

TEST CODE 6 1 2 4 0 2

FIAS | MGP 2023 | Open Test – GS Paper #2

Time Allowed : Three Hours
समय : तीन घंटे**ForumIAS**Maximum Marks : 250
अधिकतम अंक : 250**GENERAL STUDIES / सामान्य अध्ययन**

Name Of Candidate परीक्षार्थी का नाम	DIYA DASGUPTA		
Roll No./अनुक्रमांक	1910048909	Medium/माध्यम	English <input checked="" type="checkbox"/> हिंदी <input type="checkbox"/>
Center Code/परीक्षा केंद्र	1901	Date/दिनांक	2nd Sept, 2023

*Center Code : For Online - 1900 / Delhi : Karol bagh - 1901, ORN - 1902, Mukharji Nagar - 1903 / Patna : Boring Rd. - 2001 / Hyderabad : Jawahar Nagar - 2101

INDEX TABLE / अनुक्रमणिका			INSTRUCTION / अनुदेश	
Q. No. प्र.सं.	Max. Marks अधिकतम अंक	Marks Obtained प्राप्तांक	1. Please do furnish Name, Email, Roll No and Mobile in the answer sheet. कृपया उत्तर-पुस्तिका में नाम, ईमेल, रोल नंबर और मोबाइल नंबर भरें।	
1			2. There are TWENTY questions printed in ENGLISH & HINDI, all questions are compulsory. उत्तर पुस्तिका में अंग्रेजी/हिंदी में बीस प्रश्न दिए गए हैं, सभी प्रश्न अनिवार्य हैं।	
2			3. The number of marks carried by a question/part is indicated against it. प्रत्येक प्रश्न/भाग के लिए निर्धारित अंक उसके सामने अंकित किए गए हैं।	
3			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. उत्तर प्रवेश पत्र में अधिकृत माध्यम में लिखे जाने चाहिए, जो कि दिए गए स्थान में इस प्रश्न-सह-उत्तर (क्यूसीए) पुस्तिका के कवर पर स्पष्ट रूप से लिखा जाना चाहिए।	
4			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. प्रश्नों में शब्द सीमा, यदि निर्दिष्ट हो, का पालन किया जाए। प्रश्न-सह-उत्तर पुस्तिका में खाली छोड़े गये किसी भी पृष्ठ या पृष्ठ के भाग को स्पष्ट रूप से काट दें।	
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Examiner's Discretion/मूल्यांकन कर्ता का विवेक :			Start Time/प्रारंभ करने का समय :	End Time/समाप्त करने का समय :
Total Marks/कुल अंक :			Mode Of Examination/ परीक्षा की विधि :	Online/ऑनलाइन <input type="checkbox"/> Offline/ऑफलाइन <input type="checkbox"/>
*Examiner's Discretion is the marks awarded at the discretion of the examiner 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. मूल्यांकन कर्ता का विवेक अंक, आपकी लिखावट, प्रस्तुति, आरेखों के उपयोग, फ्लोचार्ट, तथ्यों और आंकड़ों या समग्र रूप किसी अन्य विषय वस्तु, जो मूल्यांकन कर्ता को आपकी कॉपी में पसंद आयी के आधार पर (लेकिन इन्हीं तक सीमित नहीं) पर दिए गए अंक हैं।			For Office Use Only / केवल कार्यालय प्रयोग हेतु	
			ECN CODE/ ईसीएन कोड :	Evaluation Date/ मूल्यांकन तिथि :
			EG/ईजी : ① ② ③ ④ ⑤	

Note: Students are expected to incorporate suggestions from the solution provided in the answers. Discussion classes for the tests are also available online in your portal to aid in your preparation. Further, students are requested to see the good copies of the tests and learn from them. You can also discuss your copy with a Mentor and discover ways and means to improve your answers, or if you have any issues with this test / copy. Asks specific questions, to get specific answers.

EXAMINER'S REMARKS

CRITERIA FOR THE FEEDBACK SECTION AT THE END OF EACH QUESTION

1. **AWIS = Answered What is Asked.** This means whether you have addressed the core demand of the question or not. Addressing the core demand of the question gets you an objectively fair score. It is examiner's perception if you have understood the question and if you know the answer in the first place. Creative answer writing, sometimes missing the core demand, may fetch very high or very low scores, and exposes your answer to the subjectivity of the examiner.
2. **CD & VA = Content Density & Value Addition.** Examiner will evaluate the quality and quantity of your content in the answer. In the same word limit and space limit have you (a) written what is asked (b) gone beyond what is asked (c) enriched answers through combination of (but not all!) suggestions, ideas, quotes, flowcharts, diagrams, facts and figures, data etc. This affects objective components of assessment.
3. **S & F = Structure & Flow =** Whether you have structured your answer properly or not. Whether the answer has been broken into parts and sub-parts and each part has been addressed appropriately or not. Whether the flow of the answer is maintained. Affects both subjective and objective components of assessment.
4. **P & R =** How your answer performs on the criteria of **presentation, ease of read, clarity and apparent effort** in writing the answer. This affects the subjective components of assessment.

Q.1) Critically evaluate the significance of the Basic Structure Doctrine in the five decades since its judicial pronouncement. (10 marks, 150 words)

बुनियादी संरचना सिद्धांत के न्यायिक प्रवर्तन के बाद से पांच दशकों में इसके महत्त्व का आलोचनात्मक मुल्यांकन कीजिए। (10 अंक, 150 शब्द)

The Basic Structure Doctrine laid down by Keshava Nanda Bhaskar case (1973) states that certain provisions of Constitution (which forms part of its basic structure) cannot be amended by Parliament.

(Significance of Basic Structure Doctrine):

Positives:

① Upholds 'Constitutionalism' by restricting amending power of Parliament under Art 368.

② Expanding scope of Art-21 to include Right to Life with Dignity (Menaka Gaudhi Case), Right to Health (Bandhua Mukti Morcha Case), Right to Privacy (K.S. Puttaswamy Case), by deeming it Basic Structure.

