

Test Code: 21095

FIAS – 2019 – GS2G/6E/18C/26B

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GENERAL STUDIES

|                   |              |  |                      |
|-------------------|--------------|--|----------------------|
| Name Of Candidate | Anaya Shakti |  |                      |
| Email Id.         | [REDACTED]   |  | Roll No. 10100640638 |
| Mobile No.        | [REDACTED]   |  | Date: 7.8.19         |

Time Allowed: Three Hours

Maximum Marks: 250

| INDEX TABLE  |            |                | INSTRUCTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                             |
|--------------|------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| Q. No.       | Max. Marks | Marks Obtained | 1. Please do furnish Name, Email, Roll No and Mobile in the answer sheet.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                             |
| 1            |            |                | <p>2. There are TWENTY questions printed in ENGLISH, all questions are compulsory.</p> <p>3. The number of marks carried by a question/part is indicated against it.</p> <p>4. Answers must be written in the medium authorized in the admission Certificate, which must be stated clearly on the cover of this Question-Cum-Answer (QCA) Booklet in the space provided.</p> <p>5. Word limit in questions, if specified, should be adhered to. Any page or portion of the page left blank in the Question-Cum Answer Booklet must be clearly Struck off.</p> <p><i>Any specific messages for ForumIAS Mentors/ Evaluators with respect to your copy? Write it here.</i></p> <p>-----</p> <p>-----</p> <p>-----</p> <p>-----</p> <p>-----</p> |                                                                             |
| 2            |            |                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                             |
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| 19           |            |                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                             |
| 20           |            |                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                             |
| Total Marks: |            |                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                             |
| Remarks:     |            |                | Start Time   2:38 PM<br>2:40 PM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | End Time   5:38 PM                                                          |
|              |            |                | Mode Of Examination :                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Online <input type="checkbox"/> Offline <input checked="" type="checkbox"/> |
|              |            |                | ECN CODE:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Evaluation Date:                                                            |

| Parameters   | Excellent | Very Good | Good | Average | Poor | Very Poor |
|--------------|-----------|-----------|------|---------|------|-----------|
| Language     |           |           |      |         |      |           |
| Structure    |           |           |      |         |      |           |
| Presentation |           |           |      |         |      |           |
| Handwriting  |           |           |      |         |      |           |
| Content      |           |           |      |         |      |           |
| Attempt      |           |           |      |         |      |           |

ADDITIONAL COMMENTS

**Q.1)** The Anti-Defection law is against the principles of representative democracy and needs to be reformed. Evaluate. (10 Marks, 150 Words)

Anti Defection Law of Schedule 10 of the constitution was inserted through 52nd Amendment Act.

WHY ITS AGAINST PRINCIPLE OF DEMOCRACY

- 1) Article 104 & Art 195 grant freedom of speech in legislature.
- 2) Schedule 10 restricts this by disallowing voting contrary to whip's direction.
- 3) Restricts parliamentary debate which is at core of policy making.
- 4) Reduces members to mere pawns of party.
- 5) Muzzles dissent.

Advantages

→ ensure stability of government  
→ ensure accountability to party

## IT CAN BE REFORMED BY

- 1) Avinash Goswami Committee said anti-defection provisions must be used when majority during no confidence motion.
- 2) <sup>17th Report</sup> Law Commission: states it should not be used to muzzle diverse opinions & debates.
- 3) Assigning a time frame for resolution.
- 4) An independent committee should look into defection cases as Speaker may be politically biased.

Rajiv Gandhi said Schedule 10 was 1st step to "reform public life", its time we build further on it

Feedback ( For OFFICE use only )

|                         |  |         |  |
|-------------------------|--|---------|--|
| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



**Q.2)** Do you agree that democracy and development do not go hand in hand? Substantiate  
your answer with relevant examples. (10 Marks, 150 Words)

Democracy and development can often been seen in conflict due to huge deliberative and stakeholder-oriented approach of decision making.

~~It~~ IT DOESN'T GO HAND IN HAND:

| FOR                                                                                                                                                                                                                                                         | AGAINST                                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"><li>1) Delayed implementation<br/>ex: Bullet Train</li><li>2) Too many parties involved in decision making.</li><li>3) May lead to imposition of majority opinion over minorities</li><li>4) Decreased economic</li></ol> | <ol style="list-style-type: none"><li>1) Deliberation is important. Eg: <u>Vedanta Case</u> &amp; <u>Songria khonds</u>.</li><li>2) Ensures <u>'inclusive development'</u></li><li>3) Ensures <u>consensus</u> and <u>rules-based</u> decision making.</li><li>4) Ensures benefits</li></ol> |

efficiency due  
to delays.

reach grassroots

While in some cases, democratic approach leads to delays and increased costs. Ex: Infrastructural delays,

It ensures the development is equitable and Inclusive.

Ex: Schedule 5 and 6 and involvement of Gram Sabhas. Ex: Vedanta Mining project & recent protests against mining in Nandraj Hills.

Therefore, we must attempt to introduce e-governance to tackle delays and bureaucratic hassles.

Feedback ( For OFFICE use only )

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| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



Q.3) Political theatre, similar to "surgical strikes" are more important and effective response to Pakistan asymmetrical warfare. Discuss. (10 Marks, 150 Words)

Pakistan's indulgence in asymmetrical warfare with India by use of non-state actors and terrorism need a fitting response

How political theatre can be useful

- 1) Isolation of Pakistan in global geopolitics
- 2) Building pressure through political and economic means.
- 3) Ensures engaged political participation
- 4) Like Pako Building consensus against Pakistan's terroristic activities
- 5) Imposing true-face of Pakistan - -

Apart from this some additional steps

- 1) Water Diplomacy: By using assigned ~~global~~ share of water to fullest.
- 2) FATF — black-listing of Pakistan
- 3) Economic Blockade: using diplomacy to get Pakistan blacklisted in EU's GSP (Generalised System of Preferences) list.

4) Thus, Asymmetrical warfare of Pakistan needs an all-round response from India socially, economically & politically.

