

## HPAS- POLITY, GOVERNANCE AND INTERNATIONAL RELATIONS

Q1. What is the new Indian citizenship act 2016 ?

- The Bill amends the Citizenship Act, 1955 to make illegal migrants who are Hindus, Sikhs, Buddhists, Jains, Parsis and Christians from Afghanistan, Bangladesh and Pakistan, eligible for citizenship.
- Under the Act, one of the requirements for citizenship by naturalisation is that the applicant must have resided in India during the last 12 months, and for 11 of the previous 14 years. The Bill relaxes this 11 year requirement to six years for persons belonging to the same six religions and three countries.
- The Bill provides that the registration of Overseas Citizen of India (OCI) cardholders may be cancelled if they violate any law.

### Key Issues and Analysis

- The Bill makes illegal migrants eligible for citizenship on the basis of religion. This may violate Article 14 of the Constitution which guarantees right to equality.
- The Bill allows cancellation of OCI registration for violation of any law. This is a wide ground that may cover a range of violations, including minor offences (eg. parking in a no parking zone).

Q2. write a short note over the parliamentary form of govt. in india ?

### Parliamentary System in India

The democratic system of government can be divided into the parliamentary and the presidential system based on the relationship between the executive and the legislature. In a parliamentary system, executive is a part of legislature, which implements the law and plays an active role in framing it as well.

**In a parliamentary system, the head of the state may be a monarch or a president**, but both of these positions are ceremonial. The head of the government, who is generally called as the Prime Minister, is the real head. Thus, all the real executive powers are vested in the Prime Minister.

The parliamentary government is also called as the Cabinet government due to concentration of executive powers in the cabinet

**1.Nominal and Real Head:** The head of the state holds a ceremonial position and is the nominal executive. For example, the President.

**2.** In India, the head of government is the Prime Minister who is the real executive. Article 75 of the Indian constitution provides for a Prime Minister to be appointed by the president. According to Article 74, the Prime Minister headed council of ministers would aid and advise the President in the exercise of his functions.

**3. Executive is a Part of Legislature:** The Executive forms a part of the legislature. In India, the person should be a member of parliament to become a member of the executive. However, the constitution provides that a person can be appointed as a minister for a period of not more than six consecutive months if he is not a member of the parliament, after which the person ceases to be a minister.

**4. Majority Party Rule:** The party which wins majority seats in the elections of the Lower House forms the government. In India, the President invites the leader of the majority party in Lok Sabha to form the government. The President appoints the leader as the Prime Minister and the other ministers are appointed by the President on the advice of the Prime Minister. The President may invite a coalition of parties to form the government, in case, no party has got majority.

**5. Collective Responsibility:** The council of ministers are collectively responsible to the parliament. The lower house of parliament has an ability to dismiss a government by getting the no confidence motion passed in the house. In India, the government survives till the time it enjoys support of the majority of members in the Lok Sabha. Thus, Lok Sabha is empowered to introduce no-confidence motion against the government.

Q 3. What is the geopolitical vitality of laddakh region for india ?

The Ladakh region has held great geostrategic importance down history. Yet, it has received stepmotherly treatment from the now-suspended Jammu & Kashmir government, despite occupying some 60% of the erstwhile state's geographical area.

The passes of Ladakh connect Central Asia, South Asia and China, and the region is cut off from the rest of India for six months during winter.

The tribes here have limited means of livelihood, poor roads, impossible telecom and internet connectivity, undeveloped markets for their produce and low employment opportunities. The proximity of the India-Pakistan-China border, and the ubiquitous presence of Indian Army and paramilitary forces, underlines not only Ladakh's strategic sensitivity, but also its people's vulnerability.

Hopefully, with the Modi government revoking J&K's special status and making Ladakh a separate Union territory (UT), this historic and continuing wrong will now be corrected.

Tribes constitute 90% of the population of Ladakh — made up of the districts of Leh and Kargil. Gujjars, Bakarwals, Bots, Changpas, Baltis and Purigpas have played an important role in various wars that have been fought, and have been displaced and disturbed by border tensions. Within J&K's budget, Ladakh usually got the short shrift. Fund transfer was usually delayed — by which time, the construction season was over. Devolution of tribal development funds (TDPs) was based primarily on population, and didn't take into consideration area and geographical spread, relative inaccessibility, relative backwardness, and the presence and demography of nomadic tribes. As a result, development of this region has been generally neglected.

.. Ladakh's terrain is essentially inhospitable to agriculture and has been badly neglected by government agencies. In the apricot cluster of Kargil — which accounts for about half of J&K's total apricot plantation — the crop has been annually afflicted by the codling moth for a decade. No solution for this blight has been sought yet.

Q4. how the regional politics of india curbs the democratic growth of india ?

**India has a multi-party system. It is estimated that over 2100 registered political parties have appeared in India since the Independence. Now, only six national political parties and 30 regional political parties are active in both Central and state politics. Earlier the regional parties were unable to play major role at the Centre due to the dominance of Congress Party. But of late, the emergence of regional parties have posed the most powerful challenge to India's 'One Party Dominant System'. Since 1967, the regional parties are emerging with greater political appeal to control most of the state politics. They emerged as a powerful force and played vital role in the formulation of governments at the Centre.**

**The presence of a number of ethnic, cultural, linguistic, religious and caste groups within the Indian society is greatly responsible for the origin and growth of regional parties. Though the regional parties operate within limited areas and pursue only limited objectives, they have played significant role both in the state as well as in the national politics. These parties have formed government in several states and tried to implement their policies and programmes. Some of the regional parties are also partners in the coalition government at the Centre. In the eighth Lok Sabha Elections (1984), the Telgu Desam, a regional party of Andhra Pradesh, emerged as the main opposition party.**

**Presently, no single party is able to form government at the Centre. That confirms that the era of a single party rule has ended and a new phase of multi-party coalitions has set in. The regional parties have made a strong impact on the nature of Centre-State relations in India. They now, strongly uphold the cause of Indian unity and integrity along with upholding their respective regional interests. They have also focused the attention of the people in remote areas on various political and economic issues and contributed to political awakening.**

Gone are the days when regionalism used to be viewed as a negation of nationalism or nation building. The regional parties have provided a new dimension to the process of national integration and nation building. Regionalism has lost its aggressive form due to the positive role of regional political parties. The leaders of regional parties have started playing an active and even deterministic role in the organisation of the Central government. Since 1996, twenty three regional parties have been sharing power at the national level. Their outlook now appears to be changing from confrontationalist and conflictual orientation to a tendency of co-operative bargaining in respect of Centre-state relations.

