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FIAS - MGP 2021 - GS paper #2

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GENERAL STUDIES

Name Of Candidate	SHRUTI SHARMA		
Roll No.	1910051334	Date:	21/12/21

Time Allowed: Three Hours

Maximum Marks: 250

INDEX TABLE			INSTRUCTION			
Q. No.	Max. Marks	Marks Obtained				
1			1. Please do furnish Name, Email, Roll No and Mobile in the answer sheet.			
2						
3						
4						
5						
6			2. There are TWENTY questions printed in ENGLISH & HINDI, all questions are compulsory.			
7						
8						
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10						
11			3. The number of marks carried by a question/part is indicated against it.			
12						
13						
14						
15						
16			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.			
17						
18						
19						
20						
19			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.			
20						
Total:	250					
Evaluator's Discretion:					For Student Only	
					Start Time 5 PM	End Time 8 PM
Total Marks:			Mode Of Examination: Online <input checked="" type="checkbox"/> Offline <input type="checkbox"/>			
Evaluator's Discretion: This is the marks awarded at the discretion of the evaluator based on your overall impression, on the basis of (but not limited to) your handwriting, presentation, use of diagrams, flowcharts, facts and figures or absolutely anything that he/she liked in your copy.			For Office Use Only			
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Parameters	Excellent	Very Good	Good	Average	Poor	Very Poor
Language						
Structure						
Presentation						
Handwriting						
Content						
Attempt						

ADDITIONAL REMARKS

Q.1) Freedom of speech and expression goes well beyond spoken words and written texts; however, neither the right enjoyed by citizens, nor the power of the State to impose restrictions is absolute. Analyze. (10 Marks, 150 words)

वाक् एवं अभिव्यक्ति की स्वतंत्रता बोले गए शब्दों और लिखित ग्रंथों से बहुत आगे तक जाती है; हालाँकि, न तो नागरिकों द्वारा अधिकार का उपयोग और न ही प्रतिबंध लगाने की राज्य की शक्ति अनन्य है। विश्लेषण करें। (10 अंक, 150 शब्द)

Art 19(1)(a) of Part IV of the Indian Constitution stresses on the fundamental right of freedom of speech and expression as the sine qua non of a functional democracy.

It goes beyond spoken words & written texts to include:

- 1) The right to remain silent
- 2) The right to dissent - impose accountability on government
 ↳ Free role of media (4th pillar of democracy)
- 3) The right to protest peacefully.

However, it can be subject to reasonable restrictions in the interest of public order, security, sovereignty, friendly relations etc. (Art 19(2))

A balance needs to be established >

- ① Right enjoyed by citizens - not absolute
 - * Should not lead to fomenting of violence or hate.
(Sec 505 of IPC)
 - * Should not be used to divide people during election (Sec 125 of RPA)
 - * Should not lead to 'defamation' - can be restricted for 'contempt of court' maintaining honour of institutions

Yet

- ② Restrictions by state cannot be excessive.
 - * stifling dissent through wrongful use of 'sedition'
 ↳ only 3.3% conviction under Sec 124A (process becomes punishment) (NCRB)
 - * vague provisions of 'public order' used to target political opponents
 - * ~~the~~ excessive use of anti-terror legislations (e.g. UAPA)

Thus, as per 2nd ARC - singing from the same song book is not patriotism - a balance between national security & indiv. freedom is needed.

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2) Do you agree that presence of a concurrent list in 7th schedule goes against the federal spirit of distribution of power? How has judiciary applied the doctrine of pith and substance for resolving the Q. of legislative competence on different lists under 7th schedule? (10 Marks, 150 words)

क्या आप सहमत हैं कि 7वीं अनुसूची में समवर्ती सूची की उपस्थिति शक्ति के विभाजन की संघीय भावना के विरुद्ध है? 7वीं अनुसूची के तहत विभिन्न सूचियों पर विधायी सक्षमता के प्रश्न को हल करने के लिए न्यायपालिका ने तथ्य और सार के अंश को कैसे लागू किया है? (10 अंक, 150 शब्द)

The presence of concurrent list in 7th schedule is derived partly from the Australian Constitution while overriding power of Centre on the list is taken from the Canadian federalism model.

It has ^{been} seen by some states (Rajamannar Commission, Anandpur Sahib Resolutions)

to be against federalism due to

- 1) ever expanding items as compared to state list

- 2) Important way to exercise power over state matters (by use of Entry 33 (concurrent list) → farm laws)

- 3) Against clear separation of legislative powers in favour of centre.

However, the Constitution makes envisaged

Indian polity to be a federation with centralising tendency in interest of political stability and unity.

The judiciary walks this tightrope by using 'pith & substance' doctrine - highlighting that core subjects in the state and Union lists should not be violated by using concurrent list.

For (e) current striking down of 97th Const. Amendment Act - to only apply to multi state cooperatives (by SC) as 'cooperatives' is a state list subject.

⇒ Similarly controversy over using Entry 33 for central laws brought to judiciary.

This finds parallels in Punchhi Commission recommendations of using cooperation between Centre & States while legislating on concurrent list for cooperative federalism. Principle of 'Harmonious construction' may thus be followed.

Use of ordinance making power to bring in governance reforms not only dilutes the accountability of executive to the legislature but also fails to generate popular consensus on the issues of national importance. Examine with examples. (10 Marks, 150 words)

न में सुधार लाने के लिए अध्यादेश बनाने की शक्ति का उपयोग न केवल विधायिका के प्रति कार्यपालिका की जवाबदेही कमजोर करता है बल्कि राष्ट्रीय महत्व के मुद्दों पर आम सहमति बनाने में भी विफल रहता है। उदाहरण सहित परीक्षण (10 अंक, 150 शब्द)

The executive power of ordinances granted to the President as an incursion into legislative powers was meant as an 'exception' in extraordinary circumstances rather than the norm.

Yet multiple re-promulgation (Madras legislature, DC Wadhwa Case) has brought disrepute to the power.

Dilution of accountability:

* The executive is not subject to legislative scrutiny (eg No Confidence Motion, Resolutions)

↳ leading to poor accountability

* Lack of discussion on provisions of the laws

* Means of avoiding legislative delay

- ① Not enough powers - Proprietary audit is not mandatory
- ② Secret service expenditure can't be inquired into.
- ③ ~~No~~ Only post facto role.

