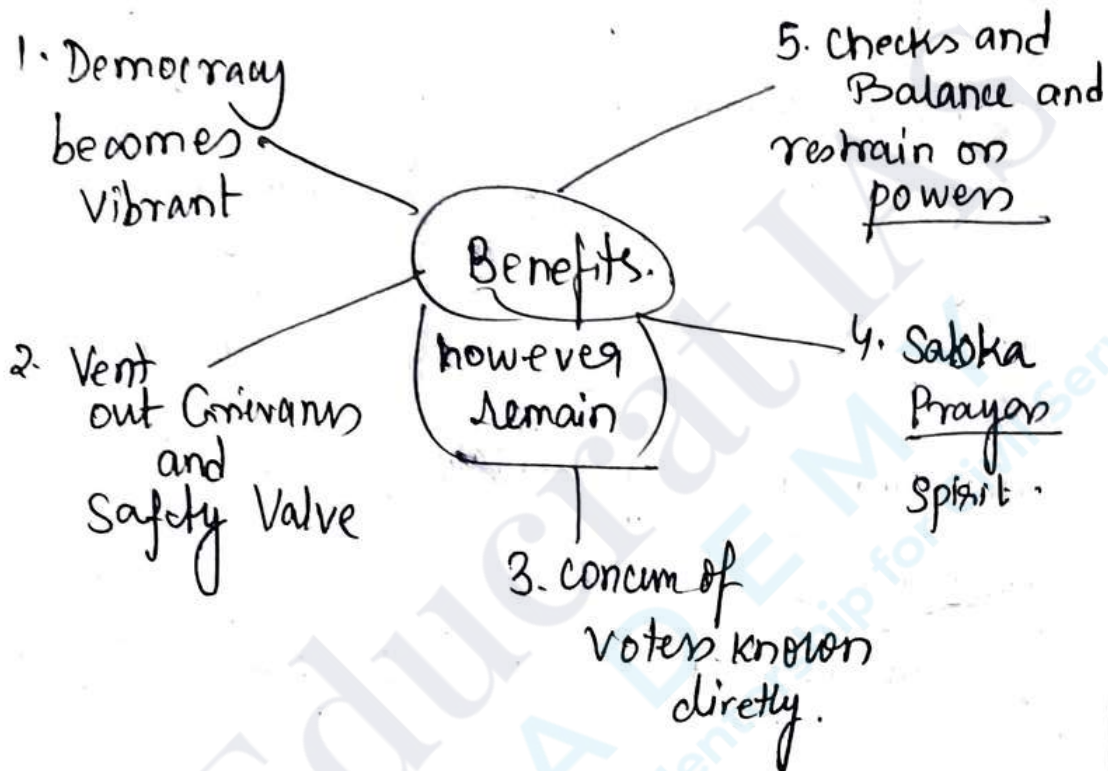


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Q19. As a sub-regional grouping, BIMSTEC provides a confluence of Act East and neighbourhood first policy. Analyze the importance of BIMSTEC and evaluate its position vis-a-vis SAARC

BIMSTEC is a multisectoral Technical and Economic cooperation of countries in Bay of Bengal Region formed in 1997 after Dhaka Declaration.

Population - 1.7 Billion	<u>South Asia</u> India, Bangladesh Nepal, Bhutan Sri Lanka	<u>S. East Asia</u> Thailand Myanmar.
Economy - \$4.4 trillion		
Growth Rate - 6-7%		

BIMSTEC is a sub regional grouping catering to three regions:

- (a) Himalayan
- (b) Bay of Bengal
- (c) Mekong

Importance

a) confluence of Act East and Neighbourhood Policy of India - It is a gateway to South East Asian Countries through gates of Neighbours Eg. Doorway to ASEAN.

b) Geo-strategic Grouping without China's presence and used to contain China

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i.e Policy on Malacca Strait and security of sea lane of communication

(iii) Trade and Economy - With opportunity of BIMSTEC FTA, more integration can be done

(iv) Sectoral Growth in Fishing (\$4 Billion Market) Blue Economy (Corals, Tourism, Sea Weed) Environment & Disaster (Mangrove Cultivation)

v) Security Infrastructure Development

Eg. Kaladan Multimodal Project

Kolkata to Bangkok highway,

Connect with N-E India (Corridors via Bangladesh)

Comparison with SAARC

BIMSTEC

1. Sectoral Initiative
2. Consensus, Summit Based.

SAARC

1. Regional Grouping
2. Veto powers to countries

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4. Less Hostilities among members.