Further, in this new era of coalition politics, regional parties have emerged as active actors in the Indian political system. The new scenario in which coalition politics has come to emerge as a reality of Indian politics since 1996, has brought home the fact that the national parties must join hands with regional parties to strengthen their role and position in the Indian political system. Even the Congress has now realised and accepted the necessity of forging alliances with the regional parties, with the result that it was able to form coalition governments at the Centre with the help of regional parties in 2004 and 2009.

A coalition government means the coming together of more than one political party or group on the basis of common understanding or agenda. Coalition governments have a framework within which all the parties function. This is because no major party seems to be getting any decisive vote after a general election. In the post-independence period, the first coalition government came to power in the Kerala state. At the Centre, the first non-Congress coalition government came to power in 1977. This coalition was a collective of the non-Congress parties and forces opposed to Indira Gandhi's party, that is Congress (I).

Coalition government suffers from some major pitfalls. It finds difficulty in solving major problems because major problems require agreement and support of various coalition partners. Also, in day to day working of the government and administration, different party leaders and critics bring in objections and difficulties. They often oppose and obstruct the process of decision making and the conduct of decision implementation. As a result, the government finds it difficult to work smoothly. In a coalition politics, adjustment is required at the national, state and local level wherein stability and governance are both important to maintain the strength of political system.

After emergence of regional parties and coalition politics, Centre-State relation has been a cause of tension. Since the days of inauguration of the Constitution, the relations were smooth primarily because they operated largely under the umbrella of one party dominance, both at the Centre and in the states. But since 1967, the interpretation of the various Articles in the Constitution connected with the federal system, and the way they are looked upon by various actors and parties in these areas, have created irritants in the Centre-State relations.

The most serious situation is that non-ruling parties at the Centre and state, in various conventions and resolutions, have come out with demands seeking not only changes in Centre-State relations but in a way calling for the dilution of the very concept of the federalism itself. Financial problems in the Centre-State relations are the main focus of attention. In Indian politics, the national parties are on the decline and are being relegated to the background as regional parties are gaining strength. The phenomenon of growing regional tensions in the Indian society is one of the most conspicuous developments in the political culture of this country.

Q5. Elaborate the basic structure of Indian constitution ?

Introduction

The debate on the 'basic structure' of the Constitution, lying dormant in the archives of India's constitutional history during the last decade of the 20th century, has reappeared in the public realm. While setting up the National Commission to Review the Working of the Constitution (the Commission), the National Democratic Alliance government (formed by a coalition of 24 national and regional level parties) stated that the basic structure of the Constitution would not be tampered with. Justice M.N. Venkatachaliah, Chairman of the Commission, has emphasised on several occasions that an inquiry into the basic structure of the Constitution lay beyond the scope of the Commission's work.

Several political parties -- notably the Congress (I) and the two Communist parties which are in the opposition -- have made it clear that the review exercise was the government's ploy to seek legitimacy for its design to adopt radical constitutional reforms thus destroying the basic structure of the document.

Much of the public debate has been a victim of partial amnesia as even literate circles of urban India are unsure of the ramifications of this concept, which was hotly debated during the 1970s and 1980s. The following discussion is an attempt to chart the waters of that period rendered turbulent by the power struggle between the legislative and the judicial arms of the State.

According to the Constitution, Parliament and the state legislatures in India have the power to make laws within their respective jurisdictions. This power is not absolute in nature. The Constitution vests in the judiciary, the power to adjudicate upon the constitutional validity of all laws. If a law made by Parliament or the state legislatures violates any provision of the Constitution, the Supreme Court has the power to declare such a law invalid or ultra vires. This check notwithstanding, the founding fathers wanted the Constitution to be an adaptable document rather than a rigid framework for governance. Hence Parliament was invested with the power to amend the Constitution. Article 368 of the Constitution gives the impression that Parliament's amending powers are absolute and encompass all parts of the document.

But the Supreme Court has acted as a brake to the legislative enthusiasm of Parliament ever since independence. With the intention of preserving the original ideals envisioned by the constitution-makers, the apex court pronounced that Parliament could not distort, damage or alter the basic features of the Constitution under the pretext of amending it. The phrase 'basic structure' itself cannot be found in the Constitution. The Supreme Court recognised this concept for the first time in the historic Kesavananda Bharati case in 1973.[1] Ever since the Supreme Court has been the interpreter of the Constitution and the arbiter of all amendments made by Parliament.

Q6. What is Sir Creek Issue ?

Sir Creek {local name Baan G Sir Creek {local name Baan Ganga} is a 96 kilometres long estuary in the marshes of the Rann of Kutch where Arabian Sea joins the land mass. It's basically a fluctuating tidal channel, not truly a flowing creek. It currently lies on the border of India's Gujarat and Pakistan's Sindh province. In marshy areas like the Rann, landmasses emerge and slip back into water. The joint survey held by India and Pakistan held in 2007 claimed between the Sindh province of Pakistan and Gujarat state of India in the Rann of Kutch. Pakistan claims the whole water stream till India's land borders whereas India contends that the issue should be solved as per international standards for riverine systems and hence claims half of the channel with division at the centre. The issue is complicated as it has historic elements attached to it like the Treaty of 1925 regarding its being treated as part of the Sindh province but the maps of the Bombay government demarcating territory in the middle.

- Sir Creek is a **tidal estuary** which forms a natural border **between India and Pakistan**.
- It lies between the **Sindh** province of Pakistan and **Gujarat** of India.
- It opens up into the **Arabian sea**.

**Where does the dispute lie?**

- Contention regarding the interpretation of maritime boundary.
- After partition, Gujarat went to India while Sindh to Pakistan.
- Demarcation of Sir Creek :from mouth to the top.from the top of creek eastward to the point designated as the Western terminus.
- Historical dimension:
  - Pakistan:
    - Claims that the whole creek belongs to its Sindh province according to a resolution called the **Sind Government Resolution, 1914**→ according to this, boundary lies at the **eastern flank** → if it is so, the whole creek belongs to Pakistan( refer map→)locate the **eastern flank of the Sir Creek**→ the **so-called international boundary defines Pakistan's position**→ however, it is not formally accepted.
    - India: **Boundary lies in the middle** of the creek according to a **map** presented in **1925**→if this is so a part of the creek will belong to both the states.