Thus: Need for re-evolution, re-invention:

- ① For improving governance, Proprietary audit should be made mandatory (2nd ARC) - ensuring better check.
- ② Fiscal transparency: More staffing & powers - compulsory to review major govt schemes \rightarrow Gujarat Swachh Bharat Abhiyaan scheme
 G highlighted non sanitation houses despite positive govt claims

- ③ Executive accountability:
 ① 2nd ARC recommendation - for collegium for appointment to ensure independence
 ② Create enforcement powers

- ④ Need for strengthening Public Accounts Committee to implement CAG suggestions
- Thus; it needs to truly become a bulwark of a New Age and Constitution

Q.5) What are the methods used by pressure groups to influence public policy in India? In your opinion, whether pressure groups broaden democratic participation by voicing group concerns or subvert larger public interest to narrow group interests? (10 Marks, 150 words)

भारत में सार्वजनिक नीति को प्रभावित करने के लिए दबाव समूहों द्वारा उपयोग की जाने वाली विधियां क्या हैं? आपकी राय में, क्या दबाव समूह समूह की चिंताओं को उठाकर लोकतांत्रिक भागीदारी को व्यापक बनाते हैं या बड़े जनहित को संकीर्ण समूह हितों में बदल देते हैं? (10 अंक, 150 शब्द)

Pressure groups, referring to voluntary organisations with definite social, political, economic aim in mind attempting to influence govt. policy in this regard.

Methods utilised include:

- ① Lobbying → Use of lobbying by Walmart to attempt FDI allowance in multi brand retail
- ② Movements → Narmada Bachao Andolan against Narmada Sagar dam
- ③ Use of legal means → PUC case, AOR case
Use of PILs and Supreme Court to bring about electoral transparency by AOR!
- ④ Building of public opinion through

advertising, social media campaigns,
TV campaigns

↳ women's pressure groups
Bachpan Bachao Andolan,
Masdoor Kisan Shakti Sangathan (RTI Act)
↳ Rajasthan.

Impact of pressure groups :

① Broaden democratic participation

↳ Leading to substantive democracy of farm protests

↳ Give voice to people not sizeable in electoral politics (eg) tribal groups

↳ Ensure accountability year round (Constant govt. questioning)

↳ vulnerable sections come forward

② Subverting public interest & yet a very narrow conceptualisation of interests (disregarding others) can lead to domination of parochial interests (eg Tobacco lobby)

The means of pressure groups thus depends on how they are used - and must be seen as expansion of freedom of speech (Art 19)

Feedback
(For OFFICE use only)

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Presentation

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Interpretation

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Q.6) Social reforms without political empowerment are meaningless whereas political empowerment without social reforms remains hollow. Discuss with respect to women representation in local bodies and legislatures.
(10 Marks, 150 words)

राजनीतिक सशक्तिकरण के बिना सामाजिक सुधार निरर्थक हैं जबकि सामाजिक सुधारों के बिना राजनीतिक सशक्तिकरण खोखला है। स्थानीय निकायों और विधानसभाओं में महिलाओं के प्रतिनिधित्व के संबंध में चर्चा करें। (10 अंक, 150 शब्द)

The 73rd and 74th Constitutional Amendment Acts not only introduced decentralised government in the country - but by giving 33% reservation to women - marked a new age in women empowerment.

However this highlights a dichotomy - due to absence of major transformation at the grassroot level.

Social reforms without political empowerment:

refers to the initial steps by social reformers like Ram Mohan Roy or individual examples of empowered women like Savitribai Phule and Dr. Muthulakshmi Reddy.

↳ But until social reforms are not translated into actual political rights (Right to vote)

Inheritance rights (Hindu Code Bill)
and Right to Equal representation
(50% gram sabha representation for women in Haryana and Bihar,
33% all over India) — it cannot lead to legal empowerment (As one can approach the courts)

HOWEVER mere political empowerment means nothing &

1) Society remains same — Patriarchy manifested in other ways

↳ 'Sarpanch pati' phenomenon,

2) Double burden of work: Men unwilling to share in household work while women work.

3) Acceptance of political provisions takes a long time

Thus the state (in politics) and civil society (for society) should work together for comprehensive social & political women empowerment

↳ The example of Fatima Bibi and Chhavi Rajawat as female sarpanches bringing about change is a startling example.

Q.7) A moribund police-judicial system remains a great hurdle to economic reforms. Explain how governance and economic reforms are interrelated. (10 Marks, 150 words)

एक मरणासन्न पुलिस-न्यायिक व्यवस्था आर्थिक सुधारों के लिए एक बड़ी बाधा बनी हुई है। बताएं कि शासन और आर्थिक सुधार कैसे परस्पर जुड़े हुए हैं। (10 अंक, 150 शब्द)

Governance and economic reforms are inseparable and constantly interlinked → the adage of 'minimum government, maximum governance' can possibly lead to a healthy balance between the two.

Governance as hurdle to economics :

① Poor Ease of Doing Business : Rank in Contract Enforcement is 163 (EODB 2019), while more than 3.5 core cases are pending in the Judiciary (NODG) → affecting investor sentiment.

② Problems in land acquisition (Police-raj + faulty land titling) impacting industrial 'Atmanirbhar Bharat' growth.

③ Problem of 'Inspector Raj' and constant bribery - inhibits innovation and entrepreneurial ventures.

④ Issue of red-tapeism affecting Indian bureaucracy - lack of information technology interface, ...

Thus governance and economic reforms are and should be interrelated:

Governance reforms & Prakash Singh judgement guidelines (for police independence) will decrease political interference - ensuring transparency.

→ A 'SMART' policy initiative - more facilitative - rather than restrictive - will encourage industry.

→ Judiciary (more streamlining) - More infusion of funds (Econ Survey 2018-19) - will lead to multifarious economic gains.

Economic reforms (better labour laws, farm laws, liberalisation) too will decrease burden of excessive supervision by police & judiciary.