③ Upholding & Expanding Scope of Judicial Review (by deeming it part of Basic Structure)
 ↓
 Minerva Mills Case.

④ Upheld Federalism & Parliamentary System of Governance as Basic Structure (S.R. Bommai Case)

⑤ Rule of Law deemed part of Basic Structure, along with Free & Fair Elections (Kanwar Jaisaya Kapoor Case)

Yet, issues exist:

① Allegations of Judicial Dynamism amounting to Judicial Overreach

② Compromises sovereignty of elected representatives (Parliament)

③ Previous CJIs have raised doubts on constitutionality of Basic Structure.

Thus, further expansion of Basic Structure Doctrine must be done with caution, so as not to amount to Judicial Overreach.

Feedback

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Please put tick marks in the above table.

Here G is Good, A is Average and P is Poor.

TOTAL MARKS	
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Q.2) Though defamation law is vital to protect one's reputation and dignity in society, weaponization of the same to curb dissent and free speech is antithetical in a constitutional democracy. Comment. (10 marks, 150 words)

यद्यपि मानहानि कानून समाज में किसी की प्रतिष्ठा और गरिमा की रक्षा के लिए महत्वपूर्ण है, लेकिन संवैधानिक लोकतंत्र में असहमति और अभिव्यक्ति की स्वतंत्रता पर अंकुश लगाने के लिए इसका हथियारीकरण विरोधामासी है। टिप्पणी कीजिए। (10 अंक, 150 शब्द)

Freedom of Speech & Expression is ensured by Art 19(1)(a) yet one of the grounds to which it is subjected to is defamation as laid in Art 19(2).

Defamation Law: Vital to Protect One's Reputation

① Protects untrue oral/written publication which damages reputation.

② Defamation ⇒ punishable as a Law of Tort.

③ Two types -
 ↳ Civil (spoken)
 ↳ Criminal (published)
 } Defamation

④ Liability includes
 ↳ compensation
 ↳ imprisonment.

⑤ Reason of Protection ⇒ reputation is an

intangible asset.

Yet its weaponization \Rightarrow breaches free speech

- ① Threats of Defamation suit \rightarrow curbs to free speech.
- ② Hinders disclosure of truth.
- ③ Leads to paid news / fake news / Corporatization of media.
- ④ Difficulty in weeding out genuine cases from dishonest ones.

Practical Solutions:

- ① Refrain from improper defamation cases.
- ② Courts could charge heavy penalty in fake cases.

Thus, the defense of defamation needs to be balanced well against Art 19(1)(a) guaranteeing freedom of speech & expression.

Feedback

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Q.3) Explore the legal-constitutional basis for the conflicts between the elected government and the institution of the Lieutenant Governor over the governance process in the Union Territory of Delhi. Analyse the role that the Government of National Capital Territory of Delhi Act, 2023, can play in resolving it. (10 marks, 150 words)

केंद्र शासित प्रदेश दिल्ली में शासन प्रक्रिया को लेकर निर्वाचित सरकार और उपराज्यपाल की संस्था के बीच टकराव के कानूनी-संवैधानिक आधार का अन्वेषण कीजिए। राष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार अधिनियम, 2023 इसे हल करने में क्या भूमिका निभा सकता है, इसका विश्लेषण कीजिए। (10 अंक, 150 शब्द)

The political division of powers between the CG of Delhi and its Lt. Governor derives its basis from Art 239-A of the Indian Constitution

Legal-constitutional Basis:

① Special Status for NCT Delhi guaranteed under Art 239-A via 69th CAA

② The Elected Government of Delhi to have all powers, except land, police, law & order.

③ Lt. Governor of Delhi - to possess powers regarding police, law & order & land.

④ Reasons for such a structure:

- ↳ (a) Delhi is part of National Capital
- ↳ (b) Place of frequent protests & multiple Jurisdiction

Hence need of special status

Role of Govt. of NCT of Delhi Act, 2023:

- ① To overhaul the SC judgement which reposed greater powers in elected Govt.
- ② Act reinstalls power to Lt. Governor.
- ③ Lt. Governor can reserve issues of dissent for discretion of President.
- ④ Benefits → protocol clearly established
- ⑤ Shortcomings → reduction of power of elected Government.

Hence few more bye-laws under the Act could be used out to further clarify issues/matters that can raise conflicts.

Feedback

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TOTAL MARKS	
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Q.4) The objective of the Mediation Bill, 2023 is to have a mediation first approach to civil and commercial disputes resolution, with the purpose of reducing the burden of litigation on Courts, providing alternate means of disputes resolution, and enhancing the country's reputation as an investor friendly destination. Comment, with special emphasis on the salient features of the bill.

(10 marks, 150 words)

मध्यस्थता विधेयक, 2023 का उद्देश्य अदालतों पर मुकदमेबाजी के बोझ को कम करने, विवाद समाधान के वैकल्पिक साधन प्रदान करने और निवेशक अनुकूल गंतव्य के रूप में देश की प्रतिष्ठा को बढ़ाने के उद्देश्य से नागरिक और वाणिज्यिक विवादों के समाधान के लिए मध्यस्थता प्रथम दृष्टिकोण रखना है। विधेयक की मुख्य विशेषताओं पर विशेष जोर देते हुए टिप्पणी कीजिए।

(10 अंक, 150 शब्द)

The recent Mediation Bill, 2023 projects an alternate dispute resolution mechanism to reduce current burden of over 5 cr cases (National Judicial Data Grid)

Features of the Bill :

- ① Compulsory Mediation - before institution of civil/commercial case.
- ② Appointment of Neutral Mediator.
- ③ Attempt at Non-Adversarial means of dispute resolution.

④ Mediation Award ⇒ will be enforced, only if agreeable to both parties.

⑤ Autonomy to reject Award - if any party is opposed to contents of award.

Analysis → A) Positives

i) Reduction of pendency of cases before court

ii) Amicable chances of dispute resolution

iii) Non-enforceable nature of award

iv) Better investment prospects ⇒ due to faster dispute resolution

B) Negatives → (i) Compulsory Mediation ⇒ breaches party autonomy.