- **Rule of Thalweg:** India supports its stance with the help of this **international doctrine**. According to this rule, river boundaries between the two states may be **divided by the mid-channel** if the two states agree to do so.
- **Pakistan's claims:** Rule of Thalweg applies to **non-tidal rivers** (thus, can be used for navigation purpose) while **Sir Creek is a tidal estuary** (thus, non-navigable).
- If demarcated according to the Thalweg, both countries would **lose** a portion of their respective **wetland territories**. It may **lose** a considerable amount of its **Exclusive Economic Zone (EEZ)** if it accedes to India's claims. India's claims:
- Rejecting Pakistan's position it upholds that the creek is navigable during a high tide. Thalweg has been used in tidal waters in some cases. Fishing trawlers use the creek to go out to the sea

Q7. What was the Rohingya's issue. Write a short note about it ?

Thousands of Rohingya have been fleeing Myanmar, especially after the August 25 violence in Western Myanmar. The United Nations Refugee Agency (UNHCR), which places them among the "the most vulnerable groups of the forcibly displaced" has said a total of 87,000 Rohingyas have arrived in Bangladesh as of Monday. Are they really citizens of Myanmar? Why are they leaving now? Here is a lowdown on the issue.

Who are Rohingya?

Rohingya are an ethnic group, largely comprising Muslims, who predominantly live in the Western Myanmar province of Rakhine. They speak a dialect of Bengali, as opposed to the commonly spoken Burmese language.

Though they have been living in the South East Asian country for generations, Myanmar considers them as persons who migrated to their land during the Colonial rule. So, it has not granted Rohingyas full citizenship. According to the **1982 Burmese citizenship law**, a Rohingya (or any ethnic minority) is eligible for citizenship only if he/she provides proof that his/her ancestors have lived in the country prior to 1823. Else, they are classified as "resident foreigners" or as "associate citizens" (even if one of the parent is a Myanmar citizen).

Since they are not citizens, they are not entitled to be part of civil service. Their movements are also restricted within the Rakhine state.

What happened in 2012?

**Myanmar** state, which was ruled by the military junta until 2011, has been accused of ethnic cleansing in Rakhine by the United Nations. It deported thousands of Rohingya to Bangladesh in the seventies and the citizenship law was also enacted by the junta. Things changed little for the Rohingya even after the political reforms in 2011 that eventually led to the first general elections in 2015, as the democratically-elected government-headed by President Htin Kyaw has been unwilling to grant citizenship.

Sectarian violence between Rohingyas and Rakhine's Buddhist natives began flaring up in June 2012, following the rape and murder of a Rakhine woman in a Rohingya-dominated locality. The riots, which were triggered as a result, went on for almost a month with casualties on both the sides.

The Myanmar government continues to turn a blind eye towards thousands of Rohingyas living in pathetic conditions, faced with human rights violations and with no country to call their own. Myanmar's pro-democracy icon Aung San Suu Kyi has also come under criticism for failing to voice the concerns of Rohingyas. Another round of riots broke out in October, due to which the government moved around a million Rohingyas to **refugee** camps. Thousands of Rohingyas fled their homes and sought refuge in neighbouring Bangladesh, a Muslim-majority nation. Some of them sought asylum in South East Asian nations of Thailand, The Phillipines, Indonesia and Malaysia. This ethnic conflict flared up as religious violence spreading to the other provinces of Myanmar. It was finally contained in 2013 after military intervention.

Q8. What changes india has made in its foreign policy regarding Nepal ?

There is now little doubt that India has lost strategic space to China in Nepal. Some reckon the era of "special relations" between India and Nepal is nearly over as China makes steady inroads. There has been a truly breathtaking rise in Chinese influence and a corresponding fall in Indian sway in this country of nearly 30 million. The main catalyst for the sea change? The 2015-16 India-inspired blockade of the India-Nepal border, imposed, in part, owing to India's displeasure over the new constitution Nepal had just promulgated.

As if to rub salt into India's wounds Prime Minister K.P. Sharma Oli last week hosted Pakistani Prime Minister Shahid Khaqan Abbasi, who in the process became the first foreign head of government to visit Nepal after Oli assumed office for the second time on February 15. In the words of one geopolitical commentator, Abbasi's visit was ill-timed. With India-Pakistan ties at an all-time low, asks this commentator, "What other purpose will it [the Pakistan prime minister's Nepal visit] serve save for antagonizing India?"

But that is not how most Nepalis see it. Oli knows that the more he tries to assert Nepal's independent identity by distancing himself from India, the greater his popularity will be. Following the 2015-16 blockade. which brought great hardship to common people, the public pressure for closer ties with China has been steadily building, along with the demand that Nepal diversify its relations away from India, heretofore its predominant business partner. This is where Pakistan enters the picture. By hosting his Pakistani counterpart, Oli — who crested the popularity wave as a valiant blockade-time prime minister — wanted to give a clear message that he doesn't care what the Indians think of him. After all, his China tilt is wildly popular among his core constituencies. Moreover, the common perception is that Nepal is these days not as reliant on India as it has historically been, especially after the landmark trade and transit agreements signed with China in the wake of the blockade.

**Too Little Too Late**-It is true that Oli has also sought to mend his frayed ties with New Delhi following his election as prime minister. Indian Minister for External Affairs Sushma Swaraj visited Kathmandu on February 1 after Indian Prime Minister Narendra Modi got a clear signal from Oli that he was ready to forget past bitterness and start anew. Earlier, when Modi called Oli to congratulate him on his re-election and invited him to visit India, Oli not only accepted the invite; he replied that he was as keen to welcome Modi to Janakpur and Muktinath, the two holy sites in Nepal Modi has long wanted to visit. The inclusion of Madhesi parties in the Oli government is expected to further ease bilateral ties. Concerns over Madhesi representation were at the core of India's concerns over the 2015 Nepali Constitution.

There has, moreover, been progress in negotiations on the revision of old Nepal-India treaties that many Nepalis consider unequal. According to recent news reports, India is now ready to discuss regulating the open border, and even considering allowing Nepal to import arms from third countries. India had otherwise treated these issues as non-negotiable. These negotiations may again come to a naught. Nonetheless, Nepali interlocutors in these dialogues sense a definite shift in India's stand.

But current efforts to revive India-Nepal relations may be a case of too little, too late. Oli knows that for his political longevity he cannot afford an openly hostile India. But at this late stage in his political career, those close to him say, all he cares about is leaving behind a strong legacy as a statesman. With his health failing, Oli knows time is not on his side.