Feedback ( For OFFICE use only )

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| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



Q.4) Local self-governance in India is suffering from "AID CURSE". Examine.

(10 Marks, 150 Words)

The 73rd and 74th Amendment Acts to the Constitution laid basis for Local Self Governance in India.

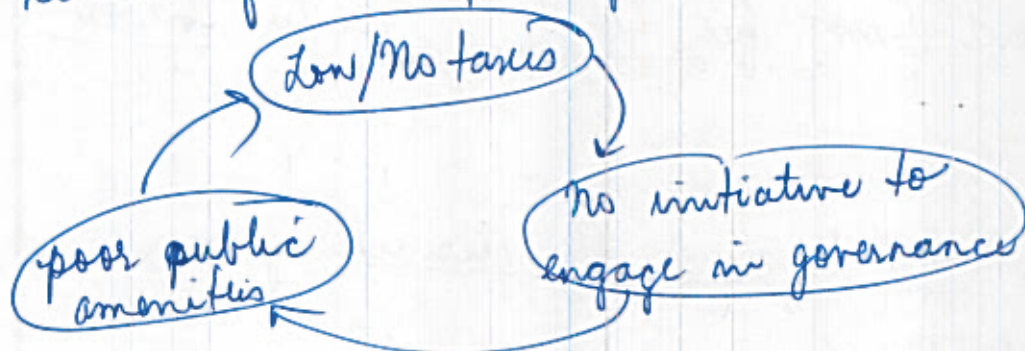
WHY LOCAL SELF GOVERNANCE IS SUFFERING FROM AID CURSE

- 1) Excessive dependence on central govern-  
-ment from for Grants under Article  
280.
- 2) Low mobilization of resources from  
local taxes;
- 3) Since central government grants are  
mostly scheme based, little flexibility  
to modify expenditure for local needs.
- 4) State Finance Commissions, under Article  
243 have become dead letter, with no  
state appointing them.

5) GST further depleted local sources of taxes.

HOWEVER, Local self governments can raise finances but lack will as they hesitate in raising taxes on local people they know.

Economic Survey 17-18, identifies this as a cause of low participation in governance.



Way Forward → encouraged to raise taxes  
 → Aids should be more flexible -

PRI's are the basis of decentralised democracy, must be strengthened financially.

Feedback ( For OFFICE use only )

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| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



**Q.5)** Explain the concept of charter city. How it can help in tackling the problem of over-urbanization. Also highlight the challenges associated with it. (10 Marks, 150 Words)

Charter Cities are a concept where a city is developed under provisions of a charter.

It can help tackling <sup>over</sup>urbanisation

- 1) Charter cities are green-field development projects
- 2) They involve development under guidance of a private company / foreign government
- 3) Planned development.
- 4) Hence solves problems arising out of over urbanisation like poor sanitation, over crowding etc.

Challenges Associated

- 1) Foreign domination
- 2) Chances of foreign interference in

internal democracy of nation

3) Land Acquisition: for creating a new city.

(3.1) Too costly

(3.2) Litigations → delay

(3.3) Displacement

4) Global Little Success: Such projects globally have attained little success.

Ex: In India too, Jawahar which was developed as a green-field project hasn't attracted investors.

Thus, while Charter cities seem an attractive concept to tackle over urbanisation, they must be analysed properly before implementation.

Feedback (For OFFICE use only)

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| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



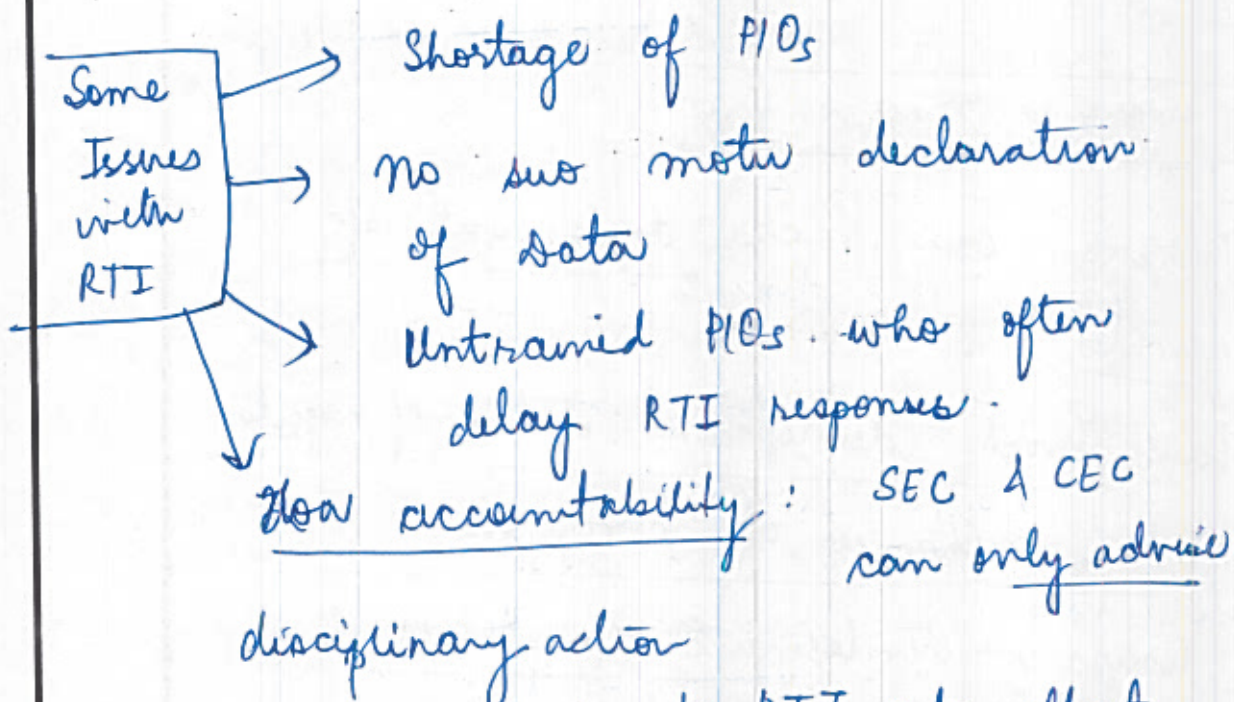
Q.6) Discuss with examples of how open data can improve transparency and accountability in governance? (10 Marks, 150 Words)

"Sunlight is the best disinfectant" is often used in the context of openness of data to improve transparency and accountability.

