

TEST CODE

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FIAS – MGP 2023 – GS PAPER 2_FLT #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

lg. Sahi Darsini

Roll No./अनुक्रमांक

19 1008 3319

Medium/माध्यम

English हिंदी

Center Code/परीक्षा केंद्र

-

Date/दिनांक

06/08/2023

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INDEX TABLE / अनुक्रमणिका

Q. No. प्र.सं.	Max. Marks अधिकतम अंक	Marks Obtained प्राप्तांक
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Total/कुल अंक	250	

INSTRUCTION / अनुदेश

- 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।
- 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।
- 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।
- 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।
- 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, प्लोचार्ट, तथ्यों और आंकड़ों या समय 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 है।

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ECN CODE/ ईसीएन कोड :	EG/ईजी :	Evaluation Date/ मूल्यांकन तिथि :
	① ② ③ ④ ⑤	

Note: You can discuss your evaluated copy with the Mentor. Raise a ticket from your portal to schedule a meeting call or visit the offline centre to meet mentor (all 7 days, Timings - 11 AM to 6 PM). Further if you are unsatisfied with the evaluation, you can seek re-evaluation of the copy.

EXAMINER'S REMARKS

Forum IAS

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 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 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 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, 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, 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 subjective components of assessment.

Q.1) Basic structure doctrine has prevented the Parliament, a creature of the constitution, from becoming the master of the constitution. Discuss this statement with the help of relevant case laws. (10 marks, 150 words)

बुनियादी संरचना सिद्धांत, संविधान का सृजन, ने संसद को संविधान का स्वामी बनने से रोक दिया है। प्रासंगिक केस कानूनों की मदद से इस कथन पर चर्चा कीजिए। (10 अंक, 150 शब्द)

The judiciary has come up with the Basic structure doctrine in the Kesavananda Bhatti case 1973 thereby limiting the Parliament's amending power under A368.

EVOLUTION:

- 1) Shankari Prasad case: CAA is law under A13 ⇒ Parliament cannot amend Fundamental rights (FR)
- 2) Golakneth case: CAA is not law under A13 ⇒ Parliament can amend FR.
- 3) Kesavananda Bhatti case: CAA is law but can amend FR to the extent of such that it does not violate the Basic structure

Components:

- 1) Rule of law
- 2) Federalism
- 3) Separation of powers
- 4) Secularism
- 5) Free Democracy
- 6) Parliamentary form of govt.

The doctrine has been evolving ever since its inception.

Prevented Parliament from becoming master:

- 1) L Chandrakumar case: Judicial review basic structure \Rightarrow thus all actions of Parliament shall be checked upon ex: Tribunals orders
- 2) IX Schedule laws can't have impeccable protection (IR Coelho case)
- 3) Speaker's decision can be reviewed under ADL (Kihoto Holohon case)
- 4) PM election not out of court review (Indira Gandhi v/s Raj Narain case)

However its lack of codification ^{attracts} criticism. Adopting the German practice of a codified Basic structure and Parliament should actively contribute towards it as the doctrine has done more good than bad.

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TOTAL MARKS	

Q.2) To what extent, in your opinion, Self-Help Groups (SHGs) in India have enabled women led development at the grassroots level? (10 marks, 150 words)

आपकी राय में, भारत में स्वयं सहायता समूहों (SHGs) ने जमीनी स्तर पर महिलाओं के नेतृत्व वाले विकास को किस हद तक सक्षम बनाया है? (10 अंक, 150 शब्द)

SHGs are community based groups who come together to secure socio-economic interests. More than 85% of SHGs are women led & hence having a significant effect on their empowerment.

BRIGHT SIDE

1) Economic empowerment: given ^{no} collateral loan provisions & skill development initiatives → entrepreneurship or

Ex: Kadumbasree models, Textile neti SEWA

2) Continued savings bringing their families out of Poverty & unemployment

Ex: Millet System network

3) Improved economic stance → more say in decisions @ household

- 4) Political empowerment : with increased awareness over own rights & increased participation in decision tables
- Ex: SHG leader recently LS member

However there are still limitations

- 1) Economic decision making still with the family / male members Patriarchy
- 2) ~~Decreased~~ Lack of reproductive choices
- 3) Illiteracy level less than men (85% men, 70% women)
- 4) Child marriages & School dropouts
- 5) Sarpanch Pati prevalence

Thus there needs necessary intervention to make self help groups as Nation help groups.

