



## ENLITE MTS 2024—FULLTEST II

1. Hasty legislations not only challenge the essence of representative democracy but leads to judicial challenges and civic protests. In this light discuss the approaches that needs to be adopted to ensure the quality of legislations, (10 Marks)
2. The role of the Leader of the Opposition in Parliament is not confined to some privileges on ceremonial occasions but is a practical and responsible one. Comment (10 Marks)
3. Given the evolution of political campaigns and the increasing influence of digital media, is the existing Model Code of Conduct (MCC) sufficient to ensure free and fair elections in India? Propose how it could be updated to address new challenges in modern electioneering. (10 Marks)
4. Examine the constitutional perspectives on environmental conservation and climate justice in India. Discuss how these concepts have evolved over time through constitutional amendments and landmark case laws. (10 Marks)
5. The Right to Information (RTI) and the right to privacy both hold significant value in a democratic society. Neither should be compromised for the other; instead, a balanced approach is essential. Discuss this in the context of the challenges in implementing the RTI Act, 2005 (10 Marks)
6. A systematic approach to cadre management in civil services across states is as crucial as the introduction of lateral entry into the civil services. Discuss the importance of both in enhancing the efficiency and effectiveness of public administration. (10 Marks)
7. The inception of Jan Vishwas act aligns with the overarching goal of simplifying legal processes, reducing compliance burden and fostering a more business friendly environment. Analyse. (10 Marks)
8. How does the expansion of BRICS with new member countries improve its potential as a global group in the changing world order? What challenges does it need to overcome to work effectively and gain influence? (10 Marks)
9. The Indo-US relationship has witnessed a strategic convergence in recent years. However, differences persist on multiple issues. Discuss the current state of India-US relations and suggest measures to further strengthen this partnership. (10 Marks)
10. The conflict between fundamental rights is a frequent occurrence and is likely to increase in the coming times. Discuss this trend and analyse how effectively the constitutional courts are fulfilling their role as the 'balancing wheel' in managing these rights. (10 Marks)
11. Tribunals are designed to unclog the courts and aid in the overall dispensation of justice. Critically analyse this statement and suggest measures to improve their functioning. (15 Marks)
12. Conduct a comparative analysis of the composition, functions, and functioning of the British parliamentary system, the American congressional system, and the Indian parliamentary system. (15 Marks)

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13. Discuss the role of various inquiry committees of the Indian Parliament. Do you think the functioning and recommendations of these committees are sufficient to uphold democratic values? (15 Marks)
14. Critically examine the provisions of the new criminal laws, emphasizing their potential to ensure justice for the people. Suggest measures to overcome systemic barriers in the criminal justice system. (15 marks)
15. The doctrines of separation of powers and checks and balances are enshrined in the Indian Constitution, yet their effective implementation relies heavily on the constitutional morality upheld by the various organs of democracy. Discuss the significance of constitutional morality in ensuring the proper functioning of these doctrines. (15 marks)
16. India's ambitious push towards Digital Public Infrastructure (DPI) is set to revolutionize the governance system. Critically analyze how DPI can act as a catalyst for transformative change in governance, while also highlighting the challenges and limitations it may face. (15 Marks)
17. There is a harrowing surge in crimes against women in India especially in their workplaces. In this light critically analyse the effectiveness of India's women protection mechanisms and suggest reforms in this regard. (15 Marks)
18. Production, distribution and consumption of Child Sexual Abuse Material (CSAM) is one of the terrible forms of sexual abuse and exploitation faced by children and consequently, a grave violation of their human rights. In this context, analyse the reasons for increase in proliferation of CSAM and bring about the various mechanisms available to address this heinous crime. (15 Marks)
19. Discuss the role and mandate of the International Court of Justice (ICJ), the International Criminal Court (ICC), and the United Nations Human Rights Council (UNHRC) in maintaining a rule-based international order and protecting human rights. How effective have these institutions been in fulfilling their objectives? (15 Marks)
20. The recent political turmoil in Bangladesh is a major cause of concern to India's foreign policy and bilateral relations with Bangladesh. How might this crisis impact regional stability and India's strategic interests in South Asia? Suggest measures India could take to navigate these challenges effectively. (15 Marks)

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~~Good Attempt~~



# UPSC

(Q1)

Hasty legislations go against the spirit of a participative & deliberative democracy by subverting the collective power of parliament (Article 79) to make laws.

## Challenge essence of democracy

(1) Lack of deliberation: many bills not sent to parliamentary committees for deliberation (only 17% bills sent in 17<sup>th</sup> LS)

(2) Bypass parliamentary control: Opposition required to keep arbitrary laws in check.

(3) Judicial Challenges → From laws  
→ Electoral Bonds  
→ Election Commission

(4) Civic protests → CAA & NRC appointments etc.  
→ Farm agitations  
→ NEET Bill, etc.

## Approaches to be adopted

(1) Use of parliamentary committees: like Departmentally related standing committees



to give suggestions & modifications

- (2) Ensure parliamentary attendance: 17<sup>th</sup> Lok Sabha saw on 70% attendance of M/Ls on average.
- (3) Ensure views of experts: Secretary-General of House empowered to call experts.  
eg As done in DPDP Act, 2024
- (4) Public opinion: Use of technology like MyGov.in & social surveys for needs of people.
- (5) Ensure Adequate sittings: Enough time given to discuss bills & not pass on same day (40% bills passed on same day 17<sup>th</sup> LS).
- (6) Civil Society involvement: Help reduce post Bill litigation & delays  
eg ADR, PUCL, etc

Hence, by incorporating different viewpoints we can ensure a participatory democracy.



(Q2)

The leader of opposition's post is a statutory post of the rank of a cabinet minister. He ensures there is a limited government by keeping checks & balances.

## Practical & Responsible Role

- (1) Appointments to sensitive posts: Choosing director of CBI or election commissioner the leader of opposition is involved.
- (2) Opposition to government: especially in the parliament by bringing out grievances of the opposition eg farm laws, DPD etc.
- (3) Ensures accountability financially: As chairperson of the Public Accounts Committee work with CAG to keep check.



