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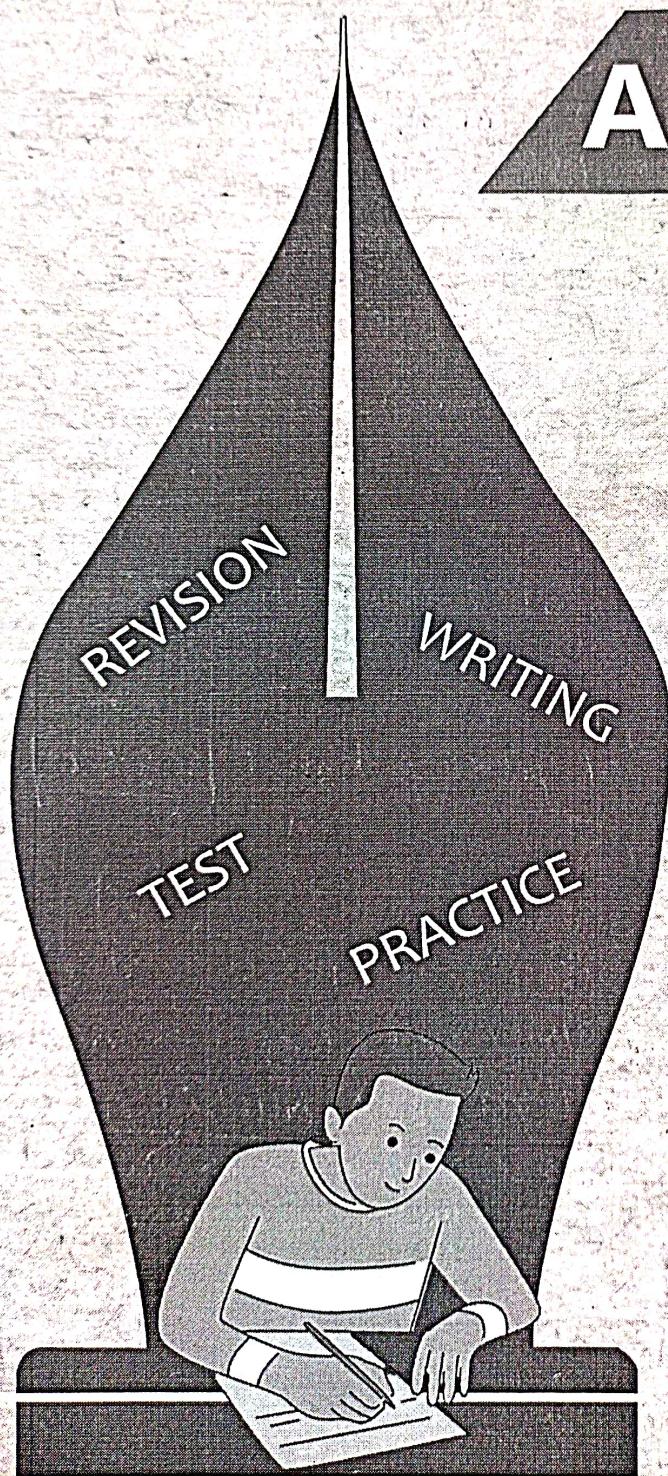
UPSC MAINS 2023 TEST SERIES

ABHYUDAYA

TEST 6

Rajdeep Ghosh

GSS-2



2
3
G



MAINS TEST SERIES 2023

GS-2

TIME ALLOWED: 90 minutes

TEST ID 06

MAXIMUM MARKS: 125 Marks

Centre Name- Salt Lake

BATCH Name- Abh-2023 mains

ROLL NUMBER:

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QUESTION PAPER-SPECIFIC INSTRUCTIONS

- There are questions printed in ENGLISH. All the questions are compulsory.
- The number of marks carried by a question is indicated against it. Word limit, specified, should be adhered to.
- Any page or portion of a page left blank in the answer sheet must be struck off.

Q No.	Marks	Q No.	Marks	Q No.	Marks
1		8		15	
2		9		16	
3		10		17	
4		11		18	
5		12		19	
6		13		20	
7		14		TOTAL	

PARAMETER	EXCELLENT	GOOD	AVERAGE	POOR	VERY POOR
Presentation					
Content					
Grammar and Language					
Paper coverage					

GS-2

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(10 Marks, 150 words)

Q1. What are the legal concerns associated with custodial violence? Discuss the challenges in curbing such incidents.

Recently Chief Justice of India has observed that threat to human rights and bodily integrity are highest in police custody.

legal concern with custodial violence.

- ① It violates the provisions of article 21 and article 20 of Indian constitution i.e. dignity of life and no self-incrimination respectively.
- ② It is against norms of UNHRC and various human rights act.
- ③ It is against the provisions of National human rights commission act, 1993.

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Challenges in curbing such menace

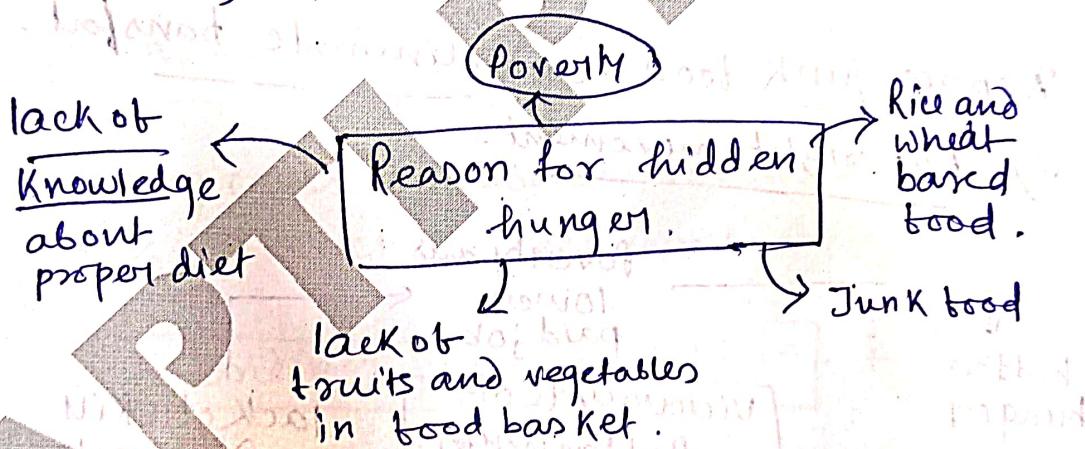
- ① As per NCRB report, there were 88 custodial death in 2021.
- ② colonial mindset of police force.
- ③ Lack of technology adoption and weak forensic department.
- ④ Police officials are trialed and investigated by government - there is lack of scope for civilian to lodge a complaint.
- ⑤ Prison world does not follow the rule of law always..
- ⑥ low conviction rate of police personnel. [~ 2.5%.]
- ⑦ Problems of under-trials.