Feedback

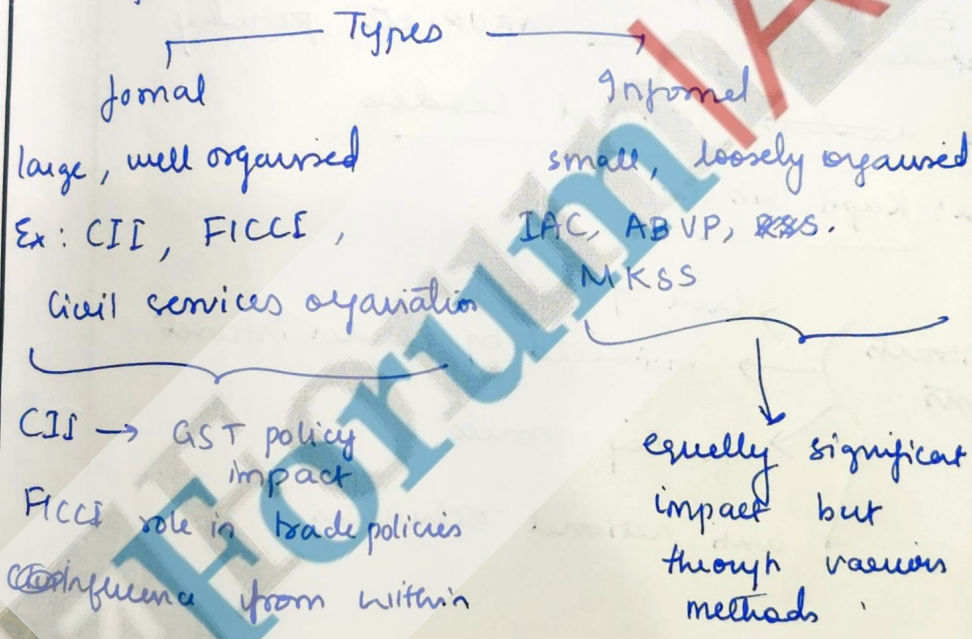
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TOTAL MARKS		

Q.3) The power of pressure groups lies not in their size or elaborate organization, but in their ability to mobilize public opinion and create lasting change. With help of relevant examples, discuss how informal pressure groups shape public policy. (10 marks, 150 words)

दबाव समूहों की शक्ति उनके आकार या विस्तृत संगठन में नहीं, बल्कि जनता की राय जुटाने और स्थायी परिवर्तन लाने की उनकी क्षमता में निहित है। प्रासंगिक उदाहरणों की सहायता से चर्चा कीजिए कि अनौपचारिक दबाव समूह सार्वजनिक नीति को कैसे आकार देते हैं। (10 अंक, 150 शब्द)

Pressure groups are associational combinations formed to secure political interests of a certain group in a way influencing policy making.



Informal groups affecting policy:

- 1) Political representation: give voice to the vulnerable & marginalised
Ex: NE groups workers for their autonomy

2) Public awareness on corruption, govt misording thereby motivating them for protests thus influencing the government.

India Against Corruption (IAC) → awareness on corrupt government agencies

3) Shaping public opinion

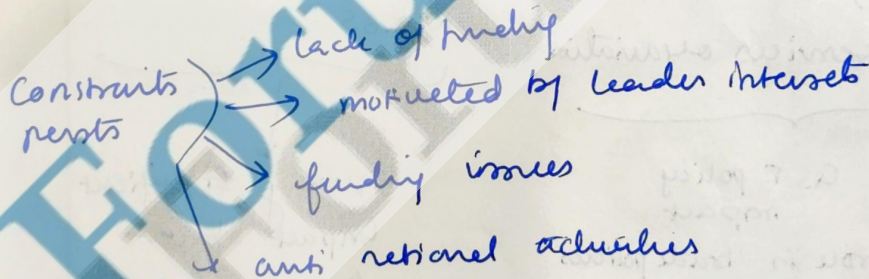
→ ADR : myneta.info → details of

→ MKSS → RTI formulation

→ Eam laws

4) Student groups like ABUP etc providing future leaders political leaders

ex: Kapil Sibal



Addressing these challenges could help the informal pressure groups become a strong weapon for public mobilisation (read essence of democracy)