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Despite various safeguards, frequent political interference and diminishing independence prevents civil servants in performance of their transformative role as envisioned under the constitution. Critically analyze.
(10 Marks, 150 words)

व्यभिचार सुरक्षा उपायों के बावजूद, लगातार राजनीतिक हस्तक्षेप और घटती स्वतंत्रता सिविल सेवकों को उनकी परिवर्तनकारी भूमिका के प्रदर्शन में बाधा डालती है जैसा कि संविधान के तहत परिकल्पित है। समालोचनात्मक विश्लेषण करें।

(10 अंक, 150 शब्द)

Sardar Patel envisaged the bureaucracy as the 'steel frame' of India's nation building project

various safeguards were introduced for ensuring independence

① Art 311 - Ensuring immunity for their actions

② Principle of anonymity - only answerability, no accountability to the people,

③ Post retirement benefits and security of tenure

Yet various problems persist, affecting functioning:

① Politician - Businessman - Bureaucracy nexuses - affecting transparency and fairness in public service delivery (Value Committee)

② Presence of hierarchy - Multiple points of veto, excessive centralization in decision making
 ↳ leading to delay.

③ Dependence on political masters for promotions and transfers
 ↳ lead to toeing line at altar of citizen convenience

④ 2nd ARC : Focus on procedural compliance rather than outcomes just to pay lip service to superiors.

Yet in many aspects, positive examples of integrity civil servants come to the fore

↳ Tambaji Ayyaji (Maoist forefront worker)

↳ Durga Shakti Nagpal (Sardar Sarovar)

↳ Lakshmi Priya (Project Sampurna)

WAY FORWARD

2nd ARC recommendations of amending Art 311 to introduce greater responsibility and better performance management along with Mission Karmayogi should be implemented.

Q.9) Sri-Lanka is a region where India can not only display its neighborhood first policy but also give credence to its SAGAR doctrine. Elaborate. (10 Marks, 150 words)

श्रीलंका एक ऐसा क्षेत्र है जहां भारत न केवल अपनी पड़ोसी पहले नीति प्रदर्शित कर सकता है बल्कि अपने सागर (SAGAR) सिद्धांत को भी बल दे सकता है। विस्तृत विवेचना करें। (10 अंक, 150 शब्द)

Sri Lanka and India have been historic neighbours especially since former PM Rajiv Gandhi's suggestion to help Sri Lanka fight terror onslaught of the LTTE.

It is the foremost playground for Neighbourhood First Policy:

- ① Growing inroads of China: To combat Hambantota takeover, India has sought to buy stakes in nearby Mattala airport.
- ② Extension of currency swap agreement of \$2bn to assist Sri Lanka in debt.
- ③ Extension of 'Vaccine Maitree' initiative — gifting of medicines and vaccines during COVID pandemic.

SAGAR (Security and Growth for
All in the region)

↳ Important Pillar

① Important to tackle piracy in
the Indian Ocean and counter
China in the Indo Pacific.

② Important part of Indian Ocean
Rim Association - India as
'Net Security Provider'

③ Counter Terrorism Agreement
signed after Christ Easter
Church Attack
to counter radicalism and LTTE
rise.

Yes Challenges remain

① Refusal of debt swap
... agreement by India

② Cancellation of East Container
Port deal with Japan.

Which have pushed in 'debt trap' with China.
Original doctrine must be followed to
revive age old partnership.

Feedback
(For OFFICE use)
Structure/ Presentation
Question Interpretation
Content
Value Addition
Total

Q.10) Indo-Pacific reflects both the interdependence as well as interpenetration which are evident in an era of multipolarity and globalization. Discuss this statement keeping in mind India's Indo-Pacific vision.

(10 Marks, 150 words)

हिंद-प्रशांत क्षेत्र अन्योन्याश्रयता और अंतर्प्रवेश दोनों को दर्शाता है जो बहुध्रुवीयता और वैश्वीकरण के युग में स्पष्ट हैं। भारत की हिंद-प्रशांत दृष्टि को ध्यान में रखते हुए इस कथन की चर्चा कीजिए।

(10 अंक, 150 शब्द)

The Indo Pacific - keeping India at the centre of the Paci region - as a strategic, economic and security based conceptualisation is an important region in global strategic affairs. In the era of globalisation; it reflects:

(I) Inter-dependence:

① of USA and western world on India to ~~target~~ counter Chinese influence

↳ seen in USA idea of 'Indo Pacific'
↳ Formation of QUAD
↳ formation of AUKUS as a military measure.

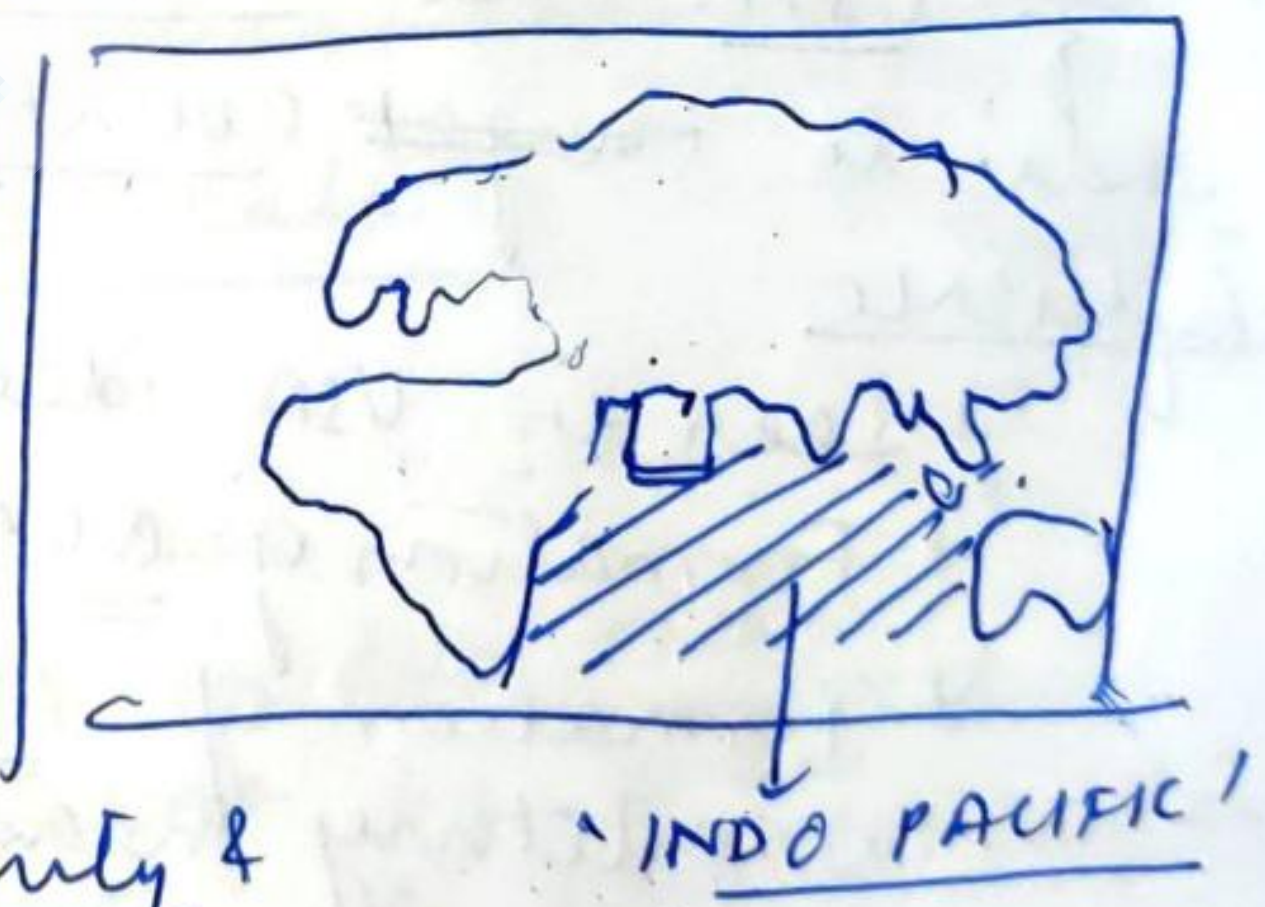
② of India and ASEAN countries to maintain rules based order and freedom of navigation in key economic channels.