Therefore prison and police custody reforms are the need of the hour. Proper surveillance and technology adoption and attitudinal change of police forces are required to curb this menace.

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Q2. It is not the problem of Hunger but Hidden Hunger, which is causing growth impairments among adolescents. Suggest remedial measures in this regard. (10 Marks, 150 words)

India has ranked in 107th places in Global hunger index, 2022. The adolescents of India are suffering from Hidden hunger i.e. hunger due to lack of nutrition (eg. vitamin, mineral etc.) not due to food.



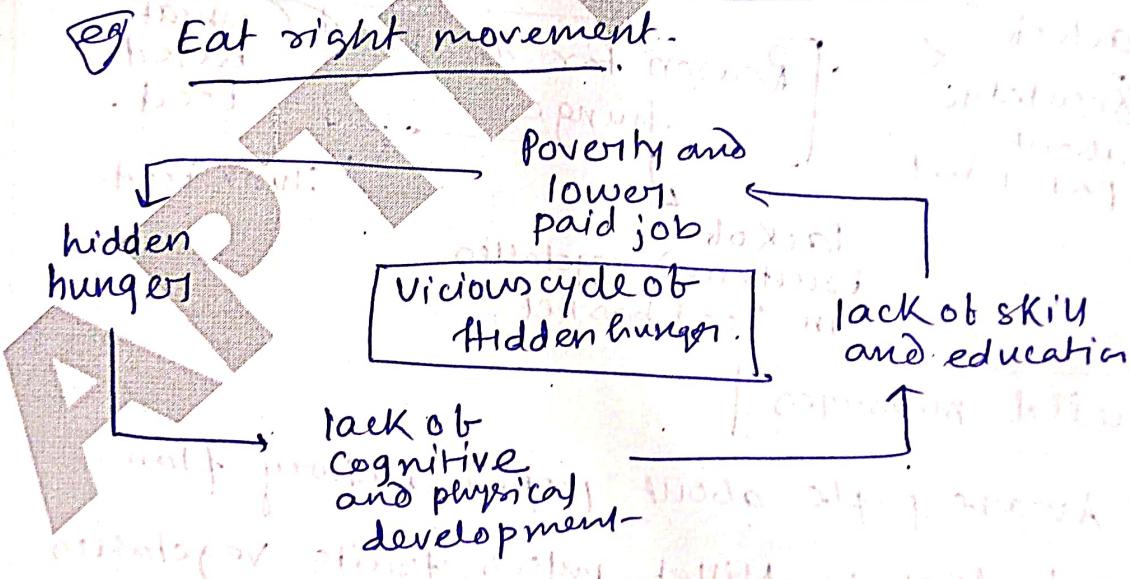
Remedial measures

- ① Aware people about proper dietary plan.
- ② Introducing - Millet, pulses, fruits, vegetables in food basket.

(eg) 2023 - international millet year.

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- (3) Food fortification and salt fortification
 - enrich the quality of food and nutrition.
- (4) Strengthening various government schemes like - Mid-day-Meal scheme.
 - NFSA, 2013 - PDS system etc.
- (5) Replace junk food and eliminate trans fat.



Therefore, we have to eliminate hidden hunger to achieve SDG-1 (zero poverty) and SDG-2 (zero hunger).

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(10 Marks, 150 words)

Q3. Contract Enforcement is affecting the Ease of Doing Business. In the light of above statement, highlight the issues in Indian judicial system.

Contract enforcement refers to a grievance redressal mechanism which addresses the dispute of business. It affects Ease of doing business and investment attraction of a country.

Present status:-

- ✓ Ease of doing business (published by World bank)
 - India's rank - 63rd
- ✓ Pending cases in subordinate court ≈ 2 crore.
 - 1/3 of which is civil ~~cases~~.

Issues in Indian judicial system

- ① Pending of cases. As per study India's courts will not able to clear its backlog.
- ② Time taking process.
 - (e) Average time, around 4 years,

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- ③ Most of the party ~~as~~ avoid the judicial process. Because it is an time-taking, and resource-wasting process.
- ④ Arbitration process is also slow in India. So Many corporates or parties choose to more user friendly countries like UAE, Singapore etc.
- ⑤ Tribunals are not so effective.

Government steps

- ① Setting up a tasking force by NITI Aayog.
 - ② Commercial wing in high court for easy and fast disposal of business disputes.
- To achieve the dream of becoming \$5 billion economy India needs to attract FDI. Judicial simplification and ease of doing business are imperative for that.



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(10 Marks, 150 words)

Q4. Indian Constitution has created a 'federation with a centralizing tendency'. Discuss the characteristics of Indian Federalism.

India's federalism is 'sui generis' (unique on its own) in nature as it is formed by the disintegration of union rather than unification of states.

Federal character of Indian federalism

- ① Constitutional supremacy is followed in India.
- ② Independent judiciary with power of judicial review.
- ③ Separation of power through seventh schedule. e.g. Lists - Union, State and concurrent.
- ④ State and centre have different legislative sphere. State's representatives are present in upper house of parliament i.e. Rajya Sabha.

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Centralising tendency -

- ① Residual powers lie with the centre.
- ② Centre controls state with office of Governor.
- ③ There are circumstances when centre can legislate in state list.
(eg) Article 249 of constitution
- ④ During National emergency and president rule (Art. 356), Union has overriding power over state.
- ⑤ Centre can unilaterally change the boundary of the state.
(eg) State reorganisation act.

The relation between states and centre strikes a balance through co-operative and competitive federalism in India.

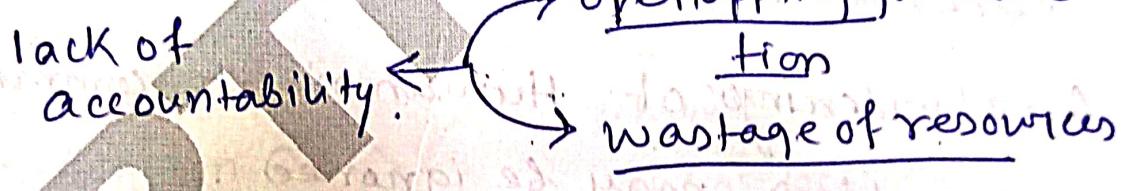
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(10 Marks, 150 words)

Q5. The multiplicity of various commissions for the vulnerable sections of society leads to problems of overlapping jurisdiction and duplication of functions. Is it better to merge all commissions under the umbrella Human Rights Commission?