Feedback

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TOTAL MARKS		

Q.4) "Bail not Jail" is the cardinal principle that upholds the sacrosanct ideas of individual's liberty and dignity. Explain the statement with the help of various judicial pronouncements. (10 marks, 150 words)

"जेल नहीं जमानत" वह प्रमुख सिद्धांत है जो व्यक्ति की स्वतंत्रता और गरिमा के पवित्र विचारों को कायम रखता है। विभिन्न केस कानूनों का हवाला देते हुए कथन को स्पष्ट कीजिए। (10 अंक, 150 शब्द)

SC in the recent Ritu Chhabra case has declared Right to Bail to be a Fundamental Right under Article 21. (Right to life and personal liberty).

Article 20^{also} provides safeguards for a person arrested :

- ↳ Rt to be informed of grounds
- ↳ Rt to counsel
- ↳ Rt to be produced before magistrate within 24 hrs.

Thus protecting individuals liberty.

Bachan Singh case: death penalty only in ~~case~~ of rare cases

Indian form of justice has mostly been retributive and not reformative hence its important also in context of increasing number of undertrials (60% + NCRB)

provision for bails has to be based.

Mallimath Committee also calls for a strict reform in the current legal system which has many archaic laws leading to stricter bail provisions.

Zero FIR is hardly filed and hence bail provisions get arbitrary.

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Feedback

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TOTAL MARKS		

Q.5) Dispute redressal is the most important component of cooperative federalism. How does the Interstate Council facilitate the resolution of disputes related to states in India, and what are the challenges associated with this process? (10 marks, 150 words)

विवाद समाधान सहकारी संघवाद का सबसे महत्वपूर्ण घटक है। अंतरराज्यीय परिषद भारत में राज्यों से संबंधित विवादों के समाधान को कैसे सुविधाजनक बनाती है और इस प्रक्रिया से जुड़ी चुनौतियाँ क्या हैं? (10 अंक, 150 शब्द)

Article 263 of the constitution empowers the President to constitute an Inter State Council for dispute redressal b/w states.

Structure → Chairman : PM
 → Members : CM & governors or administrators of states of ITC
 → other invitees

Types of disputes b/w states & their redressal mechanism

- Finance from centre → AsT Council
- border disputes, trade restriction } → ISC
- water sharing disputes → ISWT

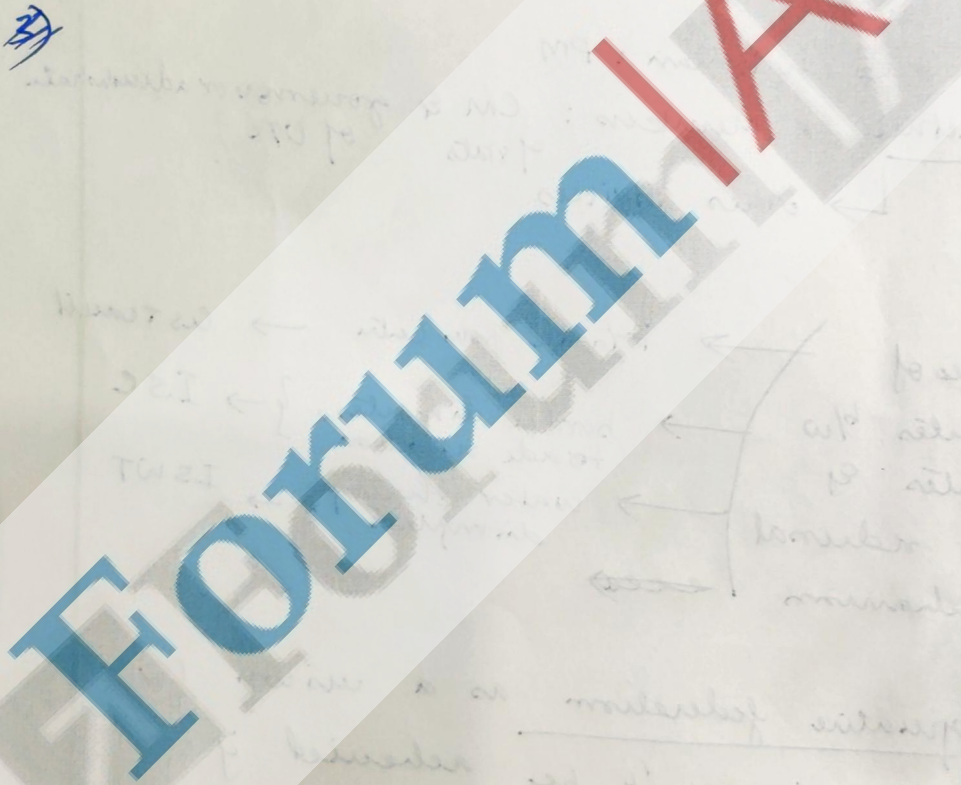
Co-operative federalism as a vision for Team India can't be achieved if the necessary grievances are not addressed