He seems determined to be remembered as the Nepali leader who dared to dream of a future for Nepal independently of India. But not just that. Above all, he wants to be remembered as someone who took concrete steps to turn that old Nepali dream into a reality. This is why even before assuming office after winning recent elections, he had vowed to expedite connectivity projects with China. To show he is serious he has newly empowered the Prime Minister's Office to personally oversee their progress.

**Q9. How the Indian legislature is different from American legislature ?**

1. The fundamental difference between Indian Government and U.S. Government is that ours is a Parliamentary form of Government and U.S. Government is Presidential form of Government.

2. Parliamentary form of Government means the Prime Minister shall be the appointed head of the Government, whereas, in case of Presidential form of Government, the President shall be the head of Government.

3. In India, almost all major powers are vested in the Prime Minister of India and in U.S. the President is the most powerful authority.

4. Both Indian Parliament and US Congress are bicameral. Parliament consists of the President, Upper House and Lower House.

5. The Executive in India is inseparably linked to the Legislature. The Executive in India means the Council of Ministers. In U.S., the President himself is the Executive and hence there is a clear distinction between the Executive and the Legislature.

6. In India, there is one and only Constitution for the whole nation, except for the state of Jammu and Kashmir. As per article 370 of the Constitution of India, the state can have its own separate Constitution. But in the U.S.A. the national Constitution allows its states to have their own Constitutions. That is why the main Constitution of the nation is very smaller one. But in India, one of the reasons, why the volume of our Constitution is so large, is that it incorporates matters of all states.

7. Indian Constitution is both rigid and flexible in nature. Till 2013, there have been total 120 amendments of the Constitution since 1949. U.S. Constitution is comparatively rigid in nature and there have been only 27 amendments to it since 1776.

8. The Fundamental Rights specified in Part III of the Indian Constitution is the civil and political charter of India. Any law or Act passed by the legislature must not mar any of the prescribed fundamental rights or violate the spirit of the Constitution and in such case the Supreme Court for central level and High Courts for state level shall declare such legislation void.

9. The Directive Principles specified in the Part IV of the Indian Constitution is the social and economic charter of India and it is imperative the states shall promote and abide by them towards building an welfare state.

Q10. What was gujral doctrine ?

Gujral Doctrine is considered a milestone in India's foreign policy. It was rendered by Mr. Inder Kumar Gujral, the Minister of External Affairs in H. D. Deve Gowda Government in 1996. This theory says that India as a bigger country of South Asia should give one-sided concession to her small neighbours and have cordial relations with them.

Shri Inder Kumar Gujral became the **12th Prime Minister of India** on April 21, 1997 and was in office till March 19, 1998. When Mr. Inder Kumar was the External Affairs Minister; India could not be compelled to sign the **CTBT in 1996**. Today India has succeeded in declaring herself as a nuclear power nation.

It is believed that if a country wants to be a dominant leader at the international level, first of all it must have cordial relations with its neighbouring countries.

In addition to taking neighbours into confidence, the country should have strengthened cultural, economic and political relations with neighbours. One such attempt was made by Inder Kumar Gujral, called "Gujral Doctrine". *Gujral Doctrine is considered as a milestone in India's foreign policy.* It was rendered by Mr. Inder Kumar Gujral, the Minister of External Affairs in H. D. **Deve Gowda Government in 1996**. This theory says that "India" as a bigger country of

South Asia should give one-sided concession to her small neighbours and have cordial relations with them.

**Main Points of "Gujral Doctrine" are as follows;**

1. The Basic mantra of "Gujral Doctrine" was that *India would have to establish faithful relationship with her neighbouring countries* i.e. Maldives, Bangladesh, Nepal, Sri Lanka and Bhutan.
2. India should have resolved all kind of disputes (border, economic etc.) with her neighbouring countries. If India have done something favourable with her neighbours then India need not to seek anything in return from neighbours.
3. No South Asian country should allow its territory to be used against the interest of another country of the region.
4. No country should interfere in one another's internal matters.
5. All South Asian nations will resolve the dispute through peaceful bilateral negotiations.
6. All the **South Asian countries will respect each other's sovereignty** and integrity and will help each others to cope up with any natural and economic crisis.

**Farakka agreement** with India and Bangladesh in the year **Dec. 1960** is the proof of the positivity of Gujral Doctrine. Under the Farakka agreement, India allowed the Bangladesh to use some water of the River Ganga.

However, the critics of the "Gujral Doctrine" say that the Gujral doctrine of India is a complete failure because political instability in India's neighbouring countries esp. **Nepal, Bangladesh or Maldives and Sri Lanka, are promoting anti India forces.** As per the expectations, anti India forces of these countries are **supported by the China.**

But it would be wrong to say that Gujral doctrine is a failure because *all Prime Ministers of India post Gujral government had followed the "Gujral doctrine"* without specifying the name of this doctrine.

**Agra summit-2001** during the Atal Bihari government and Indian **invitation to Pakistan's PM in the swearing in ceremony of Mr. Modi in 2014;** are some solid proof of the same. In addition to this India is giving unilateral concessions to *8 member countries of South Asia under the flag of (South Asian Association for Regional Cooperation) SAARC.*

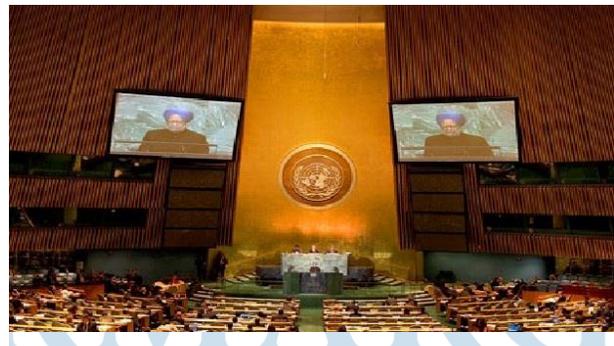
**Q11.Explain the india-UN Relations in last decade ?**

- The 68th annual session of the United Nations General Assembly opened on **September 17** with the agenda to identify a path forward that may culminate into a consensus on the post-2015 development goals. Prime Minister Manmohan Singh, slated to take the podium at the annual General Debate on **September 28**, and the rest of the Indian delegation comprising External Affairs Minister Salman Khurshid and senior officials would stress that the post-2015 development agenda should continue to have poverty eradication and inclusive growth on the agenda. India is of the view

that principles of equity and common but differentiated responsibilities (CBDR) should be accepted as beacons of the post-2015 agenda.