- To achieve inclusive development and follow 'equal protection by the law', Indian government created many statutory and constitutional body.
- (e.g) National Human rights commission, National commission for SC, ST, OBC, Women etc.

Problems.



Argument for merging all commission.

- ① More efficient and effective and coordinating solution for a particular problem.
- ② It will be easier to get budgetary allocation if single body demands for it.

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- ③ Umbrella solution and analysis of every policies and effect from various perspective.
- ④ Efficient use of manpower, resources etc.
- ⑤ Easy to build capacity.

[concern]

- ① Specially vulnerable sections required specialised attention and grievance redressal mechanism.
- ② Overburdening of Human rights commission.
- ③ Some sections may be ignored.

Rather than merging all commission, we should create a robust co-ordinating mechanism and make these commissions SMART (Simple - Mobile - Accountable - Responsive tech savvy).



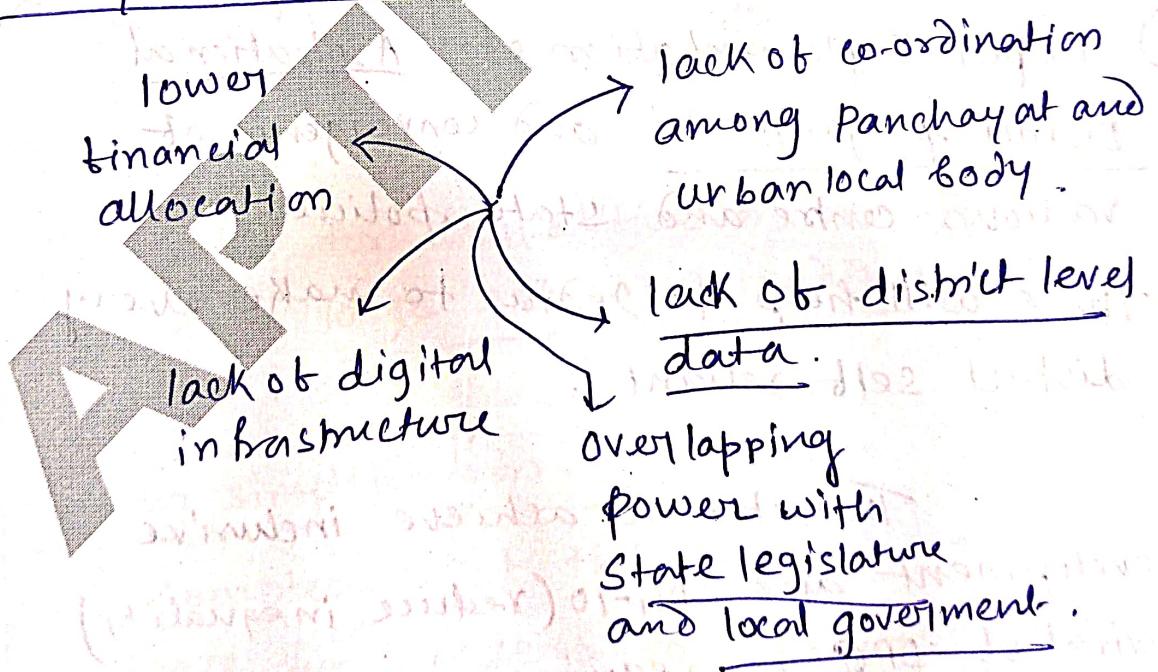
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(10 Marks, 150 words)

Q6. District Planning Committee (DPC) has been the weakest structure in the local self-government mechanism in India. There is an urgent need to revive district-level planning in order to implement the 73rd and 74th Amendments to the Constitution. Analyse.

73rd and 74th constitutional amendment gave constitutional status to local self government and introduced the District Planning committee for co-ordinating planning for a district.

Why weakest structure?



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Need of the DPC

- ① It promotes participative democracy.
- ② Bottom up approach in governance is more effective than top-down approach.
- ③ Proper utilisation of resources through overall comprehensive planning for a district.
- ④ Proper implementation of 'Aspirational District programme' and convergence of various centre and state policies.
- ⑤ These will help India to make every district self-reliant.

Therefore to achieve inclusive development and SDG-10 (reduce inequality) revival of DPC is required.



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(10 Marks, 150 words)

Q7. "There is a need to simplify the Procedure for disqualification of persons found guilty of corrupt practices under the Representation of Peoples Act". Discuss.

RPA (Representation of People Act), 1951 has enough provisions for disqualification of legislator but there too many provisions often create complications.

Provisions -

- ① Section 8A :- disqualification for corrupt practices
- ② Section 9 :- disqualification for corruption and disloyalty.
- ③ Section 10 :- using office of profit.
- ④ Provision for disqualification if candidate failed to lodge election expenditure within time.

Need for simplification -

- ① Complexity of this law give enough space for lawyers to find loopholes.

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- ② RPA, 1951 has a provision for appealing higher court and re-appealing. This provision has caused unnecessary delay.
- ③ To maintain public faith in democracy and electoral process, these laws should be transparent and simple.
- ④ To check corrupt politicians and democratise the politics.
- Therefore, there's a urgent need to revisit RPA ad. 1951 to form a integrated and transparent electoral process.

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(10 Marks, 150 words)

Q8. Explain the importance of 'principle of subsidiarity' for improving governance.

Principle of subsidiarity refers to govern some people or citizen from as close as possible. It mainly focuses on local self government and community governance.

Importance of principle of subsidiarity.

- ① It promotes 'bottom-up' approach instead of top-down approach.
- ② It Promotes participative democracy, and feed back-agile approaches.
- ③ No-one size ~~fit~~ fits all approaches.

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- ④ India is a diverse country. Every society, region has distinct demand and aspiration. So subsidiary governance can help to address this issues.
- ⑤ Southern state should focus on inclusive growth whereas eastern poorer state as of now should focus on economic growth.
- ⑥ The gap should be filled by higher or central authority - this is also allowed in principle of subsidiarity.
- ⑦ Agriculture is state subject. but govt of India provides financial assistance to farmers through PM-Kisan.

Therefore, a principle of subsidiarity can help India to achieve an egalitarian equitable society.