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(4) Ensure alternate government: In case of no-confidence can possibly form a government & provide political stability

(5) Other Committees: Joint parliamentary Committees / Ad-Hoc Committees to review bills & acts

(6) Budget: Keep check on financial demands for grants by the government & can pass resolutions (eg) Token Cut, Policy Cut

## Challenges

Need 10% seats in House to be opposition

excessive politicization & hate speech

lack of political decorum.

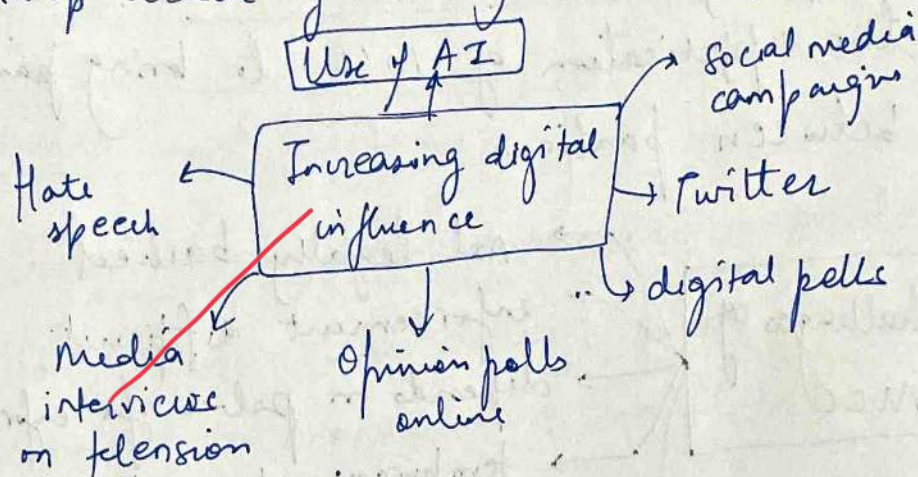
Not constitutional post.

Hence, we must celebrate democracy by emphasizing role of opposition in parliament by upholding the constitution



(Q3)

Modern political campaigning has become increasingly digital & taken new forms of advertising making it difficult to keep track of during election process.



IS MCC sufficient - Yes

(1) Election Commission decides: the penalties & the forms of campaigning that is acceptable including digital campaigns.

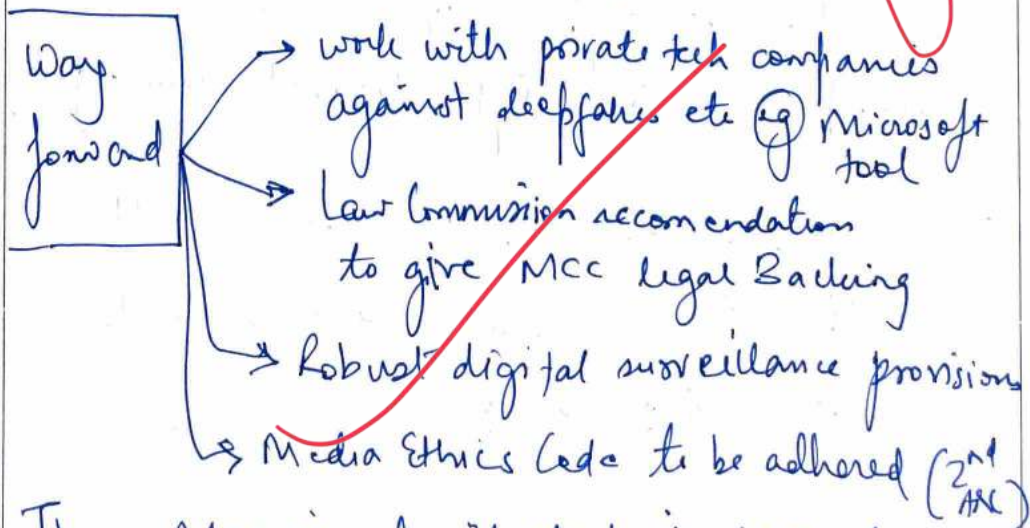
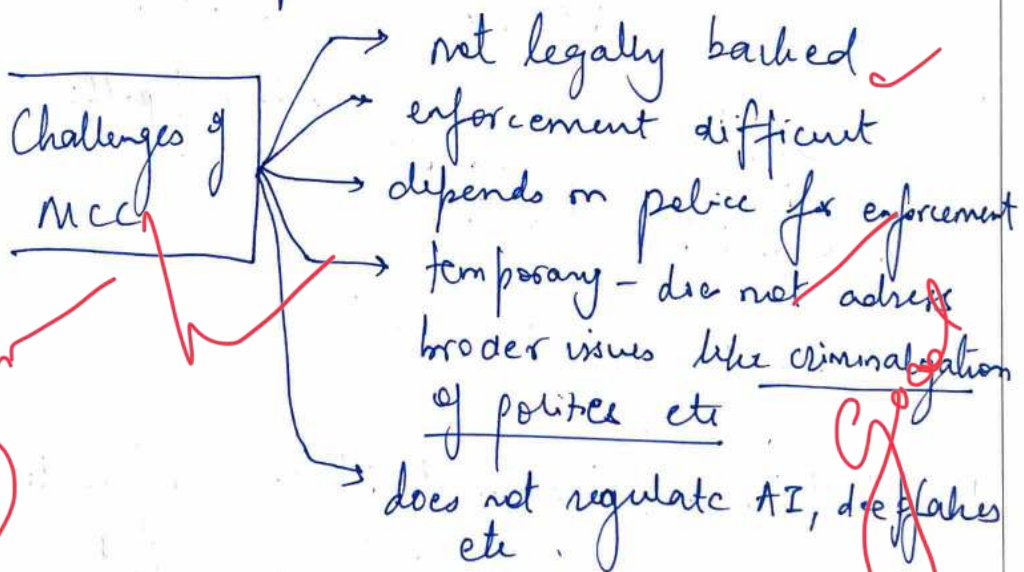
(2) Ensures transparency: valid for all parties & prohibits hate speech on religion, caste, sex etc.