The Prime Minister may also appeal the developed world to turn some of its gaze inwards to look at its own humungous consumption patterns. As is usually the case in multilateral forum meetings that the Prime Minister attends, his views on the current world economic situation would be sought out by other world leaders. The current crisis surrounding Syria and the post-2014 Afghan situation are other issues that would become important both at the main debate and the dozens of bilateral meetings between leaders on the margins of the UNGA Session.

*Prime Minister addressing the 66th UNGA session in New York, October 24, 2011* This would be the Prime Minister's fifth visit to the UNGA Session since 2004 having addressed the General Assembly in 2004, 2005, 2008 and 2011. External Affairs Minister Khurshid would join the PM in New York after completing his Canadian visit.



- The Indian delegation is slated to attend meetings of the officials of the other four BRICS (Brazil, Russia, India, China and South Africa) countries, as also that of the G4 (Germany, India, Japan and Brazil).
- The G4 has been calling for the reform of the UN, especially to expand the membership of the UN Security Council, to reflect today's reality instead of the international power balance as it had existed in 1945.
- India and other G4 members have kept the issue of UN reforms alive in the past one year, and have regularly engaged with the L69 and C10 groups. The L69 is a group of 40 African, Latin American, Asia-Pacific and Caribbean countries which wants the UNSC expanded to include six more permanent members - four of G4 and two from Africa.

- The C10 or the African Union's proposal for UNSC expansion is on similar lines. The three - that is G4, L69 and C10 - differ with each other on the question of who should be entrusted with veto powers and who shouldn't.
- Another area of concern for India as the biggest contributor of troops to UN peacekeeping operations is the changing nature of peacekeeping operations.
- India has contributed over 1,60,000 troops to 43 of 64 UN peacekeeping operations since its inception in the 1950s. Over 160 Indian armed and police forces personnel have laid down their lives while fighting for the UN's blue flag.

The first deployment of the Indian armed forces was during the Korean War of the early 1950s. Other peacekeeping operations in which Indian personnel have taken part include Indo-China (Vietnam, Laos, Cambodia), Congo, Mozambique, Somalia, Rwanda, Angola, Sierra-Leone and Ethiopia.

- Currently, Indian armed forces are part of seven of the 14 ongoing UN peacekeeping missions. Indian forces are in Lebanon (UNIFIL), Congo (MONUC), Sudan (UNMISS), Golan Heights (UNDOF), Ivory Coast (MINUSTAH), and Liberia (UNMIL). The first all women contingent in any UN peacekeeping mission, a Formed Police Unit from India, was deployed in Liberia in 2007 as part of the UN peacekeeping mission.

But the changing nature of conflicts where a peacekeeping force is increasingly being asked to do a lot more than its traditional mandate is an issue of concern to India, which it is likely to raise in the UN forums.

- Over the years, India has viewed the UN as a forum that could play a role as a guarantor to international peace and security.
- In recent times, India has attempted to strengthen the UN system to combat in the spirit of multilateralism global challenges of development and poverty eradication, climate change, terrorism, piracy, disarmament, human rights, peace building and peacekeeping.



- Indian delegates also played an important role in formulation of the 'development decades'. The first 'development decade' was from 1961 to 1970 and the fourth in the 1990s. The post-Cold War era changed the North-South donor and donee equation with the developing countries realising they needed to restructure their economies to attract private foreign investment as direct foreign aid was a thing of the past.
- The process culminated with world leaders signing the UN Millennium Declaration in New York in September 2000 where they pledged to meet time bound and measurable targets to reduce deprivation by 2015.
- It adopted eight Millennium Development Goals or MDGs. The current 68th session would mull the post-2015 agenda. India wants member countries to agree to an inter-governmental process to be set up, which should discuss the issues through 2014.

In recent decades, India has apart from calling for reforms of the UNSC and world financial institutions like the International Monetary Fund and World Bank, has also advocated "zero tolerance" approach to terrorism in all its forms.

- In 1996, India piloted a draft Comprehensive Convention on International Terrorism (CCIT) with the aim to provide an exhaustive legal framework to counter terrorism. India continues to work for its early adoption. Many of the features of CCIT have already been adopted.
- India is also a major contributor to UN funds like the UN Democracy Fund that PM Manmohan Singh, US President George Bush and UN Secretary General Kofi Annan founded in 2005. India today is the second biggest contributor to the Fund to engender democratic values and processes.

*Former External Affairs Minister at the UN Security Council meeting in September 2012* India was a non-permanent member of the UNSC in 2011-12 and pushed for an open debate on maritime piracy in the region. India has served on the Security Council on seven occasions so far - in 1950-51, 1967-68, 1972-73, 1977-78, 1984-85, 1991-92,



Q12. Why there was a need to remove article 370 from jammu and kashmir ?

As fear and panic mounted in the state of Jammu and Kashmir, Union Home Minister Amit Shah on Monday moved proposal to remove Article 370 in the Rajya Sabha amid much uproar.

Before the introduction of the bill, the Kashmir turmoil rocked the Rajya Sabha as Congress leader Ghulam Nabi Azad raised the current situation in Kashmir.

Entire Kashmir is under curfew with Section 144 being imposed in several districts. It's a war-like situation with mobile phones and internet services shutdown. Three CMs are under house arrest. That should be discussed first, Ghulam Nabi Azad said in the Rajya Sabha.

Earlier, the crucial Union Cabinet met at the official residence of Prime Minister in New Delhi on Monday morning. The meeting, chaired by Prime Minister Narendra Modi, was held at 7 Lok Kalyan Marg in New Delhi.

Since Article 370 (1) (d) of the Constitution was issued under Presidential Order, the President can make certain 'exceptions and modifications' to the Constitution for the benefit of 'State subjects' of Jammu and Kashmir.