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(10 Marks, 150 words)

Q9. The "Diamond of Democracies" in the Indo-Pacific is more than just a counter to expansionist China. Analyze.

'Diamond of democracies' or QUAD is a multilateral grouping of India, USA, Australia and Japan for securing Indo-Pacific.

Objective of QUAD

- ① To counter to expansionist China.

a) China's assertiveness in

Indo-Pacific e.g -

'cheek book diplomacy'

Belt and road initiative and 'string of pearls'

- ② QUAD can counter china through multilateralism. Combining military power of India, Australia and Japan are less than China. So There is a need to involve USA.

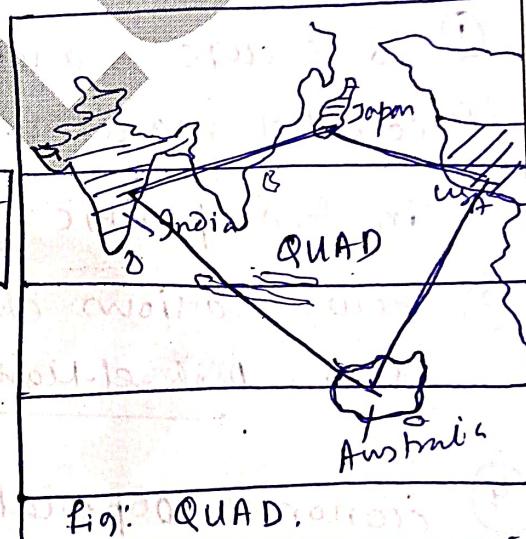


fig: QUAD areas



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Other objectives

② China addressed QUAD as 'Asian NATO'

Other objectives-

- ① To secure maritime trade and communication
- ② counter maritime piracy, drug-batticing.
in Indo-pacific.
- ③ secure various choke points eg - Malacea strait, Bab-el-Mandeb, strait of Hormuz.
- ④ Economic cooperation and investment opportunity.
- ⑤ Technology transfer and disaster management.

QUAD can give India platform to secure its maritime boundary, trade and technology adoption for achieving the dream



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(10 Marks, 150 words)

Q10. India has seen a sudden boost in its subnational diplomatic activities in the last few years. What do you mean by the term Paradiplomacy? Illustrate with examples that the role of Indian states in conducting diplomacy is not confined to the economic realm and extends to security, environment and resource management.

paradiplomacy refers to involvement of state government and sentiment of a state in foreign policy. It has dual effect.

Strengthening of co-operative federalism and connection with diaspora

Compromise with foreign policy for national interest.

Para-diplomacy instances and fields.

① Economic realm

- a) Many states are conducting foreign trips and forum for attracting FDI.
e.g.- Karnataka, Delhi, Andhra Pradesh etc.

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- b) technology transfer for clean energy and
- (c) To alleviate poverty and achieve sustainable inclusive economic development.

eg - Andhra Pradesh sent delegations to China

② Geo-political realm.

- ① Involvement of DMK government of Tamil-Nadu which forced Indian government to vote against friendly neighbours Sri Lanka in UN-General Assembly.

③ Bilateral treaty.

Role of West Bengal government in Tista-river water sharing treaty between India and Bangladesh.

Paradiplomacy should be used by centre and states to achieve inclusive growth and in national interest. It should not affect own sovereign national foreign policy.



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(15 Marks, 250 words)

Q11. What is the rationale behind having a mandatory 'cooling-off' period for retired civil servants? In the light of numerous instances of violation of this provision, do you think there is a need to have a relook at Civil Services Conduct Rules?

All India Service Rule, 1958 and centre civil service rule prohibits group 'A' officers to take any commercial appointment after retirement for 1 years. This period is known as cooling off period.

Rationale behind it -

- ① To check corruption and favouritism of civil servants for post-retirement benefit.
- ② To maintain civil service values like - political neutrality, non-partisanship, objectivity etc.
- ③ Group 'A' officer's are involved in various sensitive decision making process and they know various information which can hurt national security, public welfare.



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Need to have a relook.

- ① Political participation are not under the meaning of 'commercial appointment'
- ② It is a discretionary power of centre whether to give permission to a officer to join any commercial services or not.
- ③ It did not hinder a officer to hold an offices ~~used~~ in Quasi-judicial officer or governmental appointment.

'cooling off period' is extremely important for ~~now~~ upholding civil service values and maintain its 'steel frame' status.

So government should revisit these rules.

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Some suggestions:

- ① Political participation should be taken under commercial appointment.
 - ② Moral education and mid-term training for government officials.
 - ③ Strengthening the 'cooling off period' rule.
 - make it mandatory instead of government's discretion.
- Therefore, these steps can help India to achieve good-governance and ensure transparency in system.



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(15 marks, 250 words)

Q12. The role, powers, and discretion of the Governor's Office in multiple States have been the subject of constitutional, political, and legal debate for decades. Illustrate this with the help of examples from recent times. Discuss the major issues which have subjected the Governor to heavy criticism. How has the Supreme Court interpreted the role of the Governor?

Article 153 states that there shall be a governor for each state. Article 163 states that Governor should ~~not~~ act on the aid and advice of council of minister except some discretionary power.

Recent tussle between Governor and State legislative.

- ① Tussle between LG and Delhi state legislature.
- ② Kerala:- tussle for the 'chancellor of university' \Rightarrow university
- ③ West Bengal government and Governor tussle for condemning each other.



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④ President rule in Maharashtra.

Major issues:

① The office of governor is a apolitical in nature. But governor is appointed by centre. He/she enjoys his/her office during the pleasure of president. Therefore politicisation of office of governor. is natural.

② Frequent use of discretionary power.

(e) President rule.

withhold bill for president consideration.

P.T.O

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Supreme court's interpretation.

- ① B.P. Singh case: Supreme court (SC) accepted the dual role of governor i.e. ① head of the state ② agent of centre.
- ② S.R. Bommai case: SC brought 'President rule' under judicial review and accepted the autonomous existence of state.
- ③ Shamsher Singh vs State of Punjab:
Governor should act, prorogue, summon state legislative assembly on the advice of council of minister.
→ Government should adopt recommendation of SarvKaria commission and Punjhi commission to establish a harmonious relation between centre and state.

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(15 Marks, 250 words)

Q13. 'One peculiar development of modern political system in India is the inter penetration of the political parties and pressure groups. For the sake of having power, both parties and organized pressure groups have to depend upon each other'. Discuss.