(ii) Lack of Skilled Mediators in India.

Since, Delhi Mediation Centre

has rolled out training programmes for Mediators, which will productively help mitigate current issues.

Feedback

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TOTAL MARKS

Q.5) A middle point between socialism and capitalism, cooperatives bring the best of the both worlds. Assess the utility of the cooperative model in effecting rural prosperity.

(10 marks, 150 words)

समाजवाद और पूंजीवाद के बीच एक मध्य बिंदु, सहकारी समितियां दोनों दुनिया का सर्वश्रेष्ठ लाती हैं। ग्रामीण समृद्धि को प्रभावित करने में सहकारी मॉडल की उपयोगिता का आकलन कीजिए। (10 अंक, 150 शब्द)

Cooperative Model of Development is boosted by Cooperative Formation being a Fundamental Right (Art 19(1)) and a DPSP (Art 43-B) of Constitution.

Cooperatives: Middle Point

- ① Group of people come together.
- ② All interested parties / stakeholders are owners
- ③ Efficient Management (vested interest)
- ④ Social Ownership at face of Efficiency of Capital Resources

Utility in Rural Prosperity :

Positives: ① Stakeholder based initiative

② Elected representatives in charge of management

③ Keen access to resources [eg] AWL model

④ Faster decision making

⑤ Profitable. [eg] Nandini Model of Karnataka.

Yet issues remain:

① Political interference

② class distinction

③ Members → low access to management

④ Multi State Cooperatives ⇒ issues in handling

Thus, Cooperative Model needs to be democratized further, as intended by recently instituted Ministry of Cooperatives.

Feedback

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TOTAL MARKS

Q.6) Evaluate the efficacy of Forest Rights Act, 2006 (FRA) and Panchayat (Extension of the Scheduled Areas) Act, 1996 (PESA) in attaining their mandate. Also, recommend measures to make these legislations more effective in attaining their desired objectives. (10 marks, 150 words)

वन अधिकार अधिनियम, 2006 (एफआरए) और पंचायत (अनुसूचित क्षेत्रों का विस्तार) अधिनियम, 1996 (पीईएसए) की प्रभावकारिता का मूल्यांकन उनके अधिदेश को प्राप्त करने में कीजिए। साथ ही, इन विधानों को उनके वांछित उद्देश्यों को प्राप्त करने में अधिक प्रभावी बनाने के उपायों की सिफारिश कीजिए।

(10 अंक, 150 शब्द)

Efficacy :-

- ① Rural Empowerment
- ② Ownership over resources
- ③ Grassroot democracy
- ④ Statutory rights to Gram

Sabka

⑤ Helps in reevaluation of authority + responsibility to Stakeholders

Measures :

- ① Efficient implementation
- ② Greater funds devolution
- ③ Better training of officials

Feedback

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TOTAL MARKS	
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Q.7) Differentiate between the legal and illegal means adopted by advocacy networks to advance their interests. What are the factors that limit their effectiveness as a pressure group?

(10 marks, 150 words)

अपने हितों को आगे बढ़ाने के लिए दबाव समूह द्वारा अपनाए गए कानूनी और गैर-कानूनी तरीकों के बीच अंतर कीजिए। वे कौन से कारक हैं जो एक दबाव समूह के रूप में उनकी प्रभावशीलता को सीमित करते हैं?

(10 अंक, 150 शब्द)

Legal Means	Illegal Means
<ol style="list-style-type: none"> ① Pressure Groups - articulation ② Connecting with Grass roots ③ Communicating with stake-holders ④ Lobbying 	<ol style="list-style-type: none"> ① Paid News ② Fake News ③ Bribing politicians ④ 'Black Money' Circulation

Factors : Limbity

- ① lack of formal law regulating them .
- ② Different demands
- ③ lack of resources
- ④ lack of interest to grass roots

Feedback

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TOTAL MARKS	
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Q.8) Discuss the steps taken by the government in empowering Self Help Groups as a development partner in poverty alleviation. Also highlight the challenges in the working of SHGs.

(10 marks, 150 words)

गरीबी उन्मूलन में विकास भागीदार के रूप में स्वयं सहायता समूहों को सशक्त बनाने के लिए सरकार द्वारा उठाए गए कदमों पर चर्चा कीजिए। एसएचजी के कामकाज में चुनौतियों पर भी प्रकाश डालिए।

(10 अंक, 150 शब्द)

Self-Help Groups are described by NABARD by a voluntary association of 5-20 people (mostly women), who work together for a specific purpose/goal.


Ex Delang SHG in North-East.

Steps taken by Government:


① NABARD - SHG linkage program resulting in financing of over 40000 SHG by NABARD.

② SHG - training program by allocating Rs 2500 cr.

③ Skill enhancement measures by Government.

④ Increasing Access to Small Finance to rural SHGs.  in Jan Dhan Accounts

Challenges :

- ① Stability - as women based SHGs break up after women leaves post marriage.
- ② Access to funds → still prevalent at very high rates of interest.
- ③ Lack of optimal financial knowledge due to poor financial literacy.
- ④ Lack of access to digital infrastructure  only 33% rural women use internet.

Hence, as solution, measures like greater Financial Education, Digital Inclusion, Funds for Skillling is crucial to boost SHG Growth in India.

Feedback

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TOTAL MARKS	
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Q.9) Changing strategic realities come with their own constraints and possibilities. Describe briefly India's defense diplomacy in the context of contemporary geopolitics.

(10 marks, 150 words)

बदलती रणनीतिक वास्तविकताएं अपनी बाधाओं और संभावनाओं के साथ आती हैं। समकालीन भू-राजनीति के संदर्भ में भारत की रक्षा कूटनीति का संक्षेप में वर्णन कीजिए।

(10 अंक, 150 शब्द)

India's Defense Diplomacy is characterized by "Realpolitik", "Strategic Autonomy" and "Strategic Alignment" in contemporary geopolitics.

Changing Strategic Realities

- ① Changing dynamics in West Asia.
- ② Emergence of Russia-China-Iran-Pakistan axis.
- ③ Emergence of Western Powers to Pakistan.