5. cater to Act East Policy of India.

3. Hostilities by Pakistan, Afghanistan (Taliban) -

4. Does not address neighbourhood issues or Look West

ISSUES at BIMSTEC

1. Growing Tensions
Eg. Myanmar Coup.
Sri Lanka Crisis.

3. Lesser integration of market.

2. Growing China debt Influence.

4. India's Dominance on Economy.

5. Low People to People Ties.

Way forward -

(i) ASEAN Minus formula for consensus
Eg. BBIN project stalled.

(ii) People to people links.

(iii) Enable Digital products, currency swaps
Eg. UPI, ONDC, Aadhar etc.

Hence, more Trust than Trade is Solution.

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Q20 India-US relationship is a strategic partnership based on convergence of interests and shared value, a partnership, mature enough to accommodate divergence in worldview of both countries. Discuss.

India-US relation has grown out of the past 'hesitations of history' and reaching new heights in recently concluded slew of deals with the visit of Indian PM to USA.

India is US's strategic partner and a 'Natural Ally' (Atal Ji) and share a plethora of strategic interests:

(i) Defense — Signing of Grenal Engine F414 for India's HAL — light combat aircrafts and US Navy repairs in Indian coasts — marks the end of denial of technology transfer to India

(ii) Trade — India's largest partner is USA with \$191 billion and trade surplus, Air India's Boeing orders will make

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- (i) 1 million Jobs in 44 USA States (President)
- (ii) Critical Technologies - Investment by Microm \$ 2.75 billion in semiconductor, ICB, MSP - India's participation
- (iv) Geo-Strategic Vision - Priority of USA is clear i.e. 'Indo Pacific' (held in Shangri La Dialogue), India's aim same. Contain Aggressive China and build mutual capacities.
- (v) People to People - Indian Diaspora, India's soft power and USA's need of Indian Technopreneurs (Sunder Pichai) etc.
- (vi) Technology - Friendshoring and China plus strategy of USA Investors. Eg. Apple, Tesla
- (vii) Climate Change - Signed Strategic Clean Energy Partnership (SCEP).
- (viii) (Divergences to be seen) —

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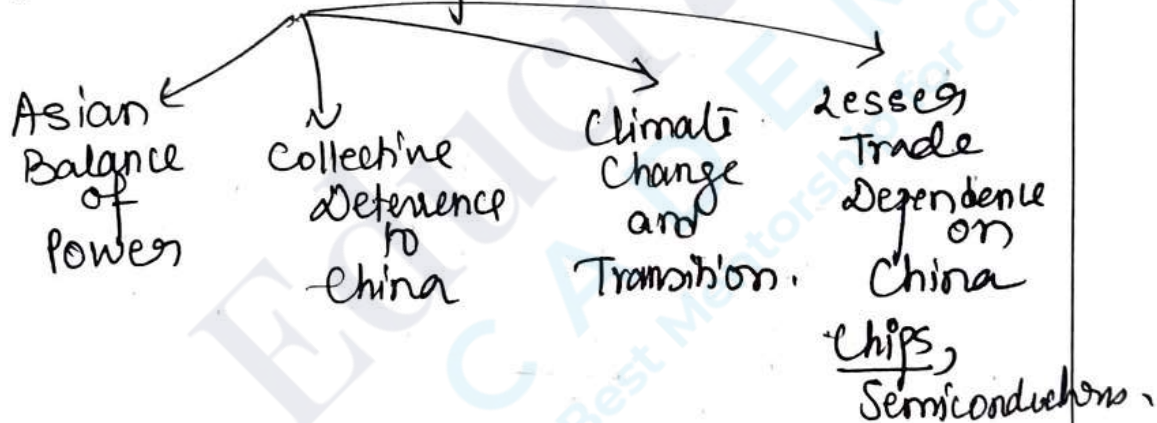
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- (i) Trade Disputes in WTO
- (ii) Tariffs and IPR issues.
- (iii) India's stand on Russia-Ukraine Crisis
- (iv) Relation with USA's adversaries like Venezuela, Iran, Russia Import.
- (v) USA's Pakistan support.

Above trade can be handled with broader objectives of their vision



The new AI (America-India) has opened new chapter of converging interests