II) Interpenetration :

① The multiple Exclusive Economic Zones of various countries coalesce in the region - highlighting need for cooperation in providing 'SAHAR' (Security & Growth for All in the Region)

② Economic penetration - existence of sea lines of communication for rigorous trade - existence of energy resources & poly metallic nodules

India's vision of Indo Pacific stretching from Africa to the Pacific in the above light stresses on 'Security & Growth for All' - While stressing on interdependence in ensuring rules based order - seen in organisations of IORA, IFC - Fusion Centre etc.



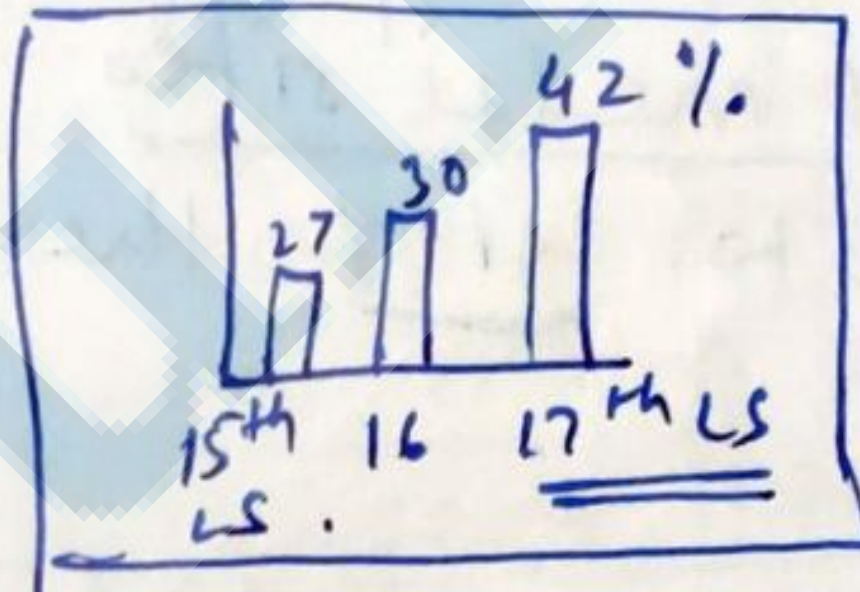
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Q.11) Examine various existing mechanisms for controlling money and muscle power in elections. Discuss why criminal elements find it easy to succeed in politics and how the trend of increasing criminalization of politics can be reversed. (15 marks, 250 words)

चुनावों में धन और बाहुबल को नियंत्रित करने के लिए मौजूद विभिन्न तंत्रों का परीक्षण करें। चर्चा करें कि आपराधिक तत्वों को राजनीति में सफल होना क्यों आसान लगता है और राजनीति के बढ़ते अपराधीकरण की प्रवृत्ति को कैसे उलटा जा सकता है। (15 अंक, 250 शब्द)

The Padmaresh Committee highlighted the menace of rising money muscle power as 'cheque book democracy' which is a blot on the Indian democratic model.

The rising trend of Politicians with criminal background in Lok Sabha



Mechanisms to control them:

- ① Election Commission
- ② Model Code of Conduct :- involving not bribing voters.
- ③ Declaration of election expenses and assets by candidates
- ④ Overall upper limit on election expenses.

② Supreme Court judgements

③ PUCJ case - Beginning of greater transparency - declarations of criminal background

④ Lily Thomas Case : Disqualification for 2 yrs on conviction if no appeal immediately (No appeal)

Recent SC judgement - stressed on multiple publishing of criminal information on social media sites along with reasons as to WHY the candidate was chosen.

Reasons for criminal 'winability' in elections :

① Presence of 'money power' - used for massive campaigning and buying of voters.

② Use of violence, threatening measure → presence of large criminal networks to support them

③ Non implementation of Election

Commission and Court guidelines due to lack of enforceability and effective cadre.

- ④ Lack of political will - support by institutions
- ⑤ Citizens find patronage ties with such leaders.

necessary measures required:

① Election Commission → to be given greater independence and powers

- ⊕ 2nd ARC: Collegium for appointment
- ⊕ Powers to enforce order and separate independent cadre (for independence)

② Political parties - election expense should also be capped
 ↳ to be brought under RTI (recommen)
 ↳ Electoral bonds to election Commission be stopped ↳ high opacity.

③ State funding of elections (in kind) ↳ Indrajit Hazare Committee.