In this light, India's defense diplomacy:

① Regarding Guarding Borders:

- 1.1 No negotiation on encroachment of borders.

1.2 Less Tolerance towards Terrorism sponsored by Pakistan.
Eg Uri Strikes.

1.3 Comprehensive Border Management System put in place.

② Regarding Trade in Defence Equipment:

A (Imports) - (i) diversified
 → (ii) from Russia (S-400 triumph missile)
 & from USA as well.
 → (iii) Israel → provider for superior defence technology.

A (Exports) - India's defence exports touched Rs 16000 cr → Make in India & Defence Policy

③ Regarding Military Exercises → India's strategic autonomy → clearly visible.

3.1 → Malabar Exercise with QUAD members

3.2 With Russia → ANRA exercise

3.3 RATS - Anti terror exercise of SCO.

Thus India's defense diplomacy is fast adapting to the emerging geopolitical scenario

Feedback

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TOTAL MARKS

Q.10) Explain the significance and implications of the China-brokered diplomatic accord between Iran and Saudi Arabia. (10 marks, 150 words)

ईरान और सऊदी अरब के बीच चीन की मध्यस्थता में हुए राजनयिक समझौते के महत्व और निहितार्थ को स्पष्ट कीजिए। (10 अंक, 150 शब्द)

The recently concluded China brokered deal between Saudi Arabia and Iran, has altered the strategic balance of West Asia.

(Significance of the deal):

① Highlights Chinese rising geo-strategic power.

② ^{strong} Nexus between China-Saudi Arabia

③ Anti-Iran sentiments of West Asia is seemingly, on a decline.

④ Avenues of Strategic Manoeuvring for Audia, in West Asia.

Key might boost INSTC, TAPI project

Implications of the deal:

(A) Issues:

- ① Convergence between Iran and Saudi Arabia, might create issues for Israel's acceptance in West Asia.
- ② Recently concluded 12-02 Accord between India, Israel, UAE & US might hit a stale-mate.
- ③ India's Chabahar interests might be affected by Chinese BRI prospects.
- ④ Greater Oil/Coals Cartelization.

(B) Favourable Outcomes:

- ① Better trade prospects for India
- ② Strategic balancing in West Asia would be simpler for India.

Thus, India needs to carefully deal with this situation to ensure its relations with Iran or Saudi Arabia aren't played down by growing Chinese influence.

Feedback

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Q.11) A key pillar of Constitutional morality is constitutional punctuality. Illustrate with suitable examples, how a lack of constitutional punctuality not only hinders democratic functioning of the State, but also goes against the spirit of the Constitution. (15 marks, 250 words)

संवैधानिक नैतिकता का एक प्रमुख स्तंभ संवैधानिक समयबद्धता है। उपयुक्त उदाहरणों के साथ स्पष्ट कीजिए कि कैसे संवैधानिक समयबद्धता की कमी न केवल राज्य के लोकतांत्रिक कार्यकलाप में बाधा डालती है, बल्कि संविधान की भावना के भी खिलाफ जाती है। (15 अंक, 250 शब्द)

Constitutional Punctuality refers to time-bound completion of tasks entrusted upon constitutional authorities, in discharge of their constitutional functionalities.

Key Pillar of Constitutional Morality is Constitutional Punctuality:

- ① Justice delayed, is Justice denied.
- ② Adherence to time limits (Eg) in declaration of emergency ensures efficacy of administration.
- ③ Constitutional Punctuality promotes "Constitutionalism" by limiting excessive power abuse by authorities.

Lack of Constitutional ^{Punctuality} ~~Morality~~: Hinders Democratic functioning:

- ① No time limit in Speaker's decision of disqualification under defection
- ② No Time limit for Passing of Bills hinders efficacy of law making.
- ③ Disqualification of MPs, MLAs cases have no time limit → hindering democratic debates.
- ④ Disruption due to delay in deciding election related offences by ECI (Art 324).

Likewise, Lack of Constitutional Punctuality: Against Spirit of Constitution

- ① Spirit of Constitution → Justice, Liberty, Equality

and Fraternity of among citizens, by upholding "rule based" democratic system.

② Delays justice delivery.

③ Highlights flaws in design of Constitution.

④ Makes "Constitution" → a lawyer's paradise (Dr. B.R. Ambedkar)

⑤ Delays Right + ^{timely} entitlements to citizens.

Hence Solutions:

① Amend Constitution → to set time limits

② Kishitshdhar Judgment → regarding giving

Speaker 3 months to decide defection cases → to be included under law.

③ Expedite law making → by setting time limits.

Hence unless timely steps are taken under constitutional Punctuality, the ethos of Constitutional Morality remains incomplete. (Gyanvill Austin)

Feedback

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Q.12) Free and fair elections are the lifeblood of a democracy, and electoral reforms are at the core of political reforms. In this context, highlighting the challenges to functioning of the Election Commission, suggest the necessary reforms needed, with special reference to the Chief Election Commissioner (CEC) and Other Election Commissioners ECs (Appointment, Conditions of Service and Term of Office) Bill, 2023. (15 marks, 250 words)

स्वतंत्र और निष्पक्ष निर्वाचन लोकतंत्र की जीवनरेखा हैं और निर्वाचन सुधार राजनीतिक सुधारों के मूल में हैं। इस संदर्भ में, निर्वाचन आयोग के कामकाज की चुनौतियों पर प्रकाश डालते हुए, मुख्य निर्वाचन आयुक्त (सीईसी) और अन्य निर्वाचन आयुक्त ईसी (नियुक्ति, सेवा की शर्तों और पदावधि) विधेयक, 2023 के विशेष संदर्भ में आवश्यक सुधारों का सुझाव दीजिए। (15 अंक, 250 शब्द)

The Constitutional Post of the Election Commissioner of India under Art. 324 is regarded as watchdog of free and fair elections in world's largest democracy, i.e. India.