Political parties are organisation that try to form government through constitution ~~electoral~~ electoral process. Whereas pressure groups tries to influence the government's policies for their interest. They do not try to capture political power.

Inter penetration of political parties and pressure groups.

- ① Pressure groups gives political parties a vote-bank if they comply with their interest - eg- BMS (Bharatiya Mazdoor Sangh) and BJP.
- ② Pressure groups influences the manifesto presented by political parties.
eg India-Against corruption (IAC) and Aam Admi party (AAP).

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③ political parties took help from expertise from pressure groups.

(e) AITUC and INC.

whereas —

① After the formation of government, political parties fulfill some interest of pressure groups.

② Political parties sometimes echoed the demands and aspiration of pressure groups.

Concern

This interplay is not always innocent.

It sometimes imposes threat to national interest and security —

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① pressure groups pressure government to take narrow perspective over national interest. eg- ULFA in Assam.

② Some times pressure groups influences political parties to induce regionalism and separatist movement.

eg- NSCN in Nagaland

pressure group, should act as a tool for check and balances the arbitrariness of government and political parties. It should work for development of vulnerable instead of creating threat on national security.

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(15 Marks, 250 words)

Q14. "The idea of compulsory voting is that it conveys the idea that each person's voice is expected and valued." Critically examine the statement in the context of the viability of the idea of compulsory voting in India.

Article 326 of Indian constitution gives 'universal adult franchises', but voter turnout of India is very low. It has been observed that a candidate wins by getting 20-30% of votes of total electoral voters.

Arguments for compulsory voting

- ① It will represent broader part of the society.
- ② Promote more participative and inclusive democracy.

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- ③ Utilisation of citizen's right ('right to vote' is a constitutional right).
- ④ Voter turnout will increase.
- ⑤ More representative democracy - voice of vulnerables will be echoed.

Argument against compulsory voting

- ① 'Right to vote' incorporates 'right to refrain from casting vote' as 'right to freedom of speech' includes 'right to silence'.
- ② It may increase vote bank politics and 'money-vote' transaction.

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③ India has a large migrant force due to education, work-opportunities and marriage. It is not viable for them to caste their vote every time and travel.

④ Frequent voting process: e.g. Lok Sabha, Vidhan Sabha, Panchayat etc.

⑤ Voter turnout ^{is} already increasing because of campaigning, digital-technology etc.

eg. 17th Lok Sabha voter turnout over 80%.

We should strengthen awareness and campaigning programme and ensure security to tackle pre and post-poll violence to increase voter turnout instead of imposing any compulsory provision.



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(15 Marks, 250 words)

Q15. National Council for Transgender Persons is a much-needed step in order to prevent further marginalization of the Transgender community in India. Critically Analyze.

National council for Transgender persons

act, 2019 (NCTP) has given the statutory status to NCTP to bring them into mainstream give them equal opportunity and equal protection.

Why is it a much needed step?

①

Vulnerable to disease like HIV-AIDS, TB, anemia etc.

Social stigma

Social exclusion
by family, society.

Lack of access to institutional credit.

They are more poor and hungry, malnourished compared to others.

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How can NCTP solve the problem.

- ① Advising government to formulate policy for transgender persons.
- ② Reviewing policy or bills and acts for LGBTQIA+ community. (e.g) Inhumane laws like sec.377 of IPC
- ③ Recommending required amendments.
- ④ Grievance redressal mechanism for transgender people.
- ⑤ Engage It can engage with various NGOs, civil societies for the development of Transgender people
- ⑥ campaigning to break social stigma prevalent in society against transgender people.

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Government of India took significant steps like SMILE schemes, and repealing section 377 of IPC (It decriminalise homosexual marriage). But there are a lot to do to achieve SDG-5 (gender equality) and SDG-10 (reduce inequality).

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Q16. With the recent controversy concerning bulldozer demolition in India, discuss the related Supreme Court Judgements on encroachments. (15 Marks, 250 words)

Recently, bulldozer demolitions by government authority in Uttar Pradesh, Madhya Pradesh have created multifaceted issues.

Supreme court judgement on encroachment.

Menaka Gandhi case.

- Due process of law should be followed while demolish some public or private properties.
- A unfair means cannot be justified.

HC Mehta case.

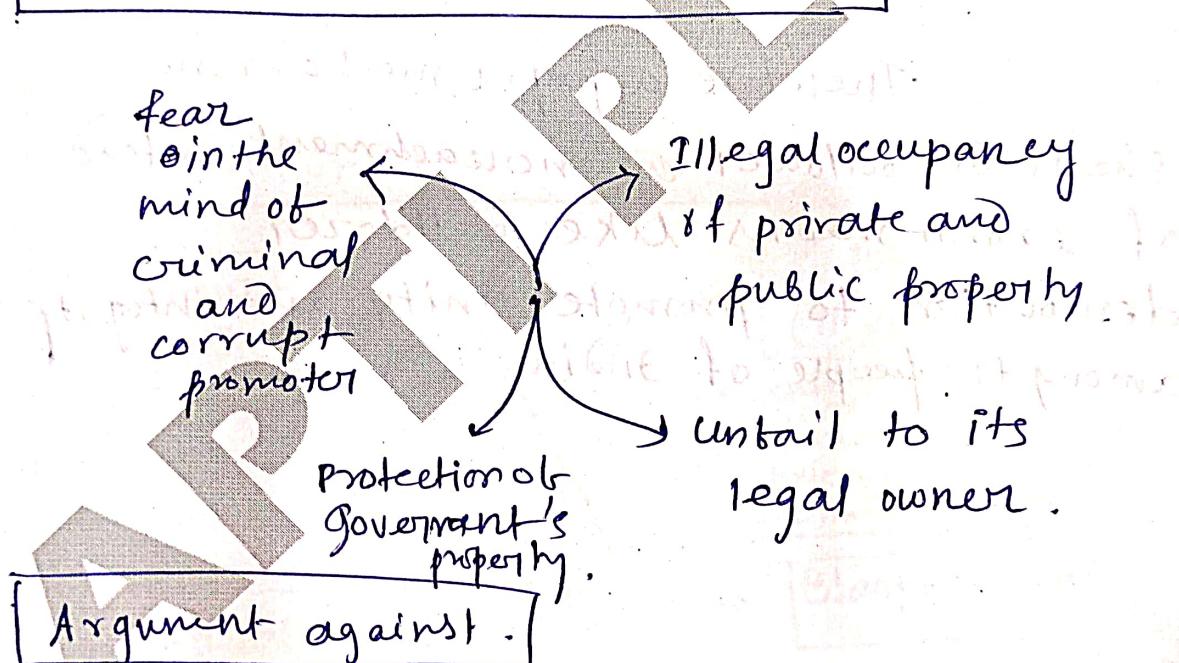
A 30 days notice in a newspaper (regular) should be given.