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(3) New forms of monitoring : like PIB's fact check unit & supplementary laws like IT Act & IT rules (section 69A) etc.

(4) Stopping schemes & announcements : during the application of MCC to bring parity between parties.



Thus, MCC is a flexible tool with ECI to ensure free & fair elections



(24)

Recently the Supreme Court declared that right to be free from the adverse effects of climate change is part of fundamental rights under Article 21

## Constitutional perspectives

- (1) Directive principles of state policy: Article 48A talks about duty of state to conserve environment & wildlife
- (2) Fundamental duties: Article 51A talks of duty of citizens to conserve environment
- (3) Fundamental rights: Article 21 many interpretations by Supreme Court
  - (a) M.C. Mehta Case → Right to clean environment
  - (b) Maneka Gandhi Case → environment to be clean
  - (c) Vellore Citizens Forum Case → polluter pays principle evolved.



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## How concept evolved over time

- (1) Initially in A.K. Gopalan Case court took conservative position → process established by law.
- (2) Maneka Gandhi Case → due process of laws
- (2) Several interpretations were then taken eg McNulta, T.N. Godavaram Case (forests)
- (4) Rights of people widened eg P. S. W. vs State of Odisha Case
- (5) Formation of National Green Tribunal (India only country after Australia & New Zealand)
- (6) Various Amendments to laws eg Forest Conservation Act, Environmental Protection Act, Indian Forest Act, SF & OFD Act

Hence, a clean environment is a constitutional right as per the Supreme Court

to point example  
good  
control



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(Q5)

The right to information is a integral right under Article 19 of the constitution. The RTI Act, 2005 was passed to fulfill this after pressure from civil society notably MKSS in Rajasthan.

Right to privacy evolved

→ Khar Singh Case  
→ Maneka Gandhi  
→ Puttaswamy Case

Both Hold significant value

RTI → helps provide information to citizens  
→ transparency & accountability  
→ Accessibility of information  
→ participatory democracy principles

Right to privacy

→ Constitutional right (Article 21)  
→ right to be forgotten  
→ right to opinion  
→ right to bodily integrity

Balance → Recently SC in Anoop Basanwal v/s Union of India said the importance of Right to know in public matters is more than



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right to privacy (Election Bond Case)

Challenges with RTI & Privacy

- (1) Tendency of cases: over 2 years delay time on average for cases
- (2) Apathy & non-disclosure: 40% RTI applications are rejected.
- (3) Vacancy: Over 25% posts of Information Commissioners (ICs) are vacant in the states
- (4) Lack of facility: no adequate digital filing facilities (only 5 of creative)
- (5) Whistleblower safety: Deaths of RTI Activists.

Way forward to Balance

- Repeal clause 6 of official secrets Act (2nd ARC)
- Rationalize exemptions to RTI (Section 24 of RTI)
- ensure accountability & transparency in public matters.

Thus, in word of Thomas Jefferson, Information is the currency of democracy



# UPSC

(26)

As per the new trends to infuse technocratic attitudes & expertise lateral entry is being used to empower the government.

## State Cadre management crucial

- (1) Needs of people: State civil servants close to the ground & understand needs of people (eg) IAs Armstrong fame built road on crowd funding.
- (2) Flexibility within system: experience & ability to work with different organs of the administration.
- (3) Selection process: via competitive exam & rigorous testing ensures the best & talented officers are selected.
- (4) Unifocal vision: No alternate career ideas like industrialists. Hence able to work with dedication & precision.
- (5) Follow Code of conduct: As per AIS rules or Central government rules.



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## Lateral Entry

- (1) Ensure technical expertise: generally industry leaders eg Narayan Murthy.
- (2) Ensure the efficiency: Bring the best of the private corporate industry to the government.
- (3) Vision & leadership: Ability to look at the bigger picture & lead the government.
- (4) Academic Touch: policy experts & extremely proficient in their field eg Sanjeev Sanyal (PM & AC)

## Challenges with Lateral entry

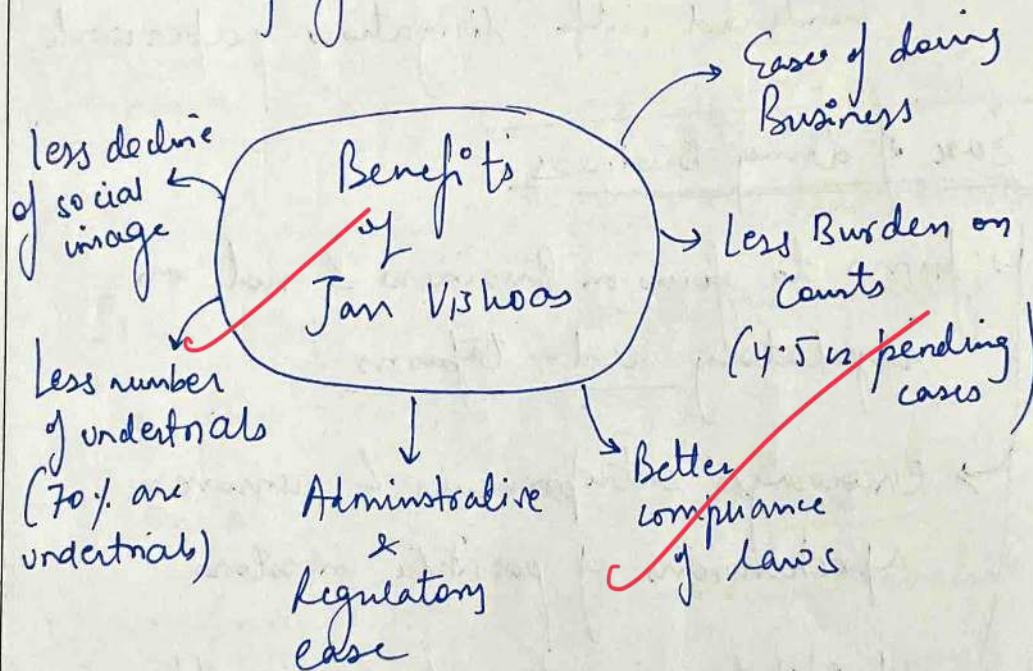
- No competitive selection process
- Conflict of interest
- politicization of posts
- no-prior govt administrative experience.