**What is Article 370 that the government has sought to revoke:**

1. According to the Constitution of India, Article 370 provides temporary provisions to the state of Jammu and Kashmir, granting it special autonomy.
2. The article says that the provisions of Article 238, which was omitted from the Constitution in 1956 when Indian states were reorganised, shall not apply to the state of Jammu and Kashmir.
3. In 1949, the then Prime Minister Jawaharlal Nehru had directed Kashmiri leader Sheikh Abdullah to consult Ambedkar (then law minister) to prepare the draft of a suitable article to be included in the Constitution.
4. Article 370 was eventually drafted by Gopalaswami Ayyangar
5. Ayyangar was a minister without portfolio in the first Union Cabinet of India. He was also a former Diwan to Maharajah Hari Singh of Jammu and Kashmir
6. Article 370 is drafted in Amendment of the Constitution section, in Part XXI, under Temporary and Transitional Provisions.
7. The original draft explained "the Government of the State means the person for the time being recognised by the President as the Maharaja of Jammu and Kashmir acting on the advice of the Council of Ministers for the time being in office under the Maharaja's Proclamation dated the fifth day of March, 1948."
8. On November 15, 1952, it was changed to "the Government of the State means the person for the time being recognised by the President on the recommendation of the Legislative Assembly of the State as the Sadr-i-Riyasat (now Governor) of Jammu and Kashmir, acting on the advice of the Council of Ministers of the State for the time being in office."
9. Under Article 370, the Indian Parliament cannot increase or reduce the borders of the state.

Q13. The past two decades of Look East Policy (LEP) have provided the foundation for rapid growth of

India's Look East policy has laid foundation for the institutionalization of ASEAN-India relations that began with the First ASEAN-India Summit in 2002 and has achieved considerable success.

- India-ASEAN have institutionalised their dialogue on political and security issues. Eg- BIMSTEC, (EAS), Mekong Ganga cooperation, naval exercises such as SIMBEX.
- ASEAN relations have helped India secure its interests. Eg Double taxation agreement with Indonesia and renewal of India's oil blocks in south china sea by Vietnam.
- Along with this new FTA in services will open up a plethora of opportunities for Indian service sector.

But India is yet to realise its full potential with ASEAN because

- India is behind China in terms of volume of trade and economic ties with ASEAN countries.
- FTA with ASEAN has increased imports and decreased exports due to duty inversion
- String of Pearls Theory, South China Sea and Philippines Shoal incidents have been instances of China's assertive behaviour and India's intervention has been limited.
- The deepening of Economic ties is not possible without proper Infrastructure and connectivity to ASEAN countries via NE states.
- Although India and ASEAN countries are Net importers of Hydrocarbon there has been limited cooperation on alternative sources energy.
- Addressing these issues would not only strengthen India's Energy security and Economic ties, but would also counter the rising assertiveness of China in the region.

Q15. Discuss the strategic significance of International North- South Transport Corridor (INSTC) for India. What are the prospects and bottlenecks for India in achieving the fruits of INSTC?(4 marks 1 to 15)

The International North-South Transport Corridor (INSTC) is a multi-mode transit (Road, Rail and sea ways) that moves freight between India, Russia, Iran, Europe and Central Asia.

Strategic Significance:

1. Augments India's "Connect Central Asia's Policy". The rich Uranium, oil and natural gas resources can be accessed. It also complements India's efforts as part of Shanghai Cooperation Organization (SCO).
2. India's "Look West Policy" gets boost. It strengthens relations with Iran and Ukraine. Blue Navy efforts of India finds an echo with improved Russian and Europe relations.
3. India's role in controlling terrorism would lifted to global stage.

Prospects:

1. India's Chabahar deep port project in Iran would give access to markets of West Asia and Turkey using Iranian road network. It would boost India's plantation, saffron and auto-mobile manufacturing.
2. The markets of Romania, Hungary, Czech Republic and others of Europe would be accessible that can help India's cropping in horticulture and textile industry.

Bottlenecks:

1. There is no strong mechanism in existence to follow-up the project.

2. Trade procedures including customs and documentation not yet streamlined.
3. Security fears from Afghanistan and other terror outfits in the region.
4. The threat of freight movement being one sided would increase cost.

Sustainable dialogue in the form of independent joint groups and regional cooperation are crucial to complete the project.

Q16. "The UNO needs structural and functional reforms that are needed to be infused into as new issues and forces impinge on its functioning". Comment

UNO is an intergovernmental organization which was made to replace the ineffective League of Nations in 1945 so as to avoid another world war. But during cold war, US and USSR often paralysed the organization and it intervened only in conflicts not related to cold war thereby not fulfilling its mandate of peacekeeping in world. Although it did help in decolonization process.

Even in post cold war era it failed in its mission as seen in Somalia and Rwanda crisis. Several organs of UNO like UNESCO and UNICEF faced charges of corruption due to which several countries withdrew their funding. So due to above issues and also due to dynamically changing polarity of world and other emerging humanitarian, environmental crisis it certainly need some reforms.

#### **Structural reforms –**

- Expansion of UNSC so to to ensure proper representation of world which currently is skewed in the favour of west.
- Do away with Veto power.
- Efficiency and transparency watchdog to remove corruption issues.
- Funding should not be voluntary and must be based on CBDR principle.

#### **Functional reforms –**

- Decisions should be as far as possible based on consensus.
- Organizations like NATO should be avoided and be replaced by UNO forces in conflicts.
- UN secretary general should not be a rubber stamp and need more powers.

So for UNO to remain relevant in the new multipolar world, these reforms should be done on priority, otherwise it faces the risk of losing its relevance.

Q17. The Security Council faces far more fundamental problems than the persistence of the veto. Comment

The United Nations security council has been lately in news for many of its limitations. The UNSC reforms have been under consideration since 1992.

Central to these reforms is the issue of veto power. Veto powers to the five countries gives them asymmetry all powers and leads to stalling of decisions very often. For example, U.S. vetoed the decision to term Israeli settlement in West Bank illegal despite consensus in General Assembly. Thus geopolitical gains makes the veto power questionable. This should either be done away with or extended to other deserving countries as well.

Besides there are other problems as well:

1. Representation is highly skewed with no representation from Africa, South America and very less representation from Asia.
2. It still represents 1945 world order, despite major shifts thereafter. Considerations such as economy, population size, human and monetary contributions to UN are barely visible in its composition.
3. General assembly is subordinated to UNSC, despite having broader representation.
4. UNSC seems to be incapable of preventing unilateral military action like what US did in Iraq in 2003.
5. Present crisis in Middle East shows its failure to contain the rise of extremists tendencies. For example rise of IS and its continuing advance.

This shows the urgency and inevitability of UNSC reforms on a serious note. Present stalemate shows is due to unwillingness of P5 to dilute their own position. It's important to resolve this stagnancy by greater push by the countries demanding reform and maturity on part of P5.