(Free & Fair Elections: Life blood) →

- Approx 80% of 1.3 bn Indians are eligible to vote.
- upholds "government of, for and by the people".
- But current issues, like rising criminalization of politics etc. warrant urgent electoral reforms.

Challenges to Functioning of ECI:

- ① No set appointment process.
- ② Political Interference in ECI & EC appointments \Rightarrow jeopardizes free-fair elections.
- ③ No constitutional protection to post of ECs, unlike CEC.
- ④ Lack of power to holistically enforce election offences.
- ⑤ Violations of MCE by political parties aren't always prevented by ECI.
- ⑥ Overlapping Jurisdiction with the Supreme Courts and HCs, in case of disqualification.
- ⑦ Unable to prevent criminalization of politics.

In this regard, reforms were necessary

- ① New Appointment

Process of CEC, as instructed by Supreme Court.

② As per New Bill → panel consisting of PM, Leader of Opposition in Lok Sabha, CJ to elect ECI.

③ Greater power devolution to CEC, ECo.

④ Lesser political interferences.

⑤ Greater power vis-a-vis enforcing MCC.

⑥ Strict measures needed to disqualify MP/MLA with criminal background (Like Thomas case).

⑦ Security of service conditions & pay.

Hence, to uphold Free & Fair Elections, these measures are crucial, as per Vohra Committee on Electoral Reforms.

Feedback

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Q.13) Striking a fine balance between national security on one hand, and freedom of speech and expression on another is the key to democratic ethos. In light of this statement, write a critical note on the relevance and need for stringent laws like the National Security Act and Unlawful Activities Prevention Act (UAPA) in a vibrant democracy. (15 marks, 250 words)

एक ओर राष्ट्रीय सुरक्षा और दूसरी ओर वाक एवं अभिव्यक्ति की स्वतंत्रता के बीच एक अच्छा संतुलन बनाना लोकतांत्रिक लोकाचार की कुंजी है। इस कथन के आलोक में, एक जीवंत लोकतंत्र में राष्ट्रीय सुरक्षा अधिनियम और गैरकानूनी गतिविधियां रोकथाम अधिनियम (यूएपीए) जैसे कड़े कानूनों की प्रासंगिकता और आवश्यकता पर आलोचनात्मक टिप्पणी कीजिए। (15 अंक, 250 शब्द)

Freedom of speech and expression guaranteed by Art 19(1)(a) is subject to restrictions enlisted under Art 19(2). One of the restrictions deals with national security.

Need to balance freedom of speech & expression with National Security:

- ① Right comes with corollary duty - free speech can't compromise nation's security. Eg Official Secrets Act
- ② Can't make speeches that destabilize the government. Eg Sec 123-A IPC → Defamation Laws.

Thus, there is an urgent

Need for laws like UAPA, National Security Act:

① Protection of India's sovereignty, as shown by Art 1 of India's Constitution.

② India's Geographical Location:

- (a) Proximity to Pakistan → State sponsored terrorism.
- (b) Proximity to China → having sovereignty conflicts with India.
- (c) Nearness to both Golden Crescent and Golden Triangle ⇒ nexus to organized crime ⇒ threat to national security.

③ Large Population of India (1.3bn):

- (a) Far-reaching impact of Radicalized Speeches - [eg]: Khalistan issue.
- (b) Potential of destabilizing the

sending Government.

④ To secure territorial integrity of India

⑤ To discourage anti-national activities like disrespect to National flag & threat to overthrow Government.

⑥ Non-Tolerance of terrorist & allied activities.

Yet, challenges exist

① Broad interpretation of Terrorism under UAPA

② Restrictions under new IT rules regarding social media publication

③ Restricts Free Speech by invoking Preventive Detention.

Thus, as a solution, by-laws and rules under these NSA & UAPA Act are needed, to prevent breach of National Justice and arbitrary exercise of power.

Feedback

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Q.14) The overhaul of India's criminal justice system is not only a long due reform, it is also imperative for decolonizing India's penal system. Elucidate in the light of recently proposed trinity of Bhartiya Nyaya Sanhita Bill, 2023, Bharatiya Nagrik Suraksha Sanhita Bill, 2023 and Bharatiya Sakshya Bill, 2023. (15 marks, 250 words)

भारत की आपराधिक न्याय प्रणाली में आमूल-चूल परिवर्तन न केवल लंबे समय से अपेक्षित सुधार है, बल्कि यह भारत की दंड व्यवस्था को उपनिवेशमुक्त करने के लिए भी जरूरी है। हाल ही में प्रस्तावित भारतीय न्याय संहिता विधेयक 2023, भारतीय नागरिक सुरक्षा संहिता विधेयक 2023 और भारतीय साक्ष्य विधेयक 2023 की त्रयी के प्रकाश में स्पष्ट कीजिए। (15 अंक, 250 शब्द)

Indian Criminal Justice System is majorly modelled along lines of Reformative Justice System, with few instances of Retributive Justice System. But reformative measures are imperative.

(Need for Overhaul):

① Based on Colonial laws: The IPC, Evidence Act, CrPc → all by Lord Macaulay.

② Not consistent with changing laws

[eg] Despite Mental Health Act decriminalizing suicide, it's still present in IPC, as offence

③ Outdated laws - like Sec 377 (on Unnatural Sexual Offences).

④ Treatment of Undertrial Prisoners is problematic, as shown in Hussainara Khatoon Case.

⑤ Other issues with Police force remains an issue

⑥ Pendency of Cases before Courts
→ High

- 5.1 Fake encounters
- 5.2 Custodial Tortures
- 5.3 Custodial Deaths
- 5.4 Non-observance of arrest guidelines as laid down in S.K. Basu Case.

Coverall
500 cases pendency before Courts).

* These issues were highlighted by the trinity of three bills, which propose following solutions:

① Overhaul of the Criminal Laws

i.e. IPC, CrPC & Evidence Act.

② Better treatment to undertrial prisoners.

③ Malimath Committee Recommendations

a) Community Service for felons convicted of less serious offences

b) Faster disposal of cases

c) Reduction of every form of Custodial Violence.

d) Leverage internet, AI to maintain repository of Criminals
Eg CCNTS system.