Hence, by ensuring a fair selection process & transparency of work culture lateral entry can be balanced with state Cadre based administration



(Q7)

The Tan Vishwas Act, was introduced with the idea of decriminalizing many penal offenses across many laws & replacing them with pecuniary & monetary fines to reduce burden.



~~Benefits of Tan Vishwas~~

~~ways~~ Simplifying legal process

no courts & litigation

tan penalties paid easily

less burden on government officials for compliance.



## Reducing Compliance Burden

- easy payment of penalties via digital portals
- allow businesses to run despite legal action pending
- public establishments & MNCs not burdened with litigation paperwork.

## Ease of doing Business

- firms to focus on business & not on regulatory red-tapisms
- encourages entrepreneurs & removes apprehensions of possible investors
- facilitate investments & growth in GDP.

Thus, the "Vivada se Vishwas" concept will help the economy & the public perception on the whole.



# UPSC

(08)

The BRICS is a group of 10 countries comprising of Brazil, Russia, India, China, South Africa.

Newly Added → Iran, UAE, Saudi Arabia, Ethiopia & Egypt.

Improves potential in changing world order

- (1) Counter Influence of West: China, Russia, Iran together are largely antagonistic to the western powers.
- (2) Financial power: The BRICS new development Bank as an alternative to the Bretton-Woods IMF & World Bank.
- (3) Alternate to Sanctions from USA: Both Russia & Iran face heavy sanctions. BRICS can provide platform → work & collaborate.
- (4) Energy Security: Inclusion of Saudi, UAE, Russia & Iran etc are rich in crude oil.



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and can balance hegemony of the West & OPEC

(5) Role in Israel-Palestine Conflict: UAE, Saudi, Iran both are against Israel whereas Western Bloc largely supports Israel

→ change nature of war

Challenges to overcome

→ hegemony of China must be countered to balance voices

→ Must not lean totally Anti-West. India needs to maintain Balance

→ Nuclear proliferation concerns between China & Iran

→ Chinese dominance in NDB funding & disbursement.

Way forward: Hence, greater dialogue & deliberation along with maintaining diplomatic channels can enable influence.

Collaboration on projects of renewable energy, fishing, energy security, technology transfer

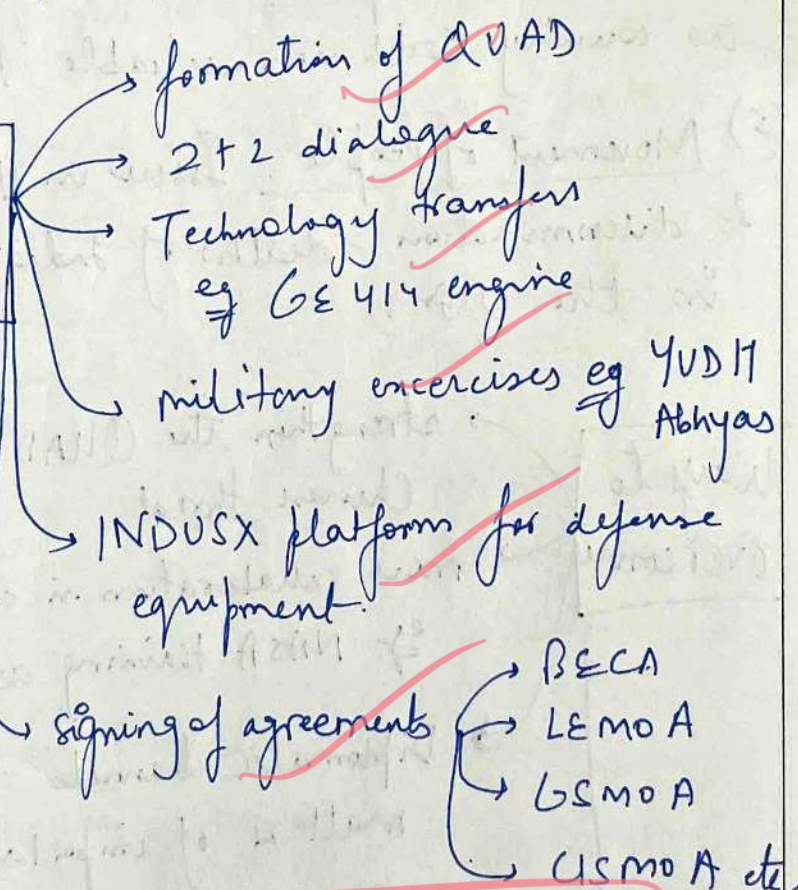


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(Q9)

Indo-USA relations has seen strategic convergence with the USA calling India as its most trusted & reliable partner against the growing threat of Chinese dominance.

Strategic Convergence



However differences still persist :-

(1) Trade Imbalance: Trade of India-USA is \$111 Billion and USA-China is \$800 Billion



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- (1) Conflicts over subsidy: at the WTO esp. india's MSF regime & TPDS etc.
- (2) Generalised system of preferences: USA delisted India from this list impacting exports.
- (3) Special 301 report: USA notified India as country with non-reliable IP laws
- (4) Movement of people: Issue in H1B visas & discrimination - deaths of Indian students in the USA.