Free and fair elections can be the first guarantee of a healthy democracy.

Feedback (For OFFICE use only)

Structure/ Presentation
Question Interpretation
Content
Value Addition
Total



Q.12) Reservations have morphed into a populist exercise to deal with an employment crisis, making it a political response to resolve an economic issue through the prism of identity. Analyze in the backdrop of rising demand for caste census and reservation for locals in private job.

(15 marks, 250 words)

आरक्षण रोजगार संकट से निपटने के लिए एक लोकलुभावन अभ्यास में रूपांतरित हो गया है, जिससे यह पहचान के चश्मे के जरिए आर्थिक मुद्दे को हल करने के लिए एक राजनीतिक प्रतिक्रिया बन गया है। जाति जनगणना और निजी नौकरियों में स्थानीय लोगों के लिए आरक्षण की बढ़ती मांग की पृष्ठभूमि में विश्लेषण करें।

(15 अंक, 250 शब्द)

The politics of reservations have overtaken the sociology of reservation - as seen in the current demands for reservations on the basis of economic arguments rather than as an agent for social change to undo past wrongs.

Initial need for reservation (Art 330, 332)
↳ encapsulated in Constitutional Assembly debates led by Ambedkar was to provide an 'equal playing ground' to backward castes and tribes on account of historical oppression and untouchability.

NOW + we see demands by Jats,

Patidars, even upper caste Brahmins
(103th Constitutional Amendment)
↳ EWS) for economic equality

↳ This is due to lack of employment opportunities (PLFS 2018 - 6.8% unemployment - It was the highest in 45 years)

This further reflects in demands for reservations for locals in private jobs (e.g. Haryana)

① Highlights 'economic crisis' of youth - fail to find jobs despite high education costs

② Insider-Outsider phenomenon: Marathi against Bihari migrants highlighting regional tensions

③ The concept of 'historical oppression' has been forgotten

④ Extension even to private sphere (Highlights economic context)

Demand for caste census is due to:

- (*) Demands by OBCs to highlight less representation in govt jobs and colleges \Rightarrow as material basis for demanding reservations.
- (*) To demand inter-caste reservation (Tamil Nadu case) - highlight cornering of reservation benefits by certain sub-castes.

However while navigating these issues - one must remember the purpose of reservation as a 'representational measure' for certain historically disadvantaged communities.

Though a Caste Census may be required for evidence based policy making, seeing reservation as a 'panacea' for economic problems - will only engender new problems. Creation of new jobs & economic dynamism must be taken together with social measures.

Feedback	
(For OFFICE USE)	
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Total	

Q.13) The project of grass root democracy remains incomplete as administrative decentralization has not accompanied political decentralization. Highlight the critical administrative challenges faced by local institutions and give your views to improve the situation. (15 marks, 250 words)

जमीनी लोकतंत्र की परियोजना अधूरी है क्योंकि प्रशासनिक विकेंद्रीकरण के साथ राजनीतिक विकेंद्रीकरण नहीं हुआ है। स्थानीय संस्थानों के सामने आने वाली महत्वपूर्ण प्रशासनिक चुनौतियों पर प्रकाश डालें और स्थिति को सुधारने के लिए अपने विचार दें। (15 अंक, 250 शब्द)

The GVK Rao Committee on India's local bodies commented it to be 'grass without roots' instead of a grassroots democracy.

* Political decentralization began with 73rd and 74th Amendments and corresponding Act 243 G and 243 W listing subjects to be under the local bodies and political positions of mayors, sarpanches and municipal councillors.

HOWEVER Critical administrative challenges persist:

- ① Absence of enough funds devolution:
- ② Most funds are tied to specific schemes - leading to 'top-down'

approach - lack of innovation

① Absence of own sources of funding

↳ 14th Finance Commission - only 0.25% of GDP (Property Tax) less than most major countries.

② Functions : Not effectively devolved

2nd ARC : Local institutions are 'local' only in 'form' not in 'character'

↳ Marked by 'delegation' and not 'devolution' of authority.

③ Lack of infrastructure

↳ more than 25% of Panchayat secretaries do not have an office.

④ Prevalence of corruption

↳ Mani Shankar Aiyar Committee - 'decentralisation of corruption'

⑤ Multiplicity of bodies → overlapping of functions

Measures to improve situations :

① Outcome oriented fund devolution

Ex) 15th Finance Commission -
 devolution of funds based on
crucial reforms in municipalities
and gram panchayat

② Own generation of funds

Ex) - Municipal bond in Indore
 - imposition of 'user charges'

③ Encouraging 'competition'

Ex) Swachh Survekshan at
municipal level
 - Municipal Performance Index
 (MITI Nayoj)

④ Devolution of functions based on 'principle of subsidiarity'

The Padme Shri awardee Popatrao Pawar as sarpanch of Hinse Bazar
 which has been a transformative
governance model is an idea of the
power of 'true devolution of powers'

Feedback

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Q.14) How far do you agree that collegium system of judicial appointment and transfer falls short in striking a balance between judicial independence and other democratic principles? In this context, suggest some practical solutions for making the collegium system more transparent.

(15 marks, 250 words)

आप कहाँ तक सहमत हैं कि न्यायिक नियुक्ति और स्थानांतरण की कॉलेजियम प्रणाली न्यायिक स्वतंत्रता और अन्य लोकतांत्रिक सिद्धांतों के बीच संतुलन बनाने में विफल है? इस संदर्भ में, कॉलेजियम प्रणाली को और अधिक पारदर्शी बनाने के लिए कुछ व्यावहारिक उपाय सुझाएं।

(15 अंक, 250 शब्द)

The collegium system of judicial appointment as an invention of the Indian judiciary was formulated in the Four Judges Cases - as highlighted as an expression of judicial independence.

Judicial independence } Consultation with Chief Justice means concurrence (2nd Judges case)

→ Judges not based on executive preference

→ can lead to highly critical judgements of government

↳ 2nd Scam case

However, other principles may face a challenge ;

- ① System of checks and balances -
due to no parliamentary or executive oversight
- ② Separation of powers between three
organs of government.
- ③ Transparency and judicial accountability.

There are various problems with the collegium that ~~the~~ pose above challenges.