④ Proper Procedure to be followed.

⑤ Updated codes to be imparted/taught at Law Schools.

Thus, the Reformative cum Retributive System of Criminal Justice needs to be modified, to suit changing needs & times

Feedback

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Q.15) What ails institutions of Higher education? Bring out the possibilities and challenges that come with the entry and operation of foreign educational institutions seeking to impart higher education. (15 marks, 250 words)

उच्च शिक्षण संस्थानों में क्या समस्या है? उच्च शिक्षा प्रदान करने के इच्छुक विदेशी शिक्षण संस्थानों के प्रवेश और संचालन से जुड़ी संभावनाओं और चुनौतियों को उजागर कीजिए। (15 अंक, 250 शब्द)

Higher Education in India has been witnessing a GER of 23% for men and 24% for women, despite several reforms like New Education Policy 2020 etc.

Higher Education Institutions (HEI) : Ailments

- ① Multiple Regulators like UGC, BCI (Law), AICTE (Engineering).
- ② Multiplicity of Colleges without imparting quality pedagogy.
 [Eg] 8000 Universities in India.

③ Unemployable Graduates - only 47% of graduates are employable (AICTE Report)

④ Poor Quality of Teachers → resulting in disinterested students.

⑤ Lack of Industry Connect - due to insufficient vocational + apprenticeship programs.

⑥ Insufficient exchange programs.

⑦ Infrastructure of Scientific Investments → insufficient.

In this light, Foreign Educational Institutions can bring possibilities:

① Possibilities:

① Introduction on a reciprocal basis will help Indian universities adapt to global standards

② Exchange Programs → for teachers ↔ talent for students ↔ exchange

③ Greater industry Connect via streamlined courses.

④ Greater upskilling via intensive internships.

⑤ Reversal of brain drain from India

Yet Challenges & Probable Solutions

① Problem (P) - Higher fees
Solution (S) - average for scholarships.

② (P) - Downplay of Indian reputed institutions
(S) - Robust implementation of IOE Scheme.

③ (P) - Lack of infrastructure compared to foreign universities.

(S) - HEFA, schemes like Atal Tinkering Labs

④ (P) → Lagging behind in SuT (Science-Tech) programs
(S) → Wider popularity of STEM programs

⑤ (P) → Issue of regulation, competition among Indian & Foreign Universities.

All these issues can be addressed

with robust planning (Kasturba Committee).

Feedback

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Q.16) Partnership between the State and CSOs for delivering development, while promising at face value, is fraught with challenges. Discuss. (15 marks, 250 words)

विकास हेतु राज्य और सीएसओ के बीच साझेदारी, अपेक्षित उद्देश्यों के मरोशों के साथ, चुनौतियों से भरी है। चर्चा कीजिए। (15 अंक, 250 शब्द)

Partnership between States & CSOs ensure last mile delivery of social and public services, as evidenced from Bangladesh's Model of Development

Partnership of State-CSO: Promising at Face-Value

① Implementation efforts of schemes will be complemented by CSO efforts.

② Data gathering → can be outsourced to NGOs/CSOs. Itg carried out by Centre for Child & Law, (policy centre)

③ Interest articulation - among public,

which voids government to understand public's demand. [Eg] Testing of Karnataka Govt's DBT pilot by CSOs

④ Last Mile Connection → value to wider network of CSOs
[Eg] Esther Duflo's study in Bihar's textile industry

⑤ Bypasses political interferences.

⑥ Motivated by social cause - most CSO members were motivated by purpose than money.

Yet, engagement with CSOs: Fraught with Challenges

① Regulation of NGOs / CSOs are a challenge.

② Threats to National Security [Eg] IB Report regarding 'Green Peace'.

③ CSOs might be politically motivated.

which may hinder service delivery at grass root level.

④ FCRA violations → less than 50% of CSOs were complaint with FCRA.

⑤ Lack in numbers of CSOs → inadequate

⑥ Lacking in training of public administration.

Hence solutions, was suggested by

Vijay Kelkar Committee:

① Enhance trainings of CSOs → by Govt. bodies

② FCRA compliances → imperative

③ ^{At least} 140/CSO internships to be made compulsory for college students → for interest articulation.

④ Greater synergy b/w Govt & CSOs

Unless CSOs are included in development process, issues like poverty, malnutrition, health ailments will continue to perpetuate.

Feedback

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Q.17) Critically analyse the working of the POCSO Act, 2012 in addressing the menace of child sex abuse in society in the 10 years since its enactment. How far has the National Commission for protection of child rights been successful in fulfilling its mandate? (15 marks, 250 words)

इसके लागू होने के बाद से 10 वर्षों में समाज में बाल यौन शोषण के खतरे को संबोधित करने में POCSO अधिनियम, 2012 की कार्यप्रणाली का आलोचनात्मक विश्लेषण कीजिए। राष्ट्रीय बाल अधिकार संरक्षण आयोग अपने अधिदेश को पूरा करने में कहाँ तक सफल रहा है? (15 अंक, 250 शब्द)

The POCSO Act, 2012 was enacted to ensure strict punishment for perpetrators of sexual violence against children (i.e. b/w 0-18 years of age).

POCSO Act: Critical Analysis:

A Positives:

① Greater Awareness of rights of children.

② Cases against children → have witnessed increase in reporting.

③ Places greater responsibility on persons

of "trust" and "proximity" to child:

- ↳ (a) in terms of stricter punishment by such a perpetrator
- ↳ (b) in terms of reporting obligations

(a) Establishment of Fast-Track Courts → to expeditiously deal with matters.

(b) (Negatives) → (1) Crime Rates against children haven't reduced.

(2) Strike of POCSO Cases during COVID Lockdown.

(3) Pendency of Cases

(4) Rules regarding consensual cases of sexual intercourse b/w children → need clarity.