Q18. "Created in 1945, the UNSC still reflects the international power relation that was at the end of Second World War". Critically comment.

In 1945, after the end of the world war 2, United Nations Security Council (UNSC) has been established with the objective of maintaining global peace.

Even after the 70 years of its establishment UNSC reflects the world power relation at the time of the end of WW2. This can be seen because

- There is no change in its structure since the WW2, as the same powerful countries are continued to be the only powerful nations in UNSC.
- Many major economies like Germany and Japan were not accorded permanent membership till now just because of the reason that they are the losers in WW2.
- Many regional organisations witnessing the changed global geopolitical power equations but they were not get due attention in the UNSC.
- There are emerging economies in the world like India and Brazil which can have the capability of altering the power equations. This was not considered at UNSC.

However, this itself not showing that UNSC is completely as a body reflecting WW2 power relations.

- UNSC offers temporary membership to 10 countries so that changed global relations can be discussed at its forum.
- The strong demand from G4 countries to expand the council has got attention and recently UNSC accepts an agenda to discuss the issue of UNSC reforms.

The UNSC should realize the changed global power relations so that the effectiveness of UNSC will improve. P5 nations also should understand the importance of making UNSC relevant to contemporary period.

Q19. Why is the permanent membership in UNSC so important for India? Do you think India's claim to permanent membership is valid? Elucidate.

Ans) A permanent seat in UNSC would elevate India to the status of USA, UK, France, China and Russia in the diplomatic sphere and warrant India a critical say in all global matters that matter globally.

Importance for India

- India can tackle human rights violations in neighbor countries Sri Lanka (After civil war crimes), Myanmar (Rohyanga Muslims), Afghanistan (Gender inequality) with more authority and can bring them to notice of UNSC.
- India can put its requirements and ask for more funds from UN contribution as part of Social and economic development of third world countries.
- Indian diaspora across will also benefit if any issues arise like unfair treatment to diplomats, racial attacks, providing equal opportunities in foreign countries.
- As regional representation increases, India could represent other countries to stop western forces (USA, UK, France) from promoting their vested interests. Like Invasion of Iraq, bombing of Libya, non-recognition of Palestine state are few examples.
- Indian Ocean can be declared as "Zone of Peace". This will stop China from deploying submarines in strategic locations engulfing India with its jingoistic "String of Pearls" policy.
- To protect her interests, India can enforce Pakistan to stop supporting terror elements and let non-state actors use its soil for terrorist actions.
- Having UNSC permanent membership, India can have leverage in geopolitics, military, economic and political groupings and negotiations in areas like Intellectual property rights, maritime issues, border conflicts etc

Why India Deserves it?

- India was among the founding members of United Nations with one of the largest constant contributors of troops in peace-keeping to United Nations.
- India happens to be the second fastest growing economy in the world making it an ideal destination for foreign investment and future growth
- India Ruled by a democratic, secular government which has never been upstaged by an army coup and can be labelled as a "responsible" nuclear power.
- With becoming most populous country by 2022. India can't be kept from decision making table of UNSC which brings with itself the "veto" power.

But great power always comes with great responsibility. which means India had to make a world a better place with peace and prosperity. As Pandit Nehru envisaged in its famous speech that " Those dreams are for India, but they are also for the world, for all the nations and

peoples are too closely knit together today for anyone of them to imagine that it can live apart.”

Q20. The Teesta river water sharing agreement is a complex geopolitical challenge that not only involves the issues of interstate relations and India’s treatment of it’s neighbors but also encompasses environmental and livelihood concerns. Comment. Ans) Teesta river which originates in Sikkhim, flows through West Bengal and into Bangladesh has been a teething problem in the bilateral relationship between India and Bangladesh. Earlier attempts in 1983, 2011 and 2013 did not solve the issue

Issues involved

1. Inter state :

- a. WB continues to claim more share by citing its dependence on farming which is not acceptable to Sikkim
- b. HEP in sikkim are reducing flows to WB

2. Bilateral relationships:

- a. Bangladesh is an important for N-E and look east policy ex: Transit facilities, and insurgency
- b. All other relations are contingent upon Teesta deal
- c. To shed big brother attitude this deal is vital

3. Livelihood issues

- a. Teesta basin consists of 30 Mn farmers. Climate change and erratic monsoon is already threatening their livelihood. Ex: WB has been citing this reason

4. Environmental issues

- a. Climate change, drying of aquifer and rising sea levels etc are adversely affecting the Bangladesh and Teesta basin.
- b. Encroachment of sea water is making the basin uncultivable.

sharing would help both the countries as the benefits spread across different sectors and a holistic view of the problem can be taken. And also the deal would help joint development of the basin which would be a win-win situation.

Q22. Constitutional mechanisms to resolve the inter-state water disputes have failed to address and solve the problems. Is the failure due to structural or process inadequacy or both? Discuss. Parliament enacted the Interstate Water Disputes Act, 1956 under Art 262 to resolve interstate water disputes and River Boards Act to regulate interstate waters. The recurrent nature of water disputes, highlight structural and procedural flaws in these legislations.

Structural Reasons:

1. Advices of River boards are not binding

2. Tribunals under IWDA are Ad hoc bodies set up under the discretion of Centre upon request by States. This leads to politicisation of the dispute. Ex- Cauvery Dispute between Tamilnadu and Karnataka

3. Absence of permanent mechanisms and punitive measures to enforce the decisions of tribunal makes the process ineffective.

Procedural Reasons:

1. Inordinate delays in setting up of tribunal, Adjudication of dispute and notification of decision in official gazette – Narmada tribunal took 9 years for resolution.

Negotiating personnel change with changes in State and central governments. This makes the process more cumbersome.

2. Absence of standard operating procedures and definition of factors influencing conflict resolution.

3. Emphasis on legal adjudication over negotiations.

While tribunals such as Godavari and Narmada have been successful, Cauvery and Ravi-Beas Awards are still disputed. IWDA Amendment Act, 2002 aimed to fix these issues by prescribing a time limit of 5 years and providing suo moto power to Centre in creation of tribunal as per Sarkaria Commission recommendations. However, these mechanisms are still marred by lack of co-ordination between the parties necessitating better definition of both structure and process for resolution.

Q23. How far do regional groupings pose a threat to the stability of the Indian federalism. Trace and analyze the working of such regional groupings.

Regional groupings are a mixed blessing.