Ways to overcome

strengthen the QUAD to counter Chinese threat

more collaboration in emerging fields  
eg NASA training astronauts

Diplomatic channels to discuss matters of importance  
eg Indo-Pacific

Mineral security partnership: Strengthen (India member)

USA, should also consider joining SCRI (Supply Chain Resilience Initiative) of India, Australia & Japan



# UPSC

(10)

Fundamental Rights mentioned from Article 12 to Article 35 of the Constitution are necessary & basic structure of the Constitution (Kesavananda Bharti Case 1973)

## Conflict Between Rights

- Right to Know v/s Right to Privacy (Article 29) ✓ (Art 21)
- Development v/s Environment (Article 19 & DPSPs) ✓ (Article 21)
- Freedom of Speech ✓ v/s Defamation & hurting sentiment ✓ (Article 19) ✓ Sedition etc.
- Government restrictions for security purpose or privacy ✓  
eg Shreya Bhatnagar Case - Sec 66A of IT Act struck down

## Effectiveness of Constitutional Courts



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- (1) Expanding scope of jurisdiction: eg development of Public Interest Litigations & jurisprudence
- (2) Holistic Coverage: encompassing all section of society (eg NJAC v/s Union of India  
3<sup>rd</sup> gender - recognized)
- (3) Environment balanced with development:  
Polluter pays principle - Vellore Citizens Forum Case
- (4) Right to privacy balanced with right to know:  
→ In public matters right to know prevails (Anoop Baranwal Case)
- (5) Parliamentary privileges v/s Fundamental Rights: Fundamental Rights prevail (MSM Sharma Case)

Hence, the courts must not use judicial overreach to give judgements but must interpret the constitution & balance rights as per the constitution.



# UPSC

(11)

Tribunals in India are formed under Article 323 A & Article 323 B of the constitution as brought in by the 42<sup>nd</sup> Amendment Act.

Under court & aid dispensation of justice

- Relaxed principles of functioning lead to better compliance
- Principle of natural justice
- Can receive evidences apart from Indian Evidence Act 1972
- Speedy & time bound solving of cases (currently court have 4.5 cr pending cases)
- Experts are on board of tribunals hence can provide technical expertise



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- Hierarchy of tribunals possible under Article 323B for easy appellate jurisdiction of National Companies Law appellate Tribunal (NCLAT)
- Easy Access & Affordable settlement of justice
- Focussed on particular field hence less burden eg Rent, Telecom, Banking etc.

## Challenges of tribunals

- Lack of transparency in appointments
- Lack of judicial independence
- Non-involvement of judiciary in selecting members
- Conflict of Interest in certain matters.
- Lack of infrastructure & vacancies eg DRTs etc.

15 Nov



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## Steps to improve working

- (1) Law Commission recommendation : Ensuring transparency in the appointment process
- (2) Increasing tenure of members
- (3) Cooling off period in taking up post retirement posts
- (4) Non-political selection eg Justice Kaul made NCT chairman on same day of retirement
- (5) Upgrading Judicial Infrastructure & more funding (0.08% of GDP)
- (6) Reducing pendency: eg Motor vehicles tribunal has more than 4 lakh pending case

Thus, tribunal can be an effective mechanism for judicial overhaul.



# UPSC

(Q18)

The Indian & British systems are similar due to parliamentary form & the USA follows a presidential form of government.

## Composition

India - Bicameralism → Lok Sabha  
→ Rajya Sabha

UK - Bicameral → House of Commons  
→ House of Lords

USA → Bicameral → House of Representatives  
→ Senate

## Functioning

India - the Lok Sabha has ministers & MPs together with little scope of separation of power

Legislature makes laws & executive part of legislature.



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USA - The president & the government is purely an executive body. Laws are made in the Congress & president only implements them. President can Veto laws but they can be passed using Qualified Veto (more majority again)

## Functions

India

- make laws
- deliberate on policy matters
- execution of laws
- appointment of Speaker & President
- provide vision to the future of the country
- Reports of CAG, UPSC etc & deliberate on them
- pass budget & demand for grants etc.



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USA

- The President only executes the laws
- Senate has say in appointment of judges
- "Spoils system" - president decides the executive composition
- Principle of total separation of powers.

UK

- Similar to India
- Unwritten Constitution hence parliament sovereign completely
- Bicameral system
- Not a Republic but Constitutional monarchy.

Hence, there are many differences between the political systems.



(Q12)

The various committees in the Indian parliament are the parliamentary committees, Joint Committee, Ad-Hoc Committees etc. They ensure checks & balances on the government functioning.

## Role of Various Committees

- (1) Public Accounts Committee : financial accountability of governments appropriation of funds  
→ works with CAG as "friend philosopher & guide".
- (2) Estimates Committee : check the estimates of the demands for grants respect to each ministry  
→ called continuous economy committee



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- (3) Committee on Public Undertakings: looks at the working of different government P.S.U.s & their financial positions.
- (4) Ethics Committee: looks at matters of violation of ethical conduct in the House.
- (5) Committee on Breach of Privilege: looks at conditions of breach of privilege of a member & gives recommendations.
- (6) Committee on Women: considers the reports of the National Council of Women & gives recommendations.
- (7) Committee on Subordinate Legislation: looks after the subordination of by-laws, rules, regulations etc.



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## Challenges of Committees

- PAC has post mortem functioning - reviews after passing of grants
- Only recommendatory not binding
- Cannot put cut in demand for grants
- Lack of adequate referral of bills (17% only in 15th LS)
- Politicization & unparliamentary conduct of MPs

## Way forward

- Ensure attendance of MPs in deliberation of committees
- Adequate referral of bills to committees
- Increased role of opposition in committees
- Involving more of public & expert opinions
- Publicize the reports & minutes of meeting for larger population

Thus, parliamentary committees are effective tool of democracy.