In this light, National Commission for Protection of Children's function is crucial:

- (1) Mandate →
- (a) Child rights to be at fore front
 - (b) Act as civil Court, to

judiciously handle child rights cases

- ① Focus on $\begin{cases} \rightarrow \text{POCSO Cases} \\ \rightarrow \text{Cases under Juvenile Justice Act.} \end{cases}$

② Success :

- ① cases of Child Prostitution has reduced
 ② Child Adoption process under CARA \rightarrow streamlined.
 ③ Near 100% GER of children at primary level

③ But several issues exist : ① 1 child in India goes missing, every 10 mins (NCRB)

② Rates of POCSO cases haven't been reduced to a low level

③ Rapes of children $\begin{cases} \rightarrow \text{in Observation Homes} \\ \rightarrow \text{in Shelter Homes} \end{cases}$

Hence, as a solution, bottom-up approach, inclusion of NGOs & CSOs to fight for cause of children and expeditions are interpersonal needs to be ensured.

Feedback

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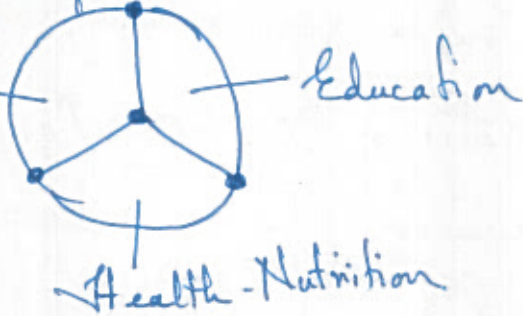
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Q.18) Discuss the challenges that keep India multi-dimensionally poor with special reference to NITI Ayog's National Multidimensional Poverty Index Report. (15 marks, 250 words)

नीति आयोग की राष्ट्रीय बहुआयामी गरीबी सूचकांक रिपोर्ट के विशेष संदर्भ में उन चुनौतियों पर चर्चा कीजिए जो भारत को बहुआयामी रूप से गरीबी बनाए रखती हैं। (15 अंक, 250 शब्द)

NITI Ayog recently published the National Multidimensional Poverty Index accounting for nutrition-health, accommodation and schooling parameters among others.

This is modelled along the UNDP's MDPI, which gives equal weightage to:



(Key findings of Niti Ayog's MDPI):

① India's Multi-dimensionally poor stands at 14.56%.

② Rural poverty has reduced more compared to urban poverty.

③ Poverty among women more profound than men, due to high anaemia, MMR etc.

④ Rates of multi-dimensional poverty fallen fastest in states of Bihar, Rajasthan, UP.

⑤ Health Indicators among children & women have worsened.

The above continue to persist due to the following challenges:

① Wide Prevalence of poverty, accentuated by inflation and low disposable income.

② Higher Prevalence of Hidden Hunger despite 100% caloric security

[Eg] U-5

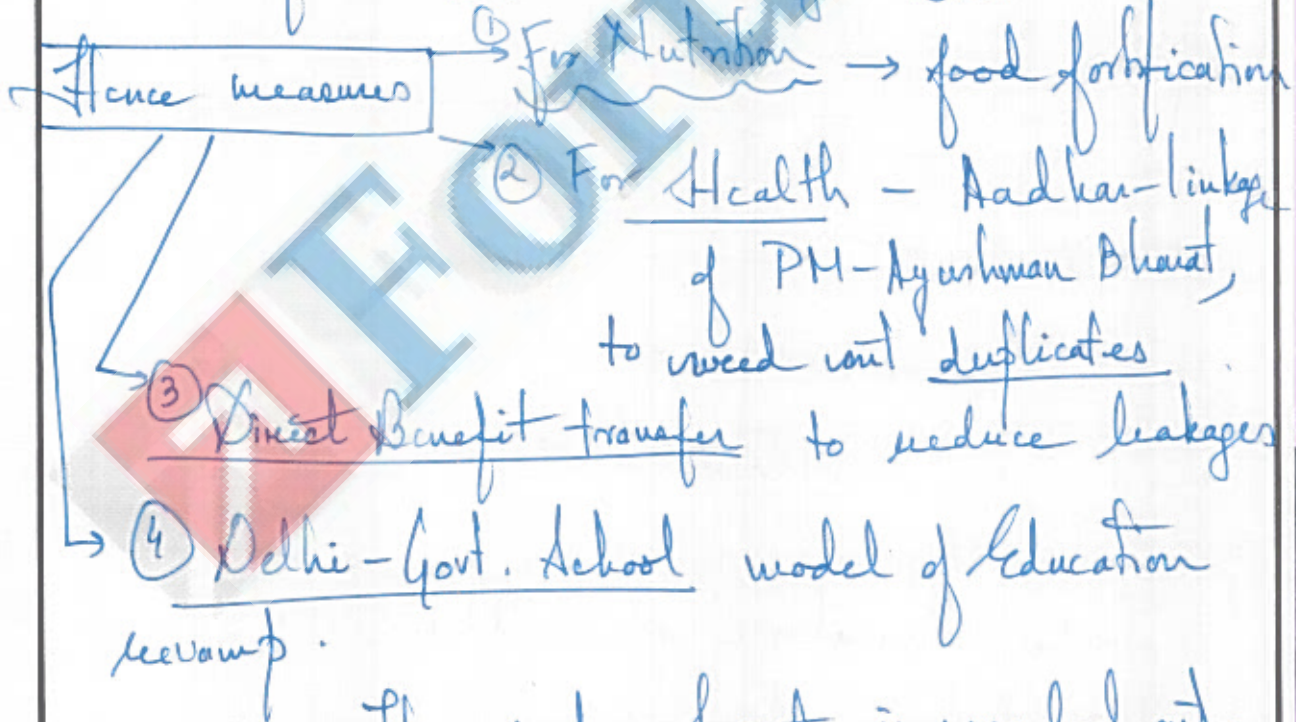
Stunting	→	38%
Underweight	→	32%
Wasting	→	19%

③ Health Infrastructure is inadequate with 70% out of pocket expenditure.

④ Non-timely delivery of welfare scheme entitlements - [Eg] 70 lakh houses pending under PM Awas Yojana

⑤ Lack of Skilled Manforce - only 6% of Indians are skilled [vs] 96% in South Korea

⑥ Lower female participation in workforce. [Eg] currently \rightarrow 32%.