It improves transparency as

- ① Citizens can track deployment of funds.
- ② Can Track development status of projects
- ③ Reduces chances of corruption.
- ④ Compare development of region with other regions
- ⑤ Encourages participative democracy
- ⑥ Increased stakeholder engagement
- ⑦ Ensures answerability of the government

Ex: In India Right to Information Act, 2005 increased access to decision making rationale, reasons for delay, disbursement of funds



Recent amendments to RTI act, affect independence of CEC's office, openness of data must be ensured for a strong democracy

Feedback ( For OFFICE use only )

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| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



Q.7) India's stand towards Afghan Peace process has no takers among the Quad Grouping.

Elaborate.

(10 Marks, 150 Words)

The Quad grouping consists of ~~nations~~ of four nations: US, Japan, Australia and India.

India's stand towards Quad Grouping  
Afghan Peace Process:

- 1) Afghan-led, Afghan-owned talks
- 2) No sharing of dipl with Taliban.
- 3) ensure peace process is democratic.
- 4) No boots on ground policy.

Why It has no takers among Quad Grouping

- 1) US wants to withdraw as soon as possible from Taliban as @ its a huge burden on esthequer

@ Elections are due next year in US

- 2) Japan and US are old Allies : thus Japan has similar interests to US.
- 3) Australia doesn't have any direct stake in Afghanistan.

## Way Forward for India

- 1) Ensure its interests are represented in Talks with Taliban through diplomatic channels.
- 2) Continue Humanitarian efforts in Taliban.
- 3) Ensure <sup>timely</sup> implementation of Chabahar project, INSTC etc.

India has old ties with Afghanistan & its central to "Connect Central Asia" Policy.

Feedback ( For OFFICE use only )

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| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



**Q.8)** Strength of a democracy can be judged, not by the strength of the government, but by the strength of the opposition. Elaborate. (10 Marks, 150 Words)

The strength of a democracy can be judged by a vibrant opposition.

## REASONS

- 1) Maintains a check on the government
- 2) Provides choice to the citizens
- 3) Single Party democracies are as good as dictatorship where elections are just optics.

Ex: China: single party, no other party is allowed

- 4) Provides stability: In case of no-confidence motion against government opposition can form government.
- 5) Keeps government on its toes in

implementation of schemes :

- 6) It also forms part of various selection committees for ex: Lokpal, CBI etc

India currently facing weak  
dispersed opposition, ~~also~~ providing  
no constructive criticism to the  
government of the day

Feedback ( For OFFICE use only )

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| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



**Q.9)** For maintaining social stability and public tranquility, governance has to go beyond the daily dose of crisis management and administration has to rise above merely a "holding the fort". Elaborate.

(10 Marks, 150 Words)

Governance is the process of  
decision making and their implementation.

Why essential to maintain social  
stability

- 1) Conducive to governance
- 2) Ensures safety of citizens & their participation in decision making
- 3) National security & integrity

RISE ABOVE CRISIS Management

- 1) Proactive role in governance
- 2) Involve stakeholders -
- 3) Planned governance like  
urbanisation

This is essential to meet  
SDGs.

Feedback ( For OFFICE use only )

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| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



**Q.10)** The concurrent list incorporates fields that require collective wisdom of both the states and the centre and should not become another way of the centre's interference into state affairs. Discuss. (10 Marks, 150 Words)

The 7th schedule of the constitution provides for Concurrent List (List III) ..

## WHY CONCURRENT LIST

- 1) Contains subjects on which uniformity is desired but not essential -
- 2) Subjects which require huge finances to be shared between Centre & States -
- 3) Aim to provide basic framework to states with scope for detailing -  
Ex: Art 243 of constitution -

Should not become centre's way of Interfere

- 1) Since Independence, Concurrent List has increased from 47 to 52 subjects
  - 2) State List decreased from 66 to 61 subjects
  - 3) Recently <sup>central</sup> governments has been making detailed legislation on LIST III items
- This → hampers federalism  
 → ~~increases~~ increased centralised tendencies

## Way Forward

- 1) Sarkaria Commission & Punchhi Commission
  - Consult states before legislating on LIST III
  - Should provide framework and leave details to state government
- 2) Increased role of Inter State Council for deliberation on LIST III.

Feedback ( For OFFICE use only )

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| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



**Q.11)** "Equality, quality and quantity are the elusive triangle of Indian education". In the context of the above statement evaluate the education policies in India. Discuss the impediments faced by the education policies in India. (15 Marks, 250 Words)

Equality, Quality and Quantity are the three basic requirements of any education system. Yet these ideals remain elusive in India.

## Evaluation of Education Policies

### 1) Equality:

1) To address inequalities, India:

(1.1) enacted Right to Education Act, 2009

(1.2) Made Education a Fundamental Right under Article 29

(1.3) Changed Directive Principles of State Policy & Fundamental Duties

2) This made education a fundamental right for all children between age 6-14 years.

### 2) Quality:

2.1) India enacted accreditation and regulation framework like AICTE

2.2) Adopted ranking framework for all technical institutions under NIRF.

3) Quantity:

3.1) Education Institutions to be set up within 1-3 km - for each student and

3.2) Network of primary & secondary schools -

3.3) Central Universities, State Universities and Institutes of Excellence Immersion,

Impediments that remain



**Quality** → Poor Quality of primary school education  
→ No Indian Institute in top 200 International Institutions  
→ R&D remains poor

**Quantity** → Teacher personnel shortage  
→ Proliferation of low quality engineering colleges

## WAY FORWARD

New Education Policy 2018 seeks to address some of these:

- (1) Separation of funding, Accreditation and Regulation duties.
- (2) Aims to create Institutes of Excellence
- (3) A framework for teacher certification in universities to check quality of teachers.