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Inderjit case 2008

- Victims should be given an opportunity to be heard.

Relevance of bulldozer demolition



- ① Extreme means - It is irreversible in case of fault decision.

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- ② This can be misused by government officials under the influence of politicians and business man.
- ③ sensitive issue - may trigger riots.

Therefore a proper mechanism should be followed or encroachment instead of extrem means like bulldozer demolition to promote unity and integrity among the people of India.

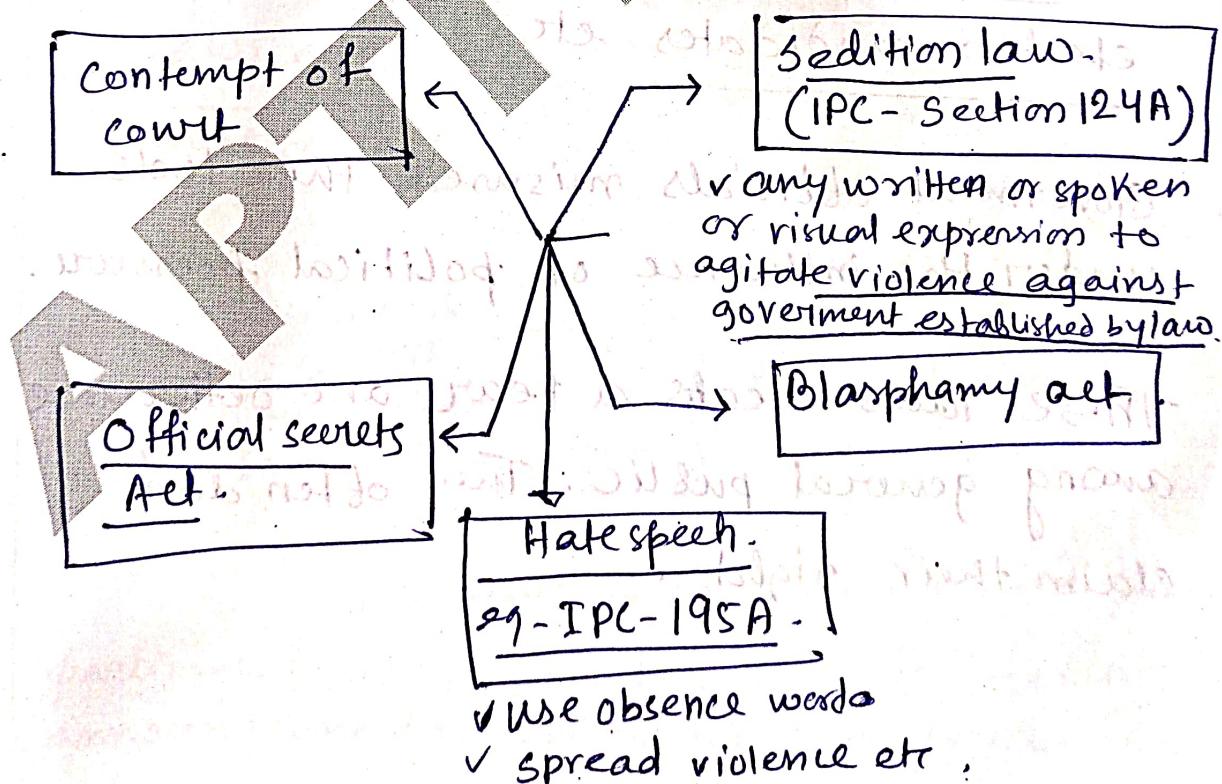
U.P.S.C

(15 Marks, 250 words)

Q17. Do you think whether the remnants of various colonial laws have undermined the true meaning of Freedom of speech and expression under Article 19 of Indian constitution? Justify.

Article 19(1) (a) gives us freedom of speech and expression. But various colonial laws undermine this fundamental rights. Some of them even passed the test of judicial review.

Remnant of colonial laws -



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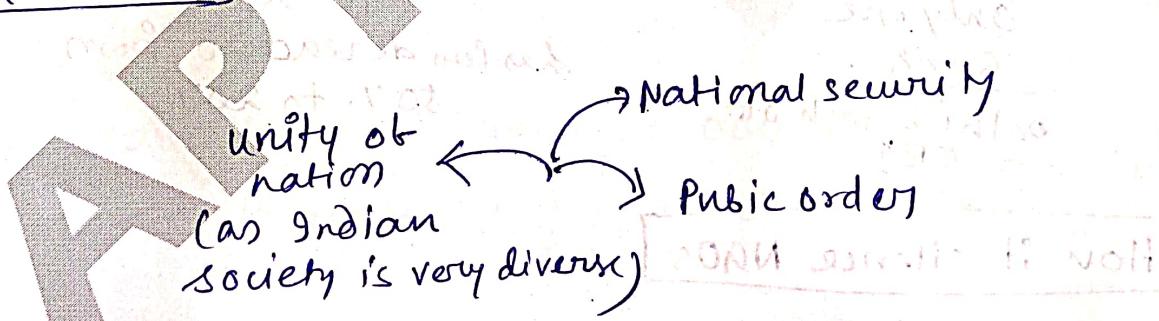
How this can restrict freedom of speech

- ① The words like 'sedition' & 'Hate speech', 'Obsene', 'contempt of court' are vaguely defined.
- ② This is often misused against
 - general protesters, Oppositions, independent election candidates etc.
- ③ Government officials misused these tools under the influence of political pressure.
- ④ These laws creates a fear and deterrence among general public. They often don't claim their right.

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- (5) Conviction rate in these cases is very low - 3-8 %.
- (6) But most of these laws have provision for strict bail provision. ~~of Seditious law~~ - Non bailable offence; people can be kept behind the bars without trial.
- (7) These laws have been repealed in UK a long time ago. But ~~repealed~~ in India these laws are very much alive.

Relevance



Supreme court also directed government to revisit these laws. Recent announcement of Union home minister for

42 complete abolition of Sedition law is a progressive step.