Thus, unless poverty is weeded out, India can't reach heights of Bishwa Guru (Man Mohan Singh)

Feedback

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Q.19) BRICS can serve as a platform for shaping a post-Western global order, but the potential of the grouping is held back by internal contradictions. Examine. (15 marks, 250 words)

ब्रिक्स उत्तर-पश्चिमी वैश्विक व्यवस्था को आकार देने के लिए एक मंच के रूप में काम कर सकता है, लेकिन समूह की क्षमता आंतरिक विरोधाभासों के कारण बाधित है। परीक्षण कीजिए। (15 अंक, 250 शब्द)

"BRICS" - This term was coined by an executive of Goldman Sachs to refer to a group of emerging economies of Brazil, Russia, India, China and South Africa.

In an era described as "decline of West and rise of East" (Fareed Zakaria), BRICS bears a beacon light for post-Western global order.

(BRICS: post-Western Global Order).

① Consists of growing economies, hence has geo-economic advantages. [Eg]: China, India

② Enjoys demographic dividend [Eg]: India

③ Geo-Political Standing:

3.1 Groupings like SCO amongst BRICS members \Rightarrow promote cohesion

3.2 Aft. counter to G-7

3.3 Platform for other emergent economies. Req demands of BRICS

④ Geo-Strategic Significance:

4.1 BRICS can leverage bargaining power of developing nations at WTO.

4.2 Can push for reforms at IMF, WB.

4.3 Highlighted flaws of Washington Consensus, charting path towards "Commonwealth Consensus".

Yet, internal contradictions \Rightarrow holding BRICS back:

① B/w India & China \Rightarrow ② issues over

Sovereignty [Eg] CPEC of BRI passes via Pak

(6) India's trade deficit with China \Rightarrow \$60b plus.

(2) Issues of India - Russia : India's closeness to West, via QUAD \Rightarrow perceived as "Asian NATO".

(3) India - South Africa \rightarrow India \rightarrow part of G-4 whereas South Africa part of "Coffee Club" hence both are in opposition teams for UNSC reforms.

(4) Russia - China : Russia will never agree to serve subservient to China.

France Additions

- ① Expand BRICS forum based on consensus
- ② Negotiate FTA - to boost regional trade
- ③ Conduct negotiations to fasten reforms at IMF, WTO & WB.

Thus BRICS can become a legitimate leader of emergent economies & pave way for Post West Liberal Order.

Feedback

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Q.20) "WTO is dead! Long live WTO!" In the context of this statement, account for the reasons behind why the WTO is dysfunctional. In your opinion, what reforms are needed to promote resilient, sustainable, and inclusive world trade. (15 marks, 250 words)

"WTO मृत हो चुका है! WTO लंबे समय तक जीवित रहेगा!" इस कथन के संदर्भ में, उन कारणों पर प्रकाश डालिए जिनके कारण WTO निष्क्रिय है। आपकी राय में, लचीले, टिकाऊ और समावेशी विश्व व्यापार को बढ़ावा देने के लिए किन सुधारों की आवश्यकता है। (15 अंक, 250 शब्द)

WTO was established in 1994 at the conclusion of the Uruguay Round. It was envisaged to be the pinnacle of neoliberal form of world trade. Today, it's fraught with issues.

WTO is dead

- undemocratic
- under-represents interests of developing nations
- puppet at hands of Western nations

Reasons for WTO's idysfunctionality:

① Non-functional Dispute Settlement

Body → was USA has blocked appointment to Appellate body:

② Undemocratic Structure → executive hierarchy of WTO is under control of US, UK etc.

③ Interests of Developing Nations - are not catered to:

→ ① Green & Blue Box Subsidies encompass most subsidies of Western nations → which are non-trade distorting

→ ② Developing Nations Subsidies are covered under Amber Box having reduction requirements.

④ Issues like Fisheries, continuing moratorium on ^{duties on} Electronic Transmission - work to disadvantage of developing nations (4-77)

⑤ Non-tariff barriers: ~~Remove~~ excessive TBT/SPS barriers

Hence Solutions/Reforms :

- ① Revamp the structure of DSB and follow democratic process of appointing Appellate Body members.
 - ② Greater & more equitable of officials from developing nations.
 - ③ Reduction of non-tariff barriers like SPS / Phytosanitary measures
 - ④ Developing nations to have a greater say in issues of fisheries & electronic transmission.
 - ⑤ Mechanism for enforcement of WTO verdicts → to be streamlined.
 - ⑥ Revamp the Subsidy-Boxes, in favour of developing nations.
- Thus, to free the world from unsustainable trade practices, revamp of WTO imperative.

Feedback

(For OFFICE use only)

#	G	A	P
AWIS			
CD & VA			
S & F			
P & R			

Please put tick marks in the above table.

Here G is Good, A is Average and P is Poor.

TOTAL MARKS	
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Mentor Feedback Questions

- 1
- 2
- 3
- 4
- 5

Test Goal

- 1
- 2
- 3

Outcomes

-
-
-

Marking Scheme

Mark	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
✓✓	Key / Relevant Point		
✗	Vague / Irrelevant		

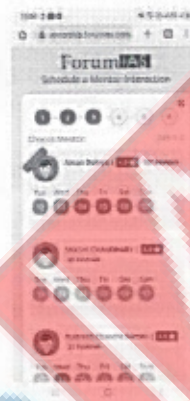
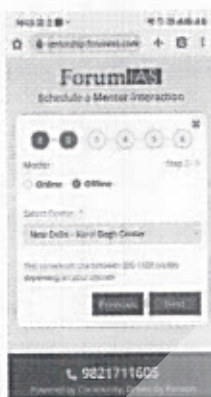
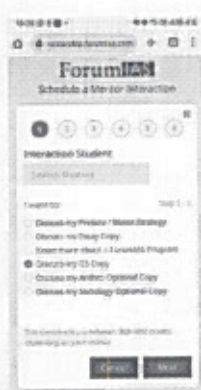
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