- ① Problem of opacity: Discussion of collegium not made public.
- ② Leads to perpetuation of certain elite families
↳ BR Ambedkar referred to it as 'Imperium within Imperium'.
- ③ Lack of representation
Only 2/34 SC judges and 80/1100 (SC and HC judges) are women -
leading to repressive judgements
↳ Dawry - provision of family committees

Possible solutions:

① Balance to be sought between NJAC (proposed by Parliament) and MoA (prepared by judiciary) to introduce transparency and evidence based promotions.

② Possible promulgation of draft Judicial Accountability Bill - with 3 tier grievance redressal and transparency mechanism for judiciary - and greater judicial accountability.

③ Making discussions of collegium public - for greater public scrutiny.

④ Restatement of Ethics in Judicial Life, 1999 - should be implemented in spirit by all judges to ensure accountability and transparency.

The judiciary should thus hold itself to same standards that it wishes to impose upon others.

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(For OFFICE)
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15) Scholars and activists argue that misuse of draconian UAPA to curb every dissenting voice can put democracy in peril. What sections of UAPA make it a threat to democratic rights? Critically analyze the issues related to UAPA while evaluating the requirement of such a stringent law.

(15 marks, 250 words)

वेदनों और कार्यकर्ताओं का तर्क है कि हर असहमति की आवाज पर अंकुश लगाने के लिए कठोर UAPA का दुरुपयोग लोकतंत्र को खतरे में डाल सकता है। UAPA की कौन सी धाराएँ इसे लोकतांत्रिक अधिकारों के लिए खतरा बनाते हैं? ऐसे कड़े कानून की आवश्यकता का मूल्यांकन करते हुए UAPA से संबंधित मुद्दों का समालोचनात्मक विश्लेषण करें।

(15 अंक, 250 शब्द)

The recent granting of bail in Asif Tarke case alongwith Durgam Kalita, Narwan has put the limelight on UAPA as a measure by the government to target dissenting voices.

Its heavy and frequent use and very low conviction rate often gives credence to this claim - threatening Right to Freedom of speech (Art 19) and ideals of Liberty (enshrined in Preamble).

Sections of UAPA : threatening democratic rights include → the

presumption against bail, the mere presence of literature or material (as anti-national) to be a crime, the mere membership of an organisation to be against the law — irrespective of commission of any illegal act.
Thus, a person is guilty unless proven otherwise, rather than vice versa.

Issues with UAPA

- ① Widespread use in recent times to target protestors without any background of terrorist activities
- ② non beginning of trial for long periods — the process itself becoming the punishment.
- ③ Using of terrorist act in cases where normal sections of IPC

can suffice

- ④ Allegations of cyber attacks and 'planting of material'
- ⑤ wide ranging and 'vague' provisions of UAPA - making it virtually impossible to get bail - despite having evidence.

Yet need for preventive anti terrorist legislation remains?

- ① Growing threats of national security
 - * Increasing cases of terrorism and border infiltration by in Kashmir
 - * Growth of 'front organisations' of Marxist groups

② Need to prevent attacks in presence of intelligence.

Yet How and when this act is used must be regulated - with clearer and direct provisions - making it difficult to abuse for political ends in interest of 'free democracy'.

Feedback

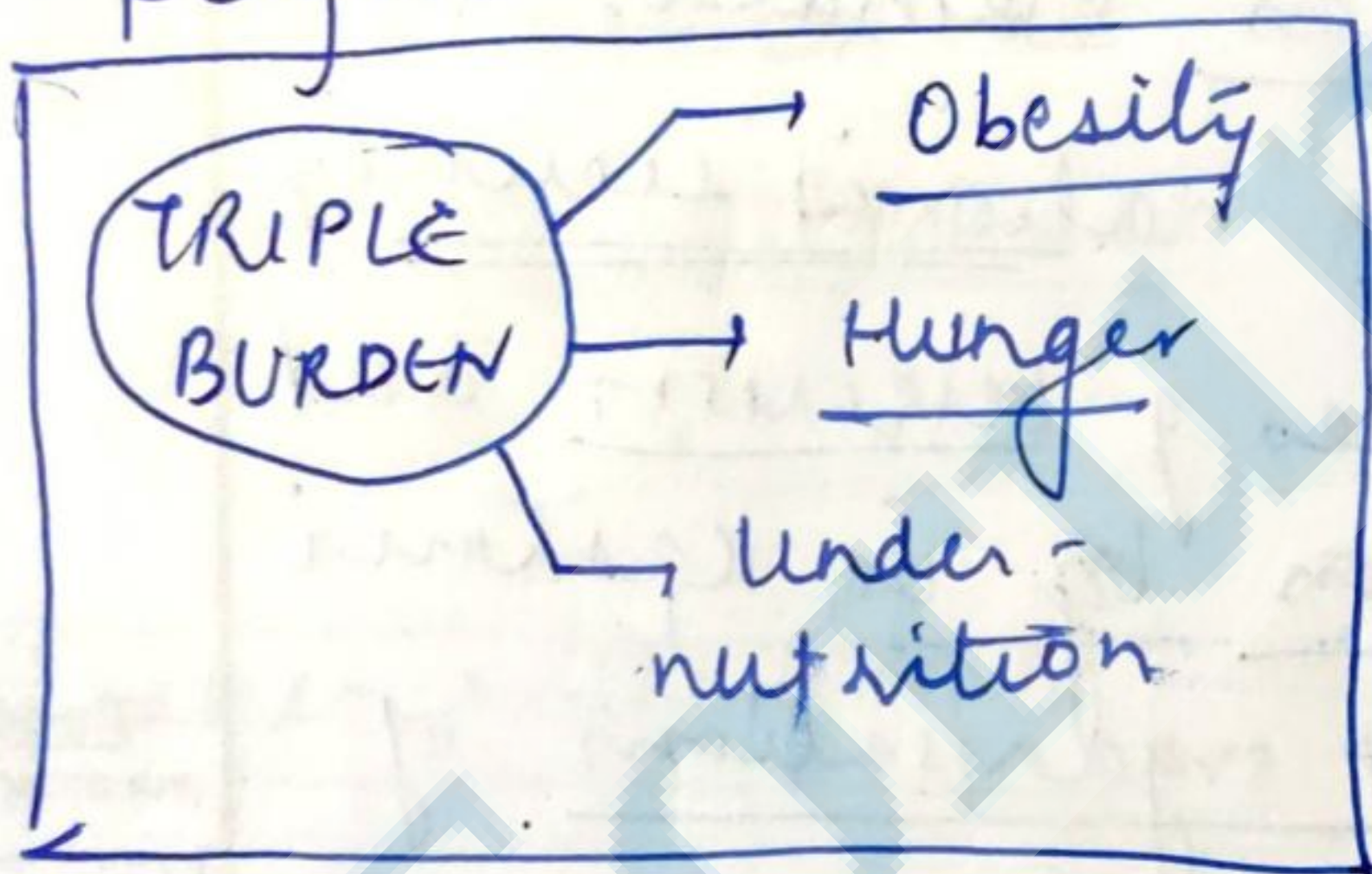
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Q.16) Comprehensive National Nutritional Survey (CNNS) paints a grim picture of health and nutrition of children in India. Discuss the effects of intergenerational poverty on nutrition and health. Also, suggest ways to break the poverty-undernutrition vicious cycle. (15 marks, 250 words)