India is set to become youngest country by 2030, presents a window of demographic dividend, must be reaped through educational policy.

Feedback (For OFFICE use only)

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| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



**Q.12)** The recently passed NIA (National Investigation Agency) Act Amendment Bill makes NIA a truly federal agency. In this context, discuss the mandate of NIA, what are the impediments in functioning and how they can be addressed. (15 Marks, 250 Words)

The Parliament recently passed a legislation to further strengthen the apex investigation agency of India: NIA.

## Mandate of NIA

- 1) National Investigation agency was set up post Mumbai Terror attack of 2008
- 2) To look into cross border terrorism issues.
- 3) Apex coordinating agency for all terrorist intelligence activities.

## Impediments in functioning of NIA

- 1) Lack of global consensus of definition of Terrorist.

- 2) Lack of comprehensive global framework to deal with terrorism.
- 3) State sponsoring of terrorism in neighbouring nations of India like Pakistan.
- 4) Fast evolving nature of terrorism to non traditional nature like lone wolf attacks, Cyber terrorism etc.
- 5) Youth disconnect in regions like Jammu and Kashmir, Kerala etc. making them soft targets for Jihadist activities.

## WAYS TO ADDRESS THEM

- 1) India must gather global consensus on CCIT. (Comprehensive Convention on International Terrorism)
- 2) Enhanced security in bordering nations.
- 3) Set up a dedicated terror force
- 4) Enhanced R&D to deal with cyber terrorism and prevent radicalisation of youth through social media

5) Use SCO's RATS forum to enhance intelligence for regional security.

Recent Amendment can help as

More powers to NIA: to

investigate cases in states too (federal agency)

Individuals can be tried as terrorists now.

This helps in declaration of individuals like Haseeb Azhar as terrorist domestically as well

Way Forward

Engage Locals as 'eyes and ears'

→ Engage with youth.

Ex: Maharashtra ATS' Deradicalisation programme

Terrorism is a rising problem in 21st century that knows no borders, International consensus with strong national security framework a must.

Feedback ( For OFFICE use only )

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| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



**Q.13)** Recent Global MPI 2019 Report says that India has made visible gains in reducing poverty. What government measures have helped in reducing poverty and what more needs to be done to eliminate it? (15 Marks, 250 Words)

Global Multidimensional poverty Index Report 2019 states that India has pulled ~300 million out of poverty, <sup>the</sup> largest number in the world.

Visible gains → India no longer home to most poor in the world.  
→ India has pulled out ~300 million out of poverty.

## GOVERNMENT MEASURES THAT HAVE HELPED

- 1) National Rural Livelihood Mission
- 2) Deen Dayal Upadhyaya Antyodaya Yojana for helping poorest of poor identified as per SECC 2011.
- 3) Ayushman Bharat to reduce out-of-pocket (OOP) expenditure on tertiary healthcare.

- 4) Jan Aushadhi Kendras for cheap generic medicines as medicines contribute to 60% of OOP expenditure on health.
- 5) Nutrition Enhancement by strengthening PDS and distribution of millet in PDS - (to address nutrition deficiency)
- 6) Swachh Bharat Mission to deal with Communicable Diseases.  
(World Bank) Study shows India can save ₹50,000 per family by incorporating eliminating communicable diseases.

## # More steps to eliminate it

- 1) job generation for economic security. PLFS shows 6.1% unemployed.
- 2) guaranteeing minimum wages:  
(Dr. Anoop Patpathy committee's recommendation of ₹342 national minimum wage in unorganised sector.

- 3) Linking all ~~AADHAR~~ <sup>PDS</sup> ~~CARD~~ with PDS card, so that exclusion error gets down to zero.
- 4) Nutrition deficiency should be handled by incorporating protein rich grains in PDS.
- 5) Education: Literacy must be increased also vocational training to link education to jobs.
- 6) Securing farmers' income: PM KISAN is a welcome step in this direction.

SDG-1 requires India to reduce poverty to zero levels. Steps like PM KISAN, reservation for EWS etc go in positive steps in this direction.

Feedback ( For OFFICE use only )

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| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



**Q.14)** Though the Indian judiciary has set the wheel moving for realization of women's right to integrity, the real change will occur only with change in societal attitudes. In the light of recent judgements of Supreme Court analyse the above statement.

(15 Marks, 250 Words)

Indian judiciary <sup>as per</sup> ~~under~~ its powers under Article 13, Article 32, Article 226 has contributed a lot in uplifting the vulnerable sections of Indian society.

HOW RECENT JUDGEMENTS HAVE SET THE WHEEL MOVING

1) SABRIMALA JUDGEMENT:

(1.1) It granted women right to entry to the temple

(1.2) It restored violations of Art 14, Art 19 and article 25 for females.

(1.3) Undoes centuries old discrimination against women in religious practices.

## ② TRIPLE TALAQ JUDGEMENT:

- ②.1 It declared Triple Talag as unconstitutional and void.
- ②.2 Restores Muslim women's dignity.