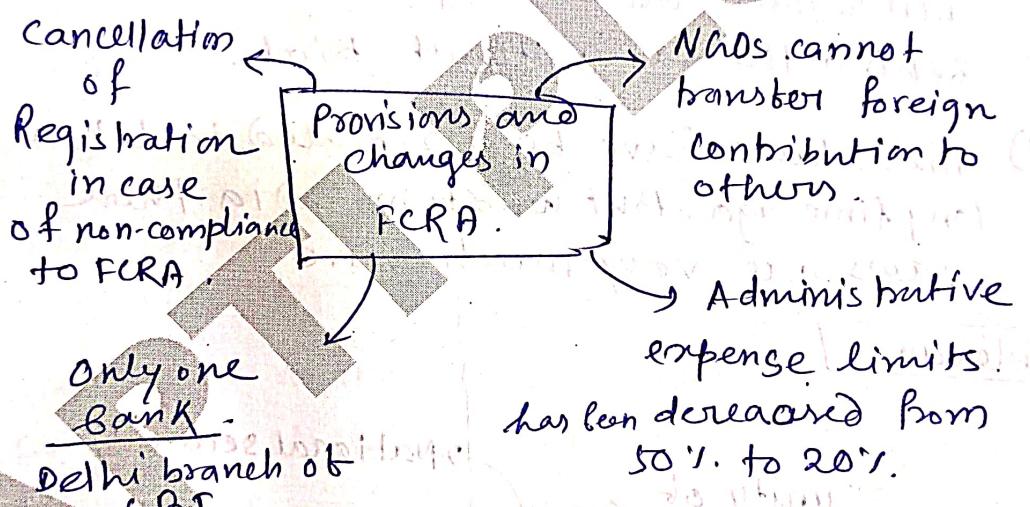


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(15 Marks, 250 Words)

Q18. FCRA has been used to silence and force NGOs into submission before the state power, thereby throttling the collective articulation of citizen's interest. Critically Analyze.

Recent FCRA amendment, 2020, act restricted foreign contribution to NGOs manifold.



How it silence NGOs

- ① NGOs took significant steps and effort to alleviate poverty and achieve inclusive growth.

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- (1) They played important role during pandemic.
 - (2) Empowerment to vulnerable Women, Transgender etc.
- But FCRA amendment —
- (a) Sterilize their financial compatibility.
 - (b) ~~Blanket ban on~~ ~~prohibition for transfer of foreign fund~~ is not justifiable.
 - (c) '20% cap on administrative expenses' is type of interference with their autonomy.
 - (d) Only 'one bank account' provision is not justifiable.
 - (e) cancellation of over 20,000 NGOs over last 10 years may hurt citizens' interest.

P.T.O.



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Rationale of FCRA

① Many NGOs are engaged with money laundering and layering.

e.g. IB Report NGOs cause loss of 3.5% of India's GDP.

② NGOs are engaging in corruption, ~~when~~ it allocates more fund on administrative expenses for tax evasion.

③ National interest and security are the utmost priority of government. Some NGOs are involved in promoting separatist tendencies and radicalisation.

Government should strike a balance between national security and right of NGOs to access foreign fund.

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(15 Marks, 250 Words)

Q19. Island nations of the Indian Ocean hold immense strategic value in shaping the geopolitical contours of the region and ensuring maritime security of India. Discuss.

Indian ocean region has become very important region in geopolitics and geo-economics in recent time. Rise of India, ASEAN Tigers make it more important. But, the island nations of Indian ocean region are equally important for shaping the geopolitical contours and maritime security.

Geo political values

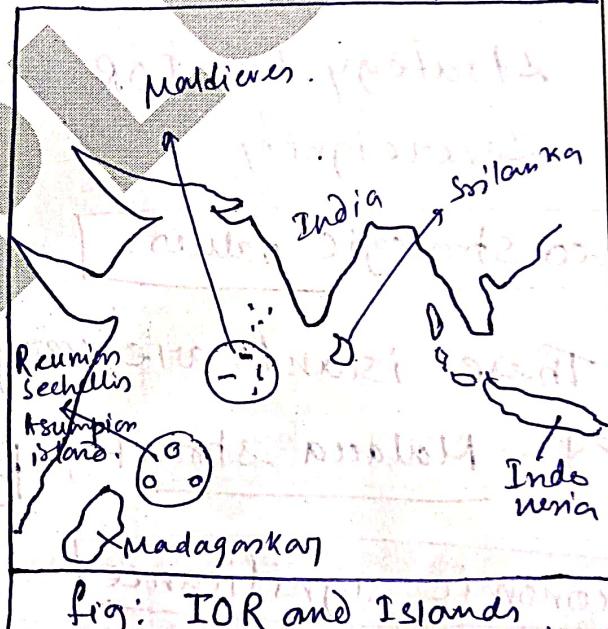


fig: IOR and Islands

- These islands eg- Sri Lanka, Maldives, Assumption Island etc. are nerve centre for geopolitical influence.

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e.g- Hambantota port of sri lanka - China.

Reunion Island - France.

Assumption Island - Indian bone etc.

- ② China's assertiveness and string of pearls strategy for IOR region may hurt India's sovereignty.

[Geo-strategic values]

These islands are in very strategic position.

e.g- Malacca strait; palk strait- etc.

[Economic significance]

- ✓ India's 90% trade is completed through IOR region; 88 90% crude oil import also occurs through this path. So maintaining sovereignty and dominance are required.
- ✓ Investment and diaspora.

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[Maritime security.]

✓ from maritime piracy (e.g. Somalian pirate) and drug trafficking, high sea smuggling etc.

[India-Net security provider]

These Islands are import for India to as India plays the role of net security provider in this region. (e.g.) SAGAR initiative

India should use various multi-lateral grouping like IORA, QUAD, IPEF

to ensure its trade and maritime security in Indian ocean region and maintain good relationships with Islands nations.