Provisions of new criminal laws

- defines terrorism & list punishment
- makes organized crime punishable for individuals & groups
- offenses against women dealt more seriously

L pretent of false marriage punishable



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## (2) Changed Cr.P.C

- more avenues to proceed against criminals using emails, texts etc
- mandatory forensics team at site of crime
- testing of evidences using modern forensics incorporated

## (3) Changed Evidence Act

- e-evidence are admissible forms of evidence
  - messages
  - whatsapp
  - videos etc
- evidence on physical drives also permitted eg pendrive, CDs etc.
- make it easier for law enforcement to prosecute criminals



## Measures to overcome Barriers

→ Reducing pendency of cases & speedy Justice

(eg) Hussanara Khatoon Case - right to speedy trial.  
(Article 21)

→ Reduce Undertrials - 70% in prisons and keep them separate from repeat offenders

→ e-fir & zero-fir concepts to be robust

→ follow proper procedure as per law in giving copy of fir & documents

→ police reforms as per Prakash Singh Case

→ prison reforms to be done

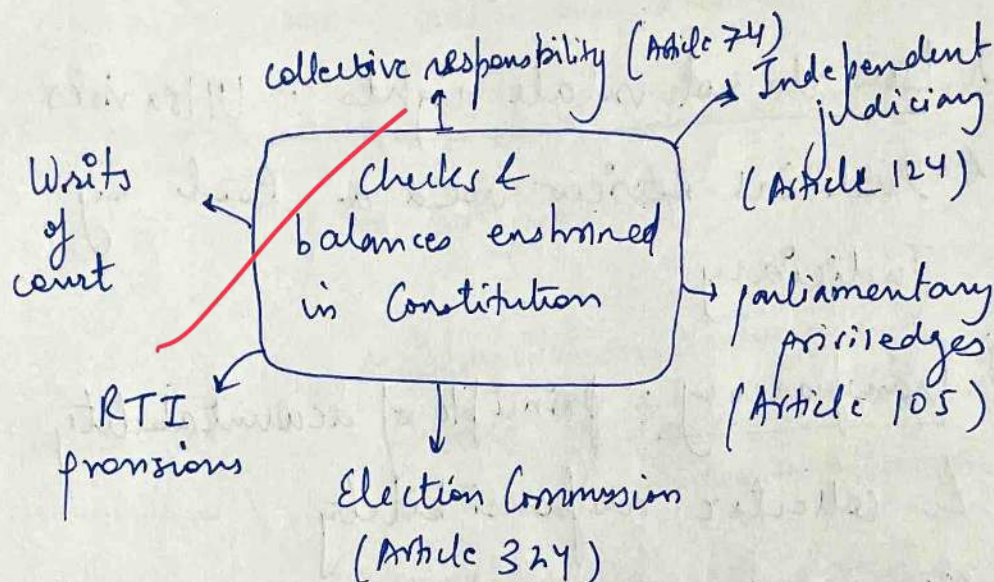
(eg) Malomath Committee recommendation

Hence, overhaul of criminal justice is a necessary requirement



(015)

The idea of separation of power comes from the idea of Montesquieu given in his book "The Spirit of the Laws"



Implementation relies on various organs of democracy

- limited government
- Uncommitted judiciary
- Impartial Executive
- Non-encroaching other spheres of work
- Article 50 - separation of judiciary from executive.



## Significance of Constitutional Morality

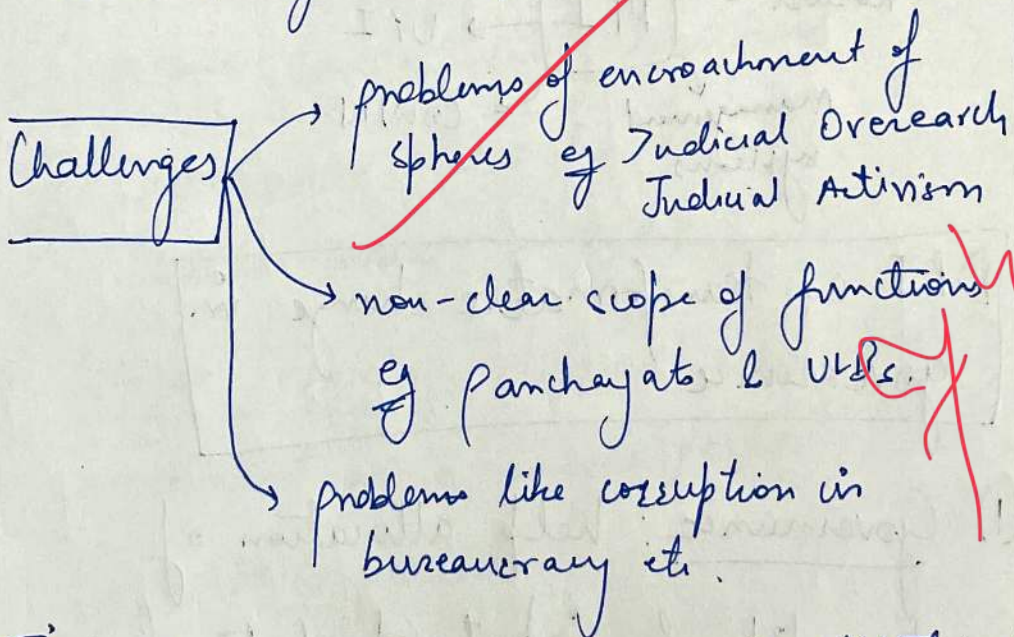
- (1) Helps maintain democracy: All people represented effectively by political representatives.
- (2) Law do not violate rights: Ultra vires & Judicial Review used as tools by Judiciary.
- (2) Transparency: principle of accountability & collective responsibility  
(eg) Article 74.
- (4) Various functions of civil servants done with probity, accountability & constitutionally  
(eg) Giving of licenses, allocation of benefits to people etc.
- (5) Institutions: (eg) Lokpal, CVC etc ...



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## Case laws regarding Constitutional morality :

- (1) Joseph Shine Case : Supreme Court mandated use of constitutional morality over ordinary morality
- (2) Shah Bano Case : Constitutional morality used to give compensation to victim.