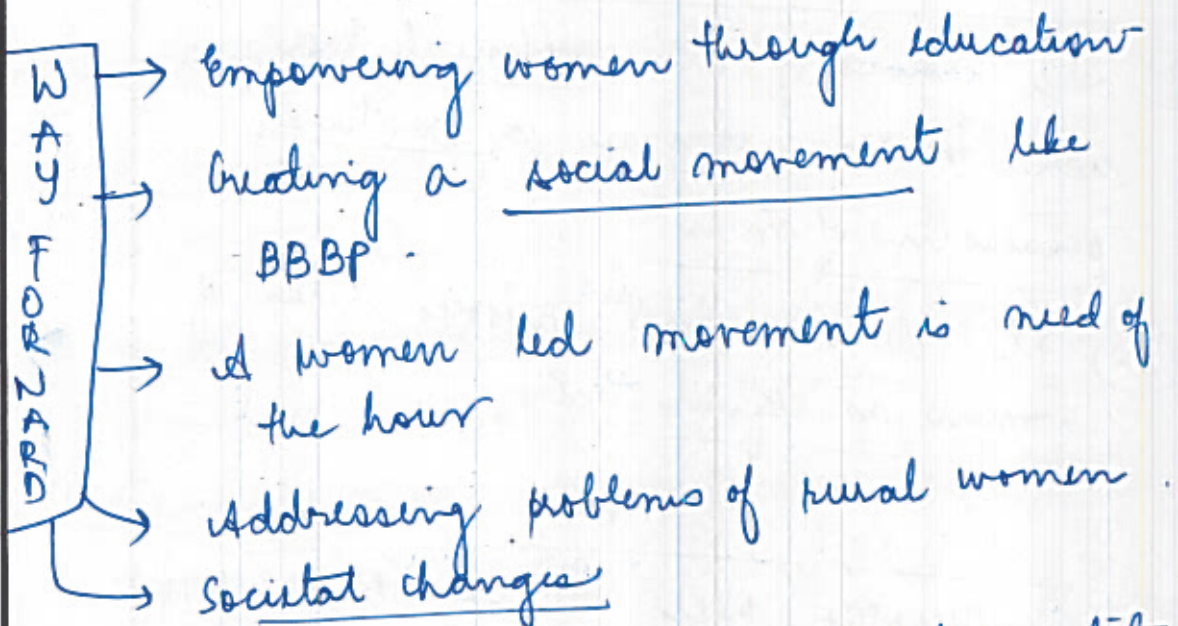
## ③ DECLIMINISATION OF ~~ART 377~~ ADULTERY:

- ③.1 The clauses of this colonial era act treated women as material possessions of men.
- ③.2 Its decriminalisation restores status of women as equal citizens.

BUT REAL CHANGE WILL OCCUR ONLY WITH  
SOCIAL ATTITUDES

- 1) Huge protests post Sabimala, demonstrate deep rooted patriarchy
- 2) Triple Talag incidents have been reported despite its criminalisation.

- 3) Prevalent cases of rape, homicide, domestic violence show
- 4) Sexual harassment at workplace shown through #MeToo movement despite POSHA Act and Vishakha Guidelines



Art 51 A of the constitution states respecting women is the fundamental duty of every citizen, the society must accept its duty.

Feedback ( For OFFICE use only )

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| Structure               |  | Content |  |
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**Q.15)** Robust anti-corruption and grievance redress framework will do more good than measures like demonetisation and mandatory use of Aadhaar in combating corruption. Critically Examine. (15 Marks, 250 Words)

Corruption remains a menace in today's society which hampers social, political and economic development of the masses.

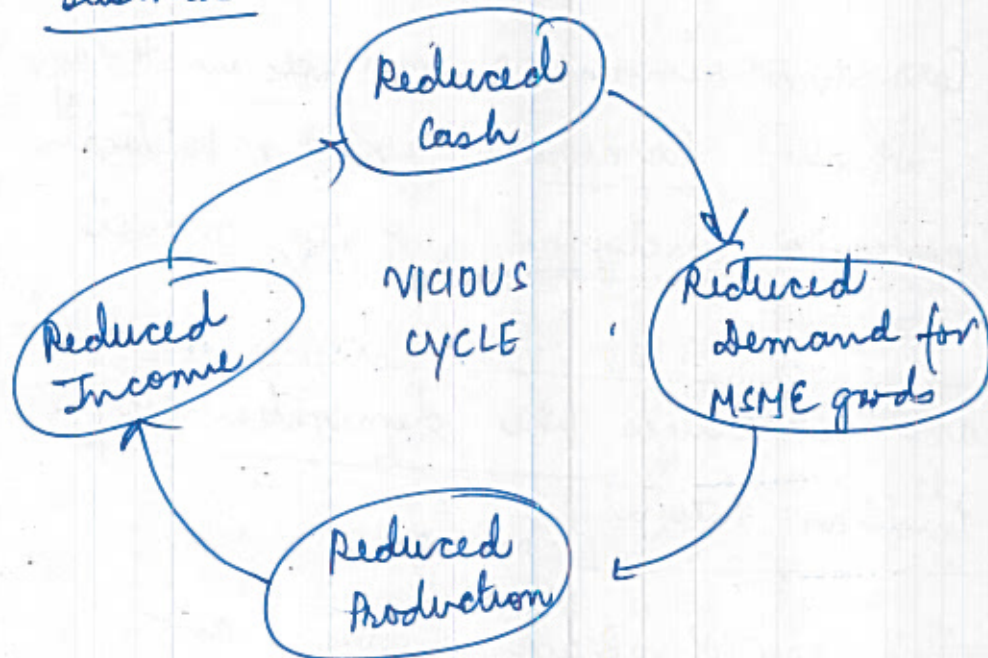
How have measures like demonetisation and Aadhar helped

- 1) Combating use of Black money <sup>and</sup>
- 2) Reducing use of cash and increasing transparency
- 3) Increasing traceability of transactions
- 4) Formalisation of economy.
- 5) Increased state control over economy.

Where they lack

- 1) Exclusion of poor and uneducated who rely mostly on cash and are unaware about Aadhar.

- 2) Economic inconvenience for smaller businesses



- 3) Bigger but concept ineffective in combating corruption.

Ex: 99.91% notes post demonetisation returned back to RBI.

## HOW CAN ANTI CORRUPTION AND GRIEVANCE REDRESSAL HELP:

- 1) Increases compliance by prompt redressal.
- 2) Empowers common public to raise

voice against corruption.

③ Currently people bribe and settle matters as they know redressal is ineffective and delayed  $\Rightarrow$  further increases corruption.

④ Ex: Lokayukta, Lokpal, PCA Act, empower citizens to raise corruption cases.

W  
A  
Y  
→ Reduce Backlog and increase efficiency of redressal mechanism.

→ Increase judicial efficiency to dispose off cases fast.

→ Make anti-corruption a social movement.

