

Approach to Answer Writing

GS Paper-II

Q). “Right of movement and residence throughout the territory of India are freely available to the Indian citizens, but these rights are not absolute.” Comment. (2022, 10 M, 150 W)

Structure of Answer:

- **Introduction:** Right to free movement & Residence
- **Body:** Comment on the rights and its reasonable restrictions
- **Conclusion:** Conclude emphasizing the importance of such restrictions.

Answer

All citizens of India have the right to freedom of movement and residence throughout the territory of India. It is enshrined in **Fundamental Rights** under **Article 19(1)(d) and Article 19(1)(e)** in part III of the Constitution.

It is privilege right available to citizens exclusively. However, **reasonable restrictions under Article 19(5)** can be imposed on these right on the following grounds:

1. General public interests/Public morals/Maintain Public Order
2. Protection of rights of scheduled tribes (STs)

The following are few examples of reasonable restrictions on freedom of movement and residence.

Restrictions on Freedom of Movement:

- i. To maintain public order → Ex: Goonda act prevents movement of criminals.
- ii. Scheduled tribes have own culture, customs and traditions could cause harm to people. → Ex: Sentinel tribes, North-Eastren Region (Inner Line Permit).
- iii. Protect public health and prevent epidemic from spreading. → Ex: SC restricted movement of prostitutes & Restrictions on movement under Epidemic disease Act (COVID-19).

Restrictions on Freedom of Residence:

- i. Settlement in tribal areas including acquiring land under Sixth Schedule areas are also restricted to protect and preserve indigenous culture of tribes.
- ii. The Supreme Court held that certain areas can be banned for certain kinds of persons like prostitutes and habitual offenders.
- iii. Guwahati High Court restricted residence and settlement of citizens in the premises of ST to protect them from outside influence.

From the above examples it is clear that, right to freedom of movement & residence are not absolute. However, Promotion of unity, integrity and fraternity as mentioned in the Preamble the free movement and residence of the people is needed. Hence, the restriction must be on reasonable grounds.

Approach to Answer Writing GS Paper-II

Q. Critically examine the aims and objectives of SCO. What importance does it hold for India?
(2021, 15M, 250W)

Structure of Answer:

- **Introduction:** About SCO and Aims, Objectives
- **Body:** SCO's importance for India and It's critical examination of Aims and Objectives
- **Conclusion:** Conclude by highlighting its potential for economy, security, policy, investment, trade, connectivity, energy, and capacity building.

Answer

The Shanghai Cooperation Organization (SCO) is an intergovernmental organization found in Shanghai, with the objective of political, economic and security cooperation between the member nations. India became a permanent member of the SCO in 2017.



The aims and objectives of the SCO:

1. To **strengthen the relations** between member states, by deepening political, security and economic cooperation.
2. To strive for joint cooperation between the members to confront threats emanating from **terrorism, extremism and separatism**.

3. SCO aims to move towards developing a **democratic and equitable international political order**.
4. To ensure joint efforts in **maintaining peace, security and stability** in the region.
5. To deepen engagements in field of trade/commerce, transport, tourism, environment, cultural linkages, education, research and technology.

Critical Analysis of Aims and Objectives:

1. **Conflicting interest:** India-Pakistan-Russia-China relations create a complex matrix of diverging and conflicting interests. For example: different interests in Taliban-Afghanistan.
2. **Leader is not taking Lead: China's Cheque-book and wolf warrior diplomacy,** Human rights violations and 're-education' camps, HongKong issue etc. raise serious questions on Chinese commitments to aims and objectives of SCO.
3. **Vested Interests:** Under the disguise of economic co-operation, China has pushed its BRI project through SCO.
4. **Terror Financing/Supports:** Pakistan and China are known to have supported terrorist and separatist organizations raising questions on RATS mechanism. China, Russia (Ukraine issue) and Pakistan are accused of destabilizing the regional peace, security and stability. Eg: The current situation in Afghanistan.
5. Limited developmental cooperation between SCO countries during COVID waves shows lack of broad-based engagement.

Importance of SCO for India:

1. SCO is part of India's stated policy of pursuing "multi-alignments" and "strategic autonomy".
2. The challenges of terrorism, radicalism, and instability pose a grave threat to Indian sovereignty and integrity. SCO's **counter-terrorism body**, the **Regional Anti-Terror Structure (RATS)**, may prove useful for India for combating terrorism.
3. SCO allows India to deepen its strategic reach in Central Asia. India already has substantial soft power potential in Central Asia. India's membership of SCO can boost energy security by providing access to mineral and energy resources of the Central Asian countries.
4. India's presence in the SCO will help in India's aim to link itself to the larger Eurasian region, and to Europe via INSTC.
5. SCO membership will also help India, which is currently boxed in the South Asian region, to become a major pan-Asian player.
6. SCO can play a vital role in deepening people-to-people engagement through cooperation in the field of education, medicine, tourism, etc.

India's relations with countries in SCO have enormous potential for enhancing ties in areas such as economy, security, policy, investment, trade, connectivity, energy, and capacity building. However, India's benefits from the SCO will be limited due to the role of China and Pakistan in the organization. The above said positive outcomes will depend on how Indian diplomacy deals with its rivals.