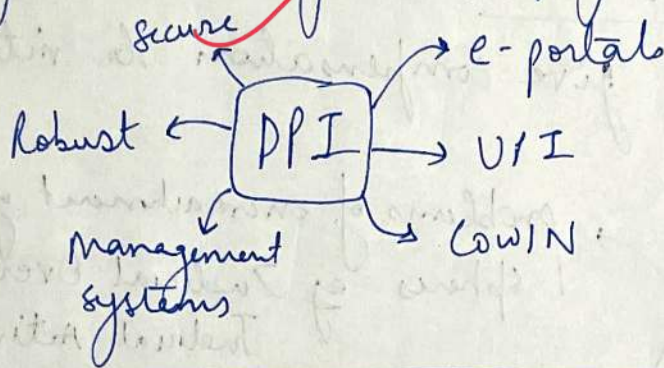


Thus, by maintaining strong Constitutional principles & morality we can ensure a more participative & vibrant democracy.



(16)

Digital Public Infrastructure is a set of digital application & platforms that can be used for public purposes (eg) e-governance, financial payments etc,



DPI as transformative change in governance

(1) Governance: help allocation of benefits & input of data for policy purposes

(eg) myGov. in platform



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- (2) Subsidy transfers: using PMFS system government saved ₹ 2.71 lakh crore using DBT → ensure financial prudence.
- (3) Agriculture: benefits to farmers using digital tools like - WINDS portal, SEEDS, m-KISAN, E-NAM etc.
- (4) Trade & Economy: formalize processes & increase ease of doing business  
(eg) SAMADHAN portal for MSMEs.  
SCORES portal - SEBI
- (5) Citizen Services: different schemes of government on a single portal  
(eg) UMANG portal
- (6) Global Connect: India at G20 meet offered to lend digital public infrastructure  
(eg) CoWIN portal & Health Management system (HMS)



# UPSC

## Challenges

low digital literacy level (28% only)

lack of infrastructure (20% panchayat offices have computers)

Data security & privacy concerns  
(e.g. Cyber crime & data theft)

trained & skilled workforce to operate software & handle data

lack of data standardization

## Way forward

Increase penetration of digital devices (e.g. Bharat NET scheme)

Skilling of workforce (e.g. PM Kaushal Vikas Yojana)

Acts & regulations for privacy  
(e.g. DPDP Act, CERT-IN (MOHA))

Standardization of data keeping principles & formats

ensure interoperability of data

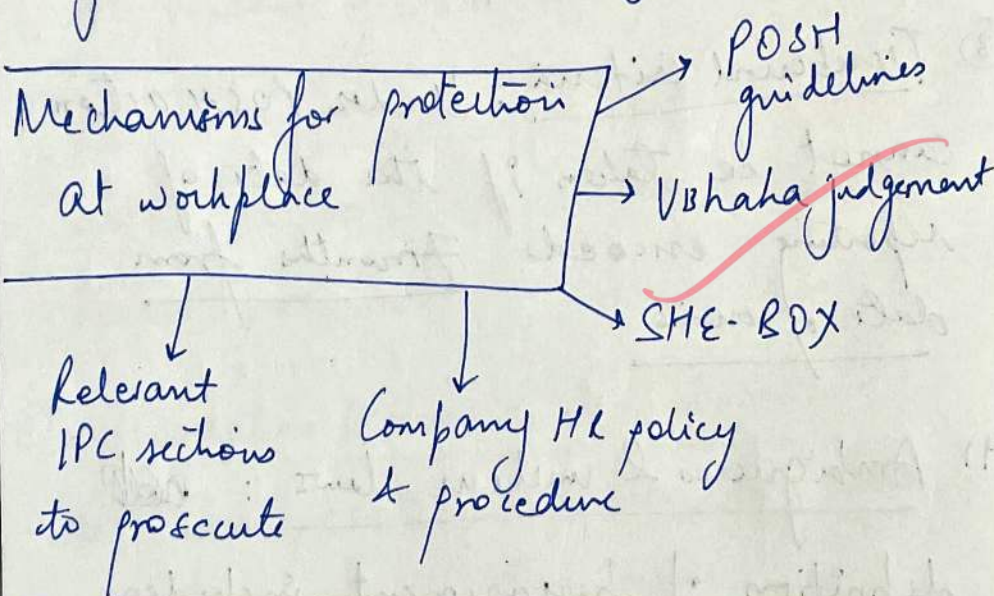
Thus, data being the new oil, DPI is a very useful tool.



# UPSC

(17)

According to NCRB reports 37% of women have experienced sexual harassment & only 18% of crimes against women are being reported.



Effectiveness of women's protection mechanisms

- ① ICC & IC as mandated by POSH guidelines do not function adequately  
↳ conflict of interest



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→ not independent in true sense  
→ non-reporting due to fear & stigma

(2) Position of women: fear due to patriarchy & peers to not report crimes  
eg only 1% cases reported

(3) Timebound Criteria: Under POHA action cannot be taken if the date of reporting exceeds 7 months from date of crime

(4) Ambiguous & unclear laws: ~~not~~  
definition of harassment includes even "poetry" if done in a perverted way  
→ can be misused

(5) Not gender neutral

Reforms suggested

(1) Awareness Campaigns: eg #METOO and global mechanism → UN CEDAW



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Campaign on social media to allow women to express themselves.

- (2) Innovative measures: SHE-BOX mechanism to remove fear of backlash & stigma
- (3) Adequate support via counseling: for victims of harassment at workplace.
- (4) Use of Technology: e-HIMMAT app by Delhi police, PINK INITIATIVE by Kerala government.
- (5) Orientation Session & Code of conduct: even for private workplaces to ensure safety & security for women.
- (6) Making Women's safety part of ESG norms assessment for companies

Hence, as a fundamental duty we must ensure safety & security of our women at the workplace & give them opportunity to learn & grow.