व्यापक राष्ट्रीय पोषण सर्वेक्षण (CNNS) भारत में बच्चों के स्वास्थ्य और पोषण की एक कुरूप तस्वीर पेश करता है। पोषण और स्वास्थ्य पर अंतर-पीढ़ीगत गरीबी के प्रभावों की चर्चा कीजिए। साथ ही, गरीबी-अल्पपोषण के दुष्चक्र को तोड़ने के उपाय सुझाएं। (15 अंक, 250 शब्द)

Comprehensive National Nutritional Survey has highlighted the triple burden of nutritional issues that plague Indian children.



The levels of stunting (35%) and malnutrition and nourishment (20%)

remain dismal with further negative impacts of COVID pandemic and stoppage of 'Mid day meals'.

Effects of intergenerational poverty on children's health : is very dire.

① Lack of adequate money to spend on enough caloric content and nutritious food

↳ Global Hunger Index : More than 76% of rural Indians cannot afford a nutritional diet despite spending 2/3rd of income.

② Education : Effect of mother's education on ~~low~~ child nourishment

↳ NNS : 11% of children with non educated mothers, 37% with educated mothers likely to have healthy diet.

③ Low health expenditure on the family

↳ Anaemic mothers (57% of Indian women) 4 likely to birth anaemic children

④ Lack of intergenerational awareness about importance of nutrition.

⑤ Poor and unhealthy environment
↳ Slums - further cycle of sanitation and lack of water
poor

Means to break intergenerational cycle

① More fund infusion into health and nutrition to atleast $\frac{3\%}{GDP}$

Tip Diversification of food in PDS system (Bharat Poshan Kishi Kosh)

→ Fortification of rice

+ PM POSHAN 2.0 → Expansion to Balvatikas and encouraging 'kitchen gardens'

② Effective governance and implementation

Tip Use of anganwadi and ASHA workers for awareness generation.

③ Innovative solutions encouraging women empowerment

Tip Project Sampurna (Bongaigaon)

to tackle malnutrition - using 'buddy mothers' and SHG encouragement
↳ saw great results.

SDG 1, 2 and 4 off no hunger, poverty and good health
need collective response

Feedback (For OFFICE)	
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Q.17) Civil society organizations (CSOs) have played a stellar role in extension of human rights, protection of civil liberties and voicing the concerns of unheard, but critics argue that civil society has emerged as the new frontier of war and CSOs have hindered the socio-economic development of the nation. Give your opinion. (15 marks, 250 words)

नागरिक समाज संगठनों (CSO) ने मानवाधिकारों के विस्तार, नागरिक स्वतंत्रता की सुरक्षा और अनसुनों की चिंताओं को आवाज देने में एक महत्वपूर्ण भूमिका निभाई है, लेकिन आलोचकों का तर्क है कि नागरिक समाज युद्ध की नए सरहद या न्यू फ्रंटियर के रूप में उभरा है और CSO ने राष्ट्र के सामाजिक-आर्थिक विकास में बाधा उत्पन्न की है। अपनी राय दीजिए। (15 अंक, 250 शब्द)

Civil society organisations are often considered as important pillars of governance mechanism - especially post liberalisation era.

Important role played

- I Extension of human rights
 - ↳ Bachpan Bachao Andolan (Kailash Satyarthi) - Art 24 (Right against child labour) has been upheld
 - ↳ Safai Karamchari Andolan (Betzvade Wilson) - Right to equality and dignity (Art 15, 21)

- II Protection of civil liberties
 - ↳ Role of ADR in ensuring politics democracy, providing

free legal aid, spreading awareness
about legal rights

→ Right to protest, free expression,
highlighted (Art 19)

② Voicing concerns of the unheard

↳ Aahonshi Foundation:
demands for equal women
rights in practice

↳ Narmada Bachao Andolan,

↳ Vedanta mining case
↳ demands and rights of tribals
over their lands highly used

HOWEVER, growing criticism in
recent years:

① New frontier of war emerged:
between government and the
organisations.

↳ They are seen as essentially
disruptive -

stifling any innovative measure.

① Widening of economic development of the nations

② Environmental NGOs (Greenpeace) seen as siphoning funds, backed by illegal foreign funding indulging in 'eco-terrorism'

③ Activism by NGOs seen to contribute to roughly 2.5% of loss of GDP

- ④ - Against dam projects
- Ken Betwa river interlinking
- Buxwaha diamond mining

⑤ Zakir Naik Foundation - Fomenting of hate - leading to social disruption

A collaborative governance model, and understanding the importance of civil society in shaping modern public policy can truly lead to participatory (Sabhe Sath, Vikas & Vishwas)

Feedback
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Q.18) Invisibilizing destitute through criminalizing of begging amounts to complete denial of a socio-economic problem and abject failure of the state. In light of this statement, discuss the reasons behind the problem of begging and suggest suitable welfare measures to address various problems faced by them. (15 marks, 250 words)

भिक्षावृत्ति के अपराधीकरण के जरिए निराश्रितों को देखना एक सामाजिक-आर्थिक समस्या को पूरी तरह से नकारना और राज्य की घोर विफलता है। इस कथन के आलोक में भिक्षावृत्ति की समस्या के कारणों की विवेचना कीजिए तथा उनके सामने आने वाली विभिन्न समस्याओं के समाधान के लिए उपयुक्त कल्याणकारी उपाय सुझाइए। (15 अंक, 250 शब्द)

'In a state where terrible wrongs exist, some are guilty, all are responsible'.