→ E-Governance, to increase transparency.

Normalisation of

Corruption in Indian society has reduced its efficiency and ease of doing business too, Lokpal appointment, PCA amendments are positive steps.

Feedback (For OFFICE use only)

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| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |

**Q.16)** The idea of "One Nation, One Election" has several advantages, but the biggest impediment in its implementation is constitutional provision relating to no-confidence motion and coalition politics. Critically Analyse. (15 Marks, 250 Words)

Prime Minister after reelection again raised the issue of 'One-Nation, One Election' or simultaneous elections to raise efficiency of Indian democracy.

## Advantages of One Nation, One Election

### 1) Reduced Financial Burden

- 1.1) Elections are expensive
- 1.2) Multiple elections cost heavily on exchequer
- 1.3) This can be used for funding development

### 2) Increased Governance:

- 2.1) Model Code of Conduct (MCC) puts restriction on scheme implementations
- 2.2) Focus on elections → populist policy announcement by

political parties with no promise of fulfilment -

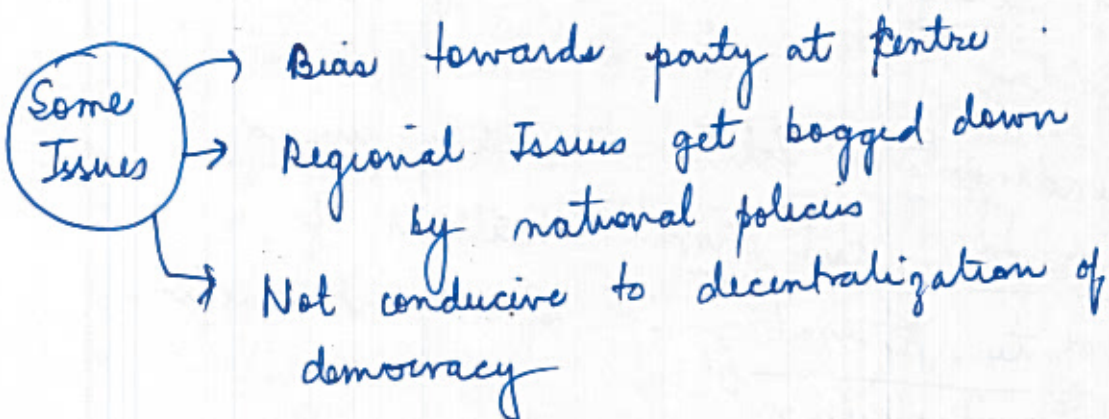
## 3) Reduced Burden on government employees

3.1) Whose productivity hampered due to frequent election posting.

## 4) Leasur for Election Commission

4.1) To monitor elections

4.2) To ensure transparency



## BIGGEST IMPEDIMENT

1) Art 174 of the constitution says that state government can be dismissed by Governor

2) In such case 2 options arise

→ Hold elections immediately

→ Postpone till next cycle of national election → Hampers democracy

## Way Forward:

- 1) Law Commission suggests that dissolution of State Assembly should be accompanied by proposal for next government, ensuring new government without election.
- 2) Two cycles of election can be held every 2.5 years by clubbing all elections impending.
- 3) Amendments to Article 174, 175, giving power to cut short duration of a State Assembly to sync with national election cycle.

Simultaneous elections are good and can increase efficiency but the constitutional provisions need to be analysed.

Feedback ( For OFFICE use only )

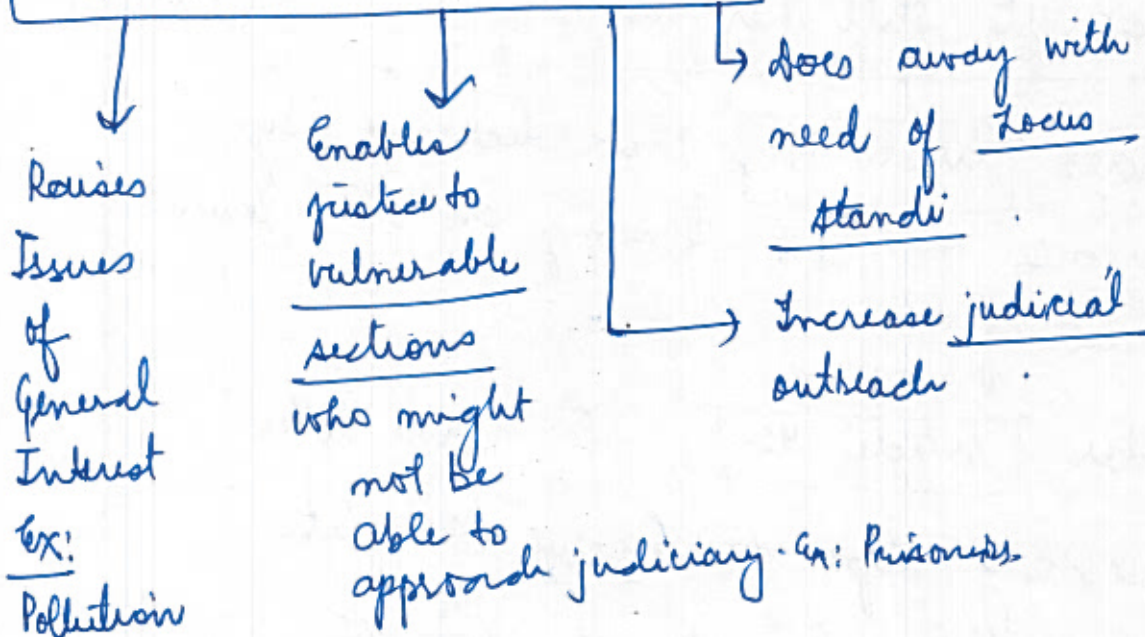
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|-------------------------|--|---------|--|
| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



**Q.17)** Public interest litigation has value as a tool, but is unlikely to succeed if it asks courts to give directions to the government, or if it asks for amendments to the law. Critically Examine. (15 Marks, 250 Words)

Public Interest Litigation arose out of Judicial Activism giving right to general public to file cases of public interest with Judiciary.