Pros

- Formation of Regional groupings means increased social consciousness as well as right awareness among people.
- It leads to strengthening of democracy. Forcing the legislative to incorporate the public opinion; Enforce accountability and in precise leads to citizen-centric governance.
- Leads to representation of minority interests/excluded.
- However, the other side of the formation of regional groupings has following demerits – Too many number of Regional groupings means more divisive politics. It leads to political instability, delayed decision making due to lack of consensus.
- It may lead to different political parties with varying ideologies at state level. This results in coalition center with contrasting ideologies. This makes running of govt difficult. Thus it may pose threat to federalism by weakening position of center vis-a-vis states.

To make this working cooperative federalism model, following may be needed.

- Form coalition at center with parties having coherent ideologies.
- Constitution of Empowered group of ministers(EGOM), inter state bodies like Inter-state council, making proper use of zonal councils and other coordination mechanisms.

- Center to respect state autonomy by minimising interference in state list and framing policies related to concurrent list only through states consultation by making use of coordination mechanisms like Inter-state council etc.

Q24. "Fundamental duties are only ethical or moral duties and should not form a part of the Fundamental law." Critically comment.

Fundamental duties were added to the Part IV A of the constitution under Article 51A by the 42nd amendment 1976, on the recommendations of Swaran Singh Committee.

- Over the years, many important laws have been enacted out of them which plays a major role in the present scenario.
- Some of them are the Prevention of Insult to National Honour act, National Flag code, Protection of civil rights act, Wildlife protection act, forest conservation act, other criminal laws dealing with punishment for encouraging enmity etc.
- Some of the fundamental duties from which these legislations are formed play a major role in the development of the nation. If they were to remain mere moral duties, then the nation would have seen chaos and destruction of biodiversity by now.
- The Fundamental duties therefore act as an implicit warning / obligation on the people and thereby helps in maintaining harmony and integrity between them. But, all the Fundamental duties cannot become a part of Fundamental law since that would lead to too much ambiguity and wastage of national income by long court hearings.
- Some of these are developing scientific temper, cherishing the noble ideas that inspired freedom struggle, Collective activity etc. An act on these duties would be too vague and confusing.

The existing laws should be amended at regular intervals and more stringent laws should be framed to safeguard Public Property and abjure violence.

Q25. Enumerate the political philosophies enshrined in the Indian Constitution. How far are they mutually reconcilable? (16 to 25, 8 marks)

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Q26.Competitive federalism is a double edged sword which will benefit already well placed states to the detriment of others. Explain.

**Ans)** Competition in any field is a booster for development but also develops rival tendencies. The message by the PM for states to develop cooperative and competitive federalism is surely a double edged sword.

The positives of competitive federalism in India are:

1. It will push the states to perform better in all domains(health, education, etc) or else they would lag behind others in getting financial and political benefits from the centre
2. It will urge the states to innovate and bring out new ways to attract investments. E.g. online registration of business/easy clearances
3. There will ensure better and efficient utilization of resources and funds as wastage will bring bad name to the states
4. Will reduce corruption , enhance standard of living and generate more employment

But all these positives can tilt in favour of well placed states as :

1. Rich states like Gujarat, Maharashtra, Tamil Nadu are stronger financially, institutionally and with better HDI standards to attract development. This gives disadvantage to other states
2. Presence of resource disparity in India like iron ,coal will attract industries in those states leaving less for resourcedeficient ones.
3. Monsoon dependencies and poor irrigation facilities will divert funds for drought mitigation which will affect development in poor states
4. Inter-state conflicts(river water sharing,migrations, communal issues) will increase leaving bitterness and rivalry for jobs and resources.

Thus competitive federalism though a novel concept can be implemented if the playing ground is level for all states. There is a need for more cooperative federalism than competitive federalism in present times where states come together to help each other develop.

Q27. Discuss the recent developments regarding NRI Voting in India.Do you agree with the view that NRI's should be given the Right to Vote?

Being a genuine demand, NRIs were given the right to vote Under newly added Article 20 (A) of the RPA in 2010

The recent developments

- NRIs can now enroll in the electoral rolls in India.
- Eligible voters can register online for an e-postal voting
- National Information Center is mandated with IT assistance to the Election Commission in this regard.
- This will enable 11 million NRIs to vote through web based e- postal ballot. Granting NRIs the voting right is a progressive step because
- Giving them an opportunity to vote will ensure that, their problems are rightly heard and their interests are duly represented.
- Being huge in numbers, their vote can make significant influence in their respective constituencies.
- Leaving home and living abroad give little opportunity for them to be a part of our democratic politics. right to vote will make them informed citizens and vigilant political observers.
- Acknowledging their immense contribution to our economy as remittance is important. their remittance is the economic backbone in the states like Kerala

Though there are technical and structural complications, our collective effort can ensure democratic participation of NRIs in the near future.

Q28. Examine the demand for greater state autonomy and also its impact on the smooth functioning of the Indian polity. (20 marks)

**Ans)** India is a diverse nation it lies in every sphere of life and many time it has been seen that that the govt. policies and its less execution in the particular regions infused a sense guilty and deprivation which ultimately to the demand of secessionism which is dangerous for the national unity and integrity of the country . India has been described as a quasi federal state where the power is divided between the Union and the state governments. Of late there has been a great demand for bringing greater autonomy to the states. The reasons may be:

- 1 Planning Commission did not become very successful . The plans worked in top down manner leaving the states to implement schemes by depending on the Centre's help and guidance
2. There is too much dependence of the states on the Centre for funds which is 42% at present. The domain of raising revenue is lesser for states as compared to Centre
3. The domain of law making is less for states (State and concurrent list) and even then the Union can dominate
4. Presence and dominance of All India Services creates conflict between states and Centre
5. Inequalities among states in terms of social/economic development, education, infrastructure demand localized solutions for solving local problems

The impact of greater autonomy for states can be:

- 1 More funds for states leading to more money for development and reduction in unnecessary red tapism
2. The states will have a wider domain to make laws providing solutions for local problems.
3. States become more accountable to the people
4. This might create rationalistic tendencies among the states which might hamper national unity.

There are several ideas which tell us about the way forward for secessionism, and some times their voices seems valid to us, because of their demands but separate state autonomy is not an solution their might be many other ways which one need to find out in order to get rid of the this separate approach which create casams in the country. Even Govt. should keep in mind their demands and try to resolve their solutions as soon as possible ,generate employment, degrade poverty, mold the enery of creativity in stead of destruction.



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