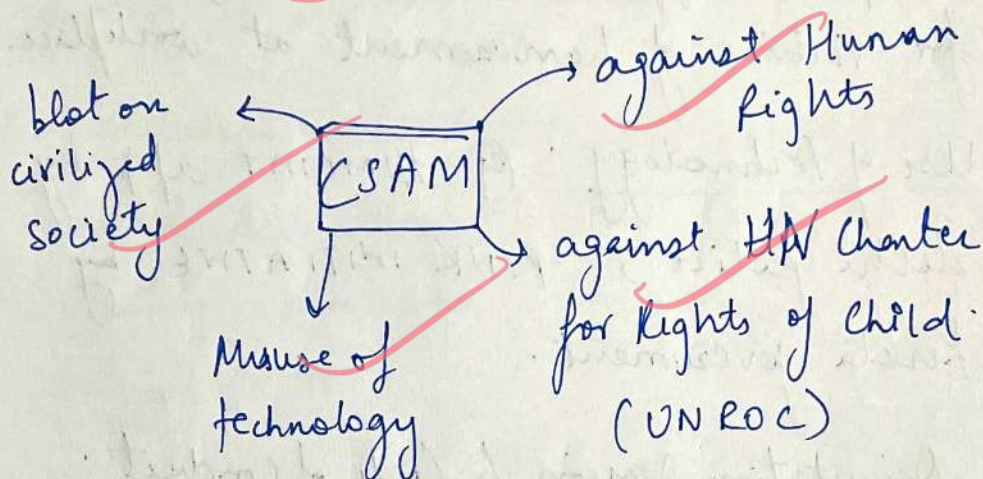
Can't avoid Affair

7



(18)

Possessing or distribution of CSAM is a criminal offense under the Indian Penal Code.



## Reasons for increase of CSAM

- (1) Increasing use of Internet & media  
use of Dark Web, Deep Web, Tox Browsers etc give access.
- (2) Psychological problems: people using material should seek professional medical help.



# UPSC

- (3) Access to Hackers: Hacking of CCTV footages to record secretly & sell material to criminals
- (4) Cryptocurrency: used majorly for transactions of such illegal materials.
- (5) Less attention to children: due to busy lives of parents & guardians  
→ make them potential victims of such crimes.

## Various Mechanisms

- (1) Social Media Intermediaries: responsibility under IT rules to bring down such content within stipulated time
- (2) Cyber Security Agencies: (eg) CyCorl, CCIN, CertIN etc.  
→ Operation Meghdoot (CBI) against Child pornography



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(3) Robust Tracking Networks: To trace the perpetrators & bring them to Justice.

(4) Global Collaboration: @ Budapest Convention against cyber crime & collaborate with stakeholders to address issue.

(5) Awareness & Training: of children in schools & institutions via seminars etc.

(g) Teaching of "good touch" v/s "bad touch"

(6) Sensitization of law enforcement & teachers to ensure privacy of child who is victim of such a crime.

Thus, Children are our future & demographic dividend we must protect them.



# UPSC

(19)

The ICJ & UNHRC are integral parts of the United Nations framework whereas the ICC is a separate entity to deliberate on separate category of issues.

## Roles

- ICJ
- adjudicate disputes between different countries
  - matters of war crimes, genocide etc recently South Africa against Israel.
  - 3 member body, - impartial
  - binding laws but enforcement is not binding by ICJ
  - disputes over seas & demarcation of boundaries.



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- UNHRC → apex body to protect human rights
- takes cognizance of human rights violation
- National Human Rights bodies are members
- gives policy guidelines & recommendations for the protection of Human rights

- ICC → International Criminal Court
- trying of individuals against offenses
- eg) Putin against war crimes in Ukraine
- India not a member

## Effectiveness of Institutions

- (1) Non-compliance by countries :



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- frequent flouting of decrees of ICJ
- (eg) UK over galapagos Island decision did not comply
  - (eg) China doesn't comply with the UNCLOS decisions given even in ICJ.
  - ② Allegations of partiality: (eg) UNHRC seems to have allegations of ~~rest~~ vested interests
    - (eg) Kashmir Issue regarding India & issues with appointments of NHRC.
  - ③ Lack of enforcement power: cannot get countries to act thereby demeaning sanctity of the UN.
  - (4) Ambiguity: In terms of international law & ~~lack~~ of legal experts to engage in the ICJ & ICC

Thus, there is a need to make these institutions robust & ensure compliance of international law.

Article 51 → foster respect for international law.



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(20)

Recent political crisis with the ousting of Sheikh Hasina from power over a 'students protest' has created complicated situation for India

## Impact of Crisis

- Regional Stability

(1) Disruption of Trade: apprehension of countries over security of Bay of Bengal region



(2) Influx of radical elements: possibility of heightened terrorism in the region

(3) Rights & genocide apprehensions: of Buddhist, Hindu, Christian etc minorities in the country.

(4) Refugee situation: similar to 1971 possible on Indian borders.



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- (5) Disruption of foreign policy: Between existing partners & allies of Bangladesh in the region.

## Impact on Indian Interests

- (1) Status of strategic projects: eg Chattogram & Mongla port in the country.

Akhaura - Agartala rail link etc.

- (2) More burden on security: eg BSF to prevent terrorism & involvement of Pakistan → Chicken's neck corridor - threat

- (3) Lohingya crisis issue: India not member of non-refoulement treaty. Allegations of rights violation etc.

- (4) Insurgency in North East: could resurface & get safe haven in Bangladesh

- (5) Increasing role of China: in providing arms, debt trap & try to undermine role of India.

- (6) Trade: Bangladesh India's largest trade partner in S. Asia (\$8 billion) under threat.



## Measures to navigate Challenge

- (1) Dialogue & diplomacy: Increasing role of government to seek collaboration & coordination
- (2) Track 1.5 & Track 2.0 diplomacy measures.
- (3) Counter Chinese influence: using strategic alliances & multilateral forums for example BBIN, BIMSTEC etc.
- (4) Ensure responsible democratic government: otherwise india will face problems from all sides / fronts
- (5) Global collaboration: to extend help to refugees & monitoring the conditions of minorities using civil society (eg) Human Rights Watch

Thus, Bangladesh Being a strategic ally must not succumb to divisive forces.