## WHY IS IT A VALUABLE TOOL



Why its success is limited if it gives directions to government.

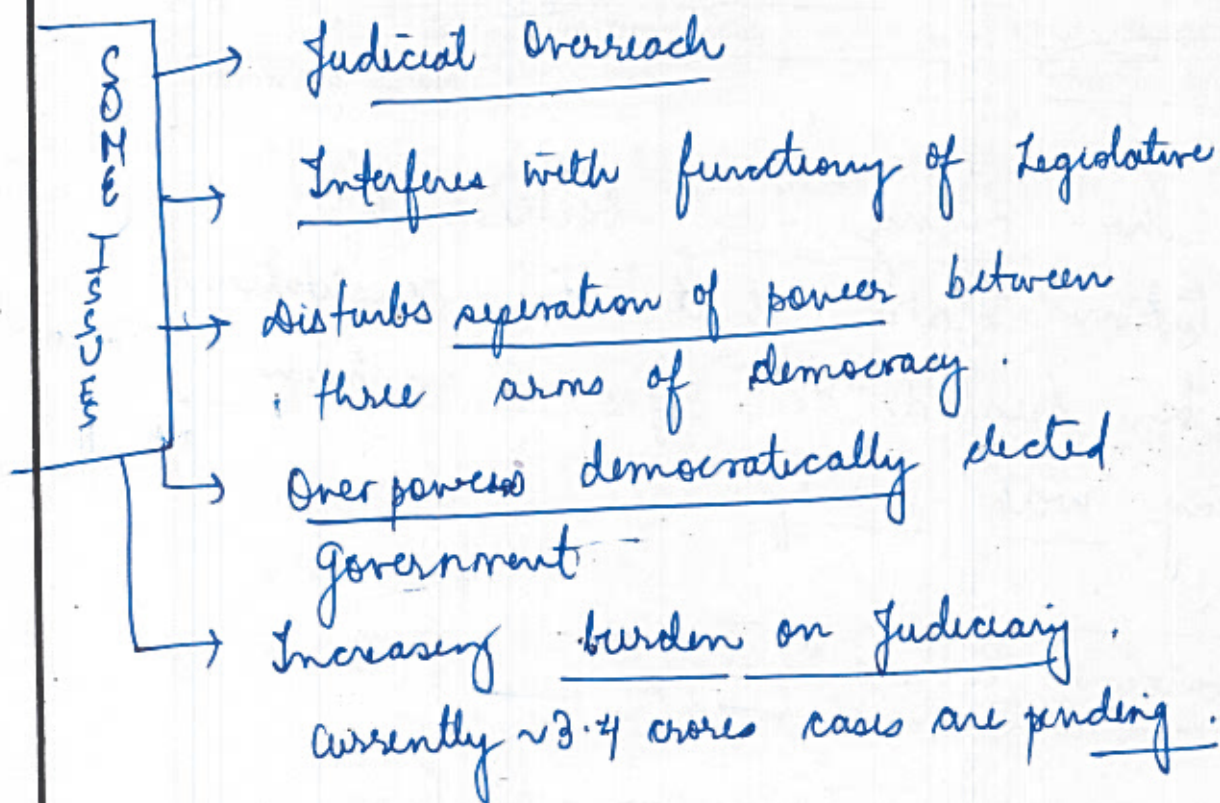
1) The entire process has to go through

Legislative cycle → Time Taking  
→ depends on political will.

- 2) Fail to meet basic purpose of PIL i.e. Immediate justice.
- 3) The issue may get lost in public debate and get politically hijacked

However, its still helpful as

- Under Article 141 law declared by Supreme Court is binding on all lower judiciary
- Under Article 142, SC can take necessary steps to insure complete justice. For Ex: Recent Witness Protection Scheme by Supreme Court.



Thus, Judicial Activism and PIL are useful and empowering tools, they must be used with judicial restraint to ensure they don't beat the purpose they were meant to serve.

Feedback ( For OFFICE use only )

|                         |  |         |  |
|-------------------------|--|---------|--|
| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



**Q.18)** "One of the strengths of Our Constitution is that it is a dynamic instrument that can evolve with time either by its interpretation or amendment". Analyze with specific reference to judiciary and legislative.  
(15 Marks, 250 Words)

The 'Living Tree' doctrine of constitution states that the constitution is to be treated as dynamic instrument evolving with society.

Constitution Evolves by

1) Interpretation: (ROLE OF JUDICIARY)

1.1) Art 13 of the constitution empowers judiciary to strike down laws that are unconstitutional

1.2) Judiciary has constantly reinterpreted constitution to evolve it based on time

Ex: ① Basic <sup>structure</sup> Doctrine

In Kesavanandon Bharati case (1973)

Judiciary said:

→ Any part can be amended as long as 'Basic Structure' remains intact.

## ② Indira Sawhney judgement

① Supreme Court interpreted the legis intent behind reservation and said its not 'economic backwardness' rather 'centres of discrimination' against SC & STs.

## ② Amendment (ROLE OF LEGISLATIVE)

- 1) Article 368 of the constitution gives amending power to legislature
- 2) Constitution can be amended by
  - ↳ ① Simple Majority
  - ② Special Majority
  - ③ Special majority + Ratification by  $\frac{1}{2}$  of the states.
- 3) Legislative has amended constitution constantly.

Ex 42nd Amendment Act: Added fundamental duties & amended

PREAMBLE to add 'socialist'

- ② 91st Amendment Act: Constitutionalization of Cooperatives
- ③ 73rd & 74th Amendments: PRTs and democratic decentralisation
- ④ 103rd Amendment Act: EWS as a category for reservation despite Indra Sawhney's judgement.

Issues with  
Reinterpretation  
&  
Amendment

→ Conflict between Judiciary and legislative  
Ex: Basic Structure Judgement and 42nd Amendment Act and Munira Mills Case

It's through constant reinterpretation and amendment that our constitution has evolved.