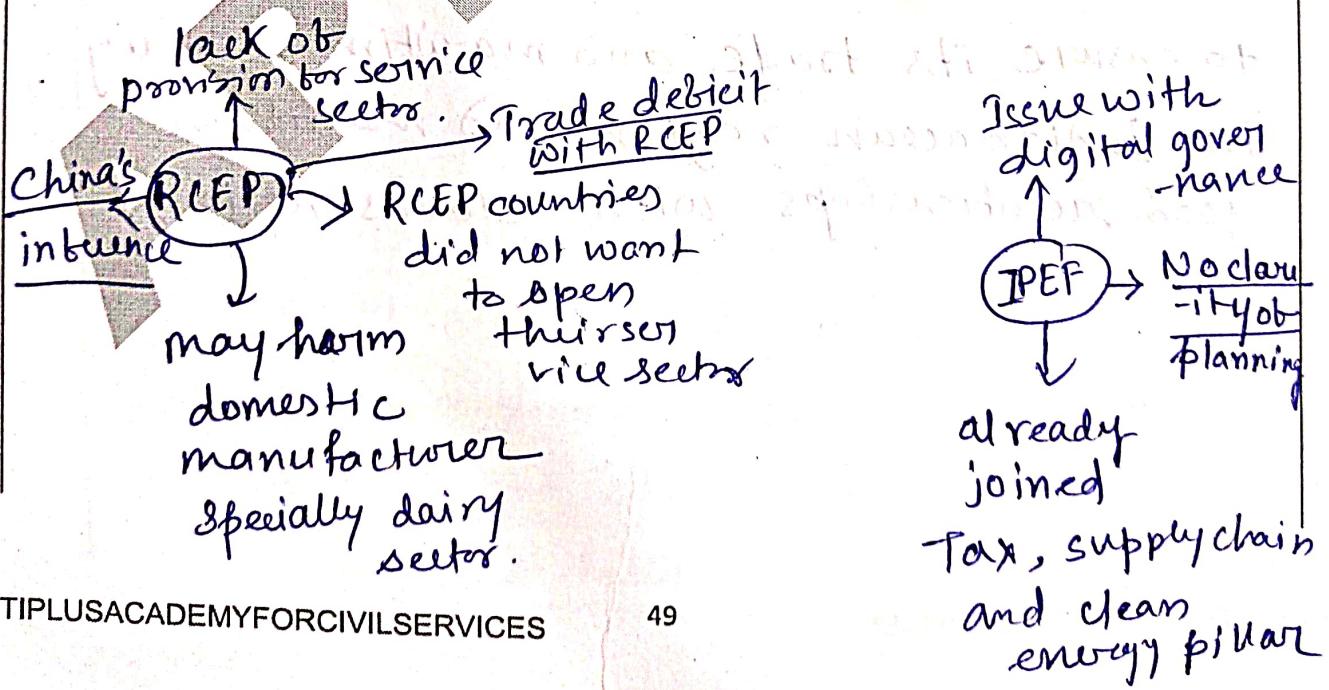
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(15 Marks, 250 words)

Q20. India's decision to take to the Indo-Pacific and Quad in a big way while unwilling to join two of the region's key multilateral trading agreements goes to show that geopolitics and geoeconomics are imagined and pursued parallelly in New Delhi, not as complimenting each other. Elaborate.

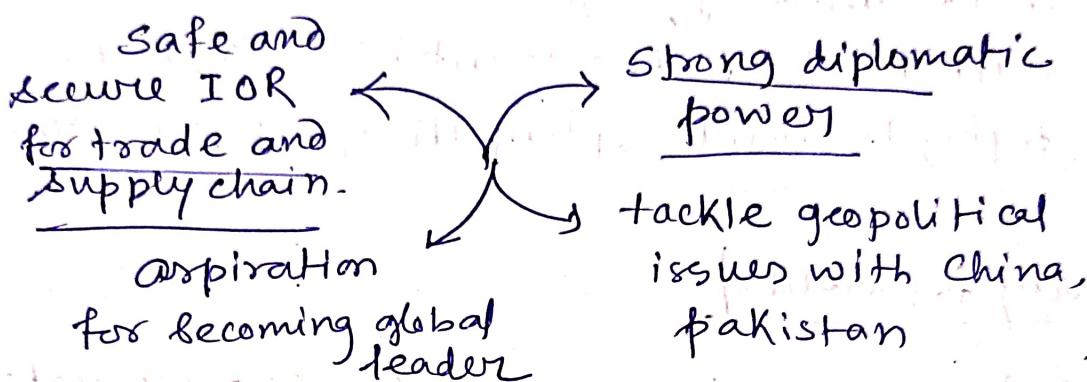
India has raised its voice for secure Indo-pacific in various forum like IORA, QUAD. but it did not join RCEP and trade pillar of IPEF. These show that New Delhi wants to pursued geopolitics and geo-economics parallelly.

Why did not join trading agreement?

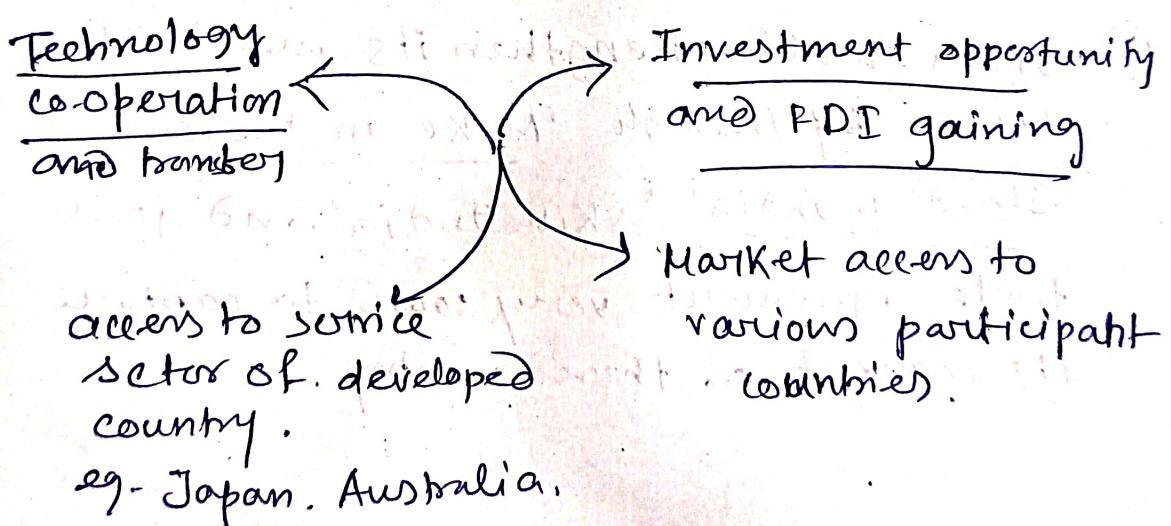


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[Why active on geopolitical sphere].



What will India loose by avoiding trade agreement



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Alternatives.

India already ~~has~~ signed bilateral agreement with most of the countries. So it is trying to avoid spaghetti bowl syndrome.

Way forward.

- ① Geo-economics cannot be separated from geo-politics as economy is the key driver of modern world.
- ② India should strengthen its manufacturing sector through 'Make in India', 'Stand up India', 'Skill India' and join trade agreement very soon to capture the market of these countries.