The prevalence of beggary, especially in urban cities highlights the vulgarity of disparity in wealth accumulation and its criminalizing is subject to ~~as~~ rejecting taking responsibility for state's failure (Also highlighted recently by Supreme Court)

Reasons behind begging as a problem?

- ① Lack of economic opportunities
↳ High rate of unemployment
(PFS 2020 4.8%)

② Nature of lopsided urbanisation : presence of haves and have nots - 17% of urban population as slums (Census 2011)

③ Failure of state in expansion of schemes: Lack of effective monitoring leads to exclusion errors in PDS and other social welfare schemes (in continuation of Art 41)
DPSP.

④ Presence of beggary rackets - (Anti social elements) - to extract money through huge networks - links with criminal nexus

⑤ Problem of illegal immigration
↳ Many undocumented beggars are inter country and state migrants ↳ Bangladeshi migrants in Delhi

Welfare measures to target this :
① Involvement of local bodies

(Municipalities) and civil society

(eg Earth Sanjivni Foundation (Delhi))

to prepare database of 'homeless'
citizens and extend government
schemes and housing

- ↳ use of 'night shelters' for residence
- ↳ Inclusion under Food Security Act

(2) Economic empowerment through
skilling (PM Kaushal Kendras) -
linked with industry skills.

(3) Adequate counselling using community
welfare measures (eg Atmiyata
(Gujarat))
including weaning off
from drug addiction

(4) Legal / Policy measures - Targeting
beggary rackets on a war scale

Poverty anywhere is a threat to security
everywhere (Kofi Annan). As a
welfare state, it is our responsibility to
eliminate want (SDG 1)

Q.19) Real reason for rising Indo-China tension is that China is determined to reshape the global political and economic order in a manner aligned to its own interest in which it no longer regards India as a source of support. Explain with suitable examples. (15 marks, 250 words)

भारत-चीन के बढ़ते तनाव का वास्तविक कारण यह है कि चीन वैश्विक राजनीतिक और आर्थिक व्यवस्था को अपने स्वयं के हितों के अनुरूप बदलने के लिए दृढ़ संकल्प है, जिसमें वह अब भारत को समर्थन के स्रोत के रूप में नहीं मानता है।
उपयुक्त उदाहरण देकर स्पष्ट कीजिए। (15 अंक, 250 शब्द)

The recent Communist Party Plerary highlighted China's vision as one of the foremost powers in the global world order - in aspects of military, economic, digital and strategic spheres.

The recent Indo China tension at Galwan and Hot Springs including death of 20 Indians (1st time since the 1970s) is reflective of this growing trend.

② Territorial expansion : Skirmishes at Ladakh border, aggression in Hong Kong, Taiwan and

expansion in Tibet are part of the same policy. This is to be achieved at the cost of other powers.

② Establishment of military prowess;
Shift from a 'looking inwards' approach to assertion of military superiority - led to development of border infrastructure at Hot Springs.

③ Restoring political order : It aims to challenge US' political hegemony by positioning itself as a global power - supporting Iran and Turkey against USA.

1) This has led to 'de-hyperation' of India and China due to their desire for hegemony in the Indo Pacific and beyond.

2) This marks a shift from Mamellepura Summit as it now wants to

shape alliance with Pakistan in Asia

3) Creation of China as dominant power of neighbourhood - wearing away India's neighbours - through 'debt diplomacy' - especially Sri Lanka, Nepal, Mauritius.

4) Global economic order

* Reflected in trade war with USA

* Domination of world supply chains in COVID context - supplier of masks, ATZs etc.

* Rise of Chinese multinationals grants - Ali Baba, We Pay challenging global economic order.

India is thus seen as a rival in the region (on the side of the USA) with no place in its own global order. The border skirmishes were just one expression of this new shift.

Feedback

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Q.20) World Trade Organization (WTO) has fallen victim to diverging interest of developed and developing countries, great power rivalries and the inability to resolve dispute. Examine the statement and discuss the role that G-20 can play in creating broader consensus on contentious issues in WTO. (15 marks, 250 words)

विश्व व्यापार संगठन (WTO) विकसित और विकासशील देशों के हितों में विचलन, बड़ी शक्तियों की प्रतिद्वंद्विता और विवाद को सुलझाने में असमर्थता का शिकार हो गया है। कथन का परीक्षण कीजिए और विश्व व्यापार संगठन में विवादास्पद मुद्दों पर व्यापक सहमति बनाने में G-20 की भूमिका पर चर्चा कीजिए। (15 अंक, 250 शब्द)

The WTO, created in the Post World War II context as the harbinger of a new rules based world trading order is facing multiple challenges.

① Diverging interests of developed and developing

Ⓐ The Doha Agenda - highlighted developing concerns (agriculture subsidies) in interest of food subsidy

Ⓑ This was rejected by the developed countries in Nairobi Ministerial.

Ⓒ Issues of fisheries subsidies to China, 'data free flow' are

supported by developed countries -
recently highlighted in Joint Investment Agreement

1) There is complete lack of consensus on these issues due to diverging interests

2) Emergence of power rivalries

(A) Between USA and China
↳ seen in trade and tariff war

(B) Between Global North and South
↳ WTO voting share non reflective of changed realities of world order.

3) Inability to resolve disputes
↳ The dispute resolution mechanism has been rendered inadequate by USA due to non appointment of judges in Appellate Tribunal.

Yet, it continues to be the only institution that holds a semblance

↳ an organised world order
 The G-20 can play a role in capitalising on its strengths as:

① It includes both parties (Global North and South) - ranging from USA to India to South Africa

↳ can lead to a fruitful and negotiating discussion.

② Discussions on criteria of 'developing nations' can be re-emphasised

③ Highlight importance of sustainable development in light of Glasgow Summit highlighting - need for cooperation to tackle global challenges

④ Development of mutual trust between members - can be cultivated through economic and trade based sub-sessions.

A reinvented WTO is the key to a resurgent world order post pandemic.

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