Feedback ( For OFFICE use only )

|                         |  |         |  |
|-------------------------|--|---------|--|
| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



**Q.19)** The hard fought election of Justice Bhandari to International Court of Justice and the verdict on Kulbhushan Jadhav case reflects triumph of India's multilateral diplomatic outreach. Comment. (15 Marks, 250 Words)

International Court of Justice is the main judiciary organ of UN established in 1946.

Triumph of India's Multilateral Democratic Outreach through

1) Election of Justice Bhandari:

- 1.a) ICJ has 15 judges elected for a term of 5 years each.
- 1.b) Justice Bhandari was elected despite Pakistan's opposition and efforts of blocking by China.
- 1.c) Reflects India's increasing clout in UN General Assembly.

2) Verdict on Kulbhushan Jadhav:

- (2.a) It went against Vienna Convention on Consular Access.
- (2.b) Pakistan had to face embarrassment on global forum as it was advised to grant consular Access to Jadhav.

## Other Incidents reflecting Triumph

UN 1267  
Resolution &  
declaration of  
Masood Azhar  
as Global Terrorist

UN Security  
Council not  
commenting on  
Abrogation  
of Article  
370 against  
Art UN 47  
Resolution

Most UN  
members citing  
Art 370 abrogation  
as India's internal  
matter

## However Issues that remain

- 1) Support to India's UN Security Council seat. France is the first 15 member to support this claim.
- 2) Access to NSG.

## Way Forward

- 1) Keep extending diplomatic outreach to corner Pakistan.
- 2) Garner support for UNSC permanent seat.
- 3) Focus on Track II diplomacy.
- 4) Afghanistan outreach: Diplomatic efforts to ensure India's interests are answered.

Simple Diplomacy is the core arm of India's International Relations, it must be used strategically.

Feedback ( For OFFICE use only )

|                         |  |         |  |
|-------------------------|--|---------|--|
| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |



**Q.20)** Discuss implications on India due to US - Iran tussle. Also, elaborate how India's foreign policy should be guided by strategic autonomy, respect to sovereignty, and international law?  
(15 Marks, 250 Words)

Iran is India's old ally.  
However recent US-Iran Tussle has  
affected its relationship with Iran.

## Implications

① India's Energy security

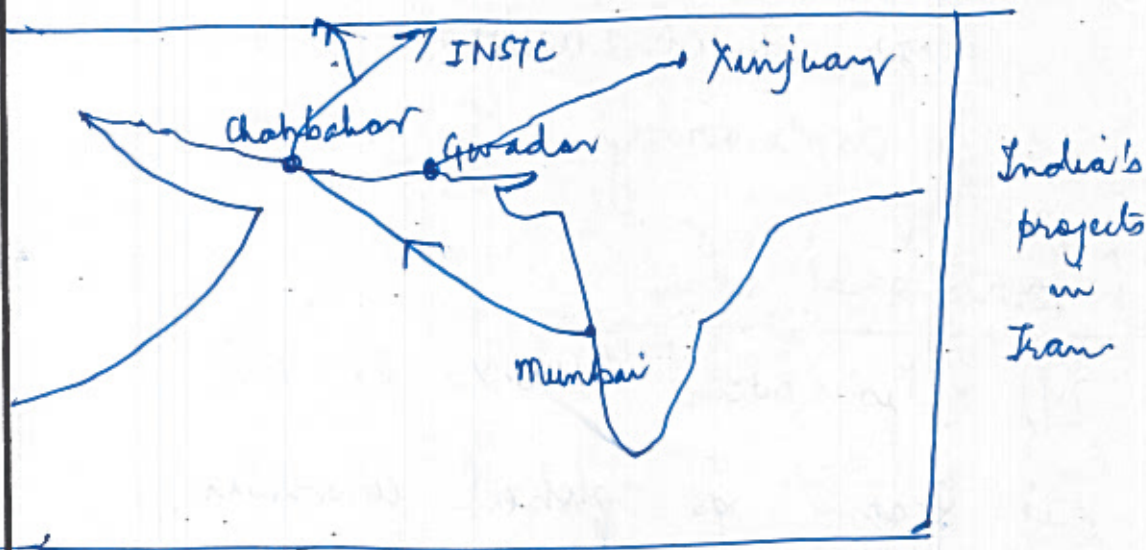
1:1: Iran was 2nd largest oil exporter  
to India in 2018.

② India's connectivity projects

Ex: Zahedan Project  
INSTC Corridor

③ efforts to counter China's BRI  
through Chabahar Project face  
challenge

- ① India cut its Chabahar budget to ₹40 million as against ~ ₹150 million previous year



India's policy should be guided by strategic autonomy as

- ① Strategic Autonomy as:

- 1.1) Volatility in geopolitics
- 1.2) US' unpredictable policies
- 1.3) Changing global order (China's rise)

Thus, autonomy essential

2) : Respect to sovereignty :

2.1) For African & Indian  
Ocean Region nations

2.2) As against China's debt  
trap & chequebook  
diplomacy

3) International Law :

3.1) Rules based order ex: WTO

3.2) Respect for global conventions  
like IPCC

essential to meet SDG-17 and  
ensure India's contention for  
UNSC permanent seat-

Feedback ( For OFFICE use only )

|                         |  |         |  |
|-------------------------|--|---------|--|
| Structure               |  | Content |  |
| Question Interpretation |  | Total : |  |

## Mentor Feedback Questions

- 1 .....
- 2 .....
- 3 .....
- 4 .....
- 5 .....

## Test Goal

- 1 ..... ☐
- 2 ..... ☐
- 3 ..... ☐

## Outcomes

- .....
- .....
- .....
- .....

## Marking Scheme

| Marks     | Good       | Average   | Below Average |
|-----------|------------|-----------|---------------|
| 10 Marker | 3.75 – 5.0 | 3.0 – 3.5 | < 3.0         |
| 15 Marker | 5.75 – 7.0 | 4.0 – 5.5 | < 4.0         |

\*Subject to change without prior notice.

For any suggestions and/or grievances regarding evaluation, please mail to :  
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