Ex: AP & TN fight over Hyderabad
 Can't help them collaborate ^{over} best practices

Issues

- 1) Delay & irregularity in constitution of the council
- 2) Lack of political will to resolve disputes at earliest

3)



Feedback

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TOTAL MARKS	
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Q.6) Anti-defection law has failed to address and resolve the evil of political defection satisfactorily. Discuss various issues surrounding the Anti-defection law and recommend some corrective measures. (10 marks, 150 words)

दल-बदल विरोधी कानून राजनीतिक दल-बदल की बुराई को संतोषजनक ढंग से संबोधित करने और हल करने में विफल रहा है। दल-बदल विरोधी कानून से जुड़े विभिन्न मुद्दों पर चर्चा कीजिए और कुछ सुधारात्मक उपायों की सिफारिश कीजिए। (10 अंक, 150 शब्द)

The 52nd CAA introduced the Xth schedule into the constitution (Anti Defection Law) to arrest the "Aaya Ram Gayay Ram" politics.

Rationale :

- to arrest political defections
- to ensure govt. stability
- to ensure party loyalty
- inculcate party discipline
- curb malpractices like horse trading etc.

FAILED TO ADDRESS

- 1) Large scale defections in MH leading to change in govt. in 2022
- 2) MP, Goa, KN, Manipur: Defections led to fall of government.

ISSUES

- 1) Grounds inadequate : the term "voluntary giving of membership" not adequately defined
 ⇒ Ravi Naik case : conduct also considered in deciding

- 2) Exceptions arbitrary: allowing mergers is in a way bypassing the notion of law
- 3) Punishment inadequate: disq no disqualitative norms
- 4) Authority (Speaker) to decide on case not impartial & lacks the legal acumen
- 5) Politics w/o principles, lack of intra party democracy

CORRECTIVE MEASURES

- 1) Dinesh Goswami Committee: deciding authority should be President on ECI recommendation
- 2) NCRWC: remove merger as an exception
- 3) Kihoto Holohan case: speaker decision can be judicially reviewed.

Necessary course correction has to be done to arrest the butterfly effect on unethical politics

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Q.7) Decriminalization of homosexuality by the SC in Navtej Singh Jauhar case remains a task half done, specially without the socio-political sensitisation about the issues faced by LGBTQIA+ community. Elaborate in light of ongoing debates on same sex marriage. (10 marks, 150 words)

नवतेज सिंह जोहर मामले में सुप्रीम कोर्ट द्वारा समलैंगिकता को अपराध की श्रेणी से बाहर करना अभी भी आधा अधूरा काम है, खासकर LGBTQIA+ समुदाय के सामने आने वाले मुद्दों के बारे में सामाजिक-राजनीतिक संवेदनशीलता के बिना। समलैंगिक विवाह पर चल रही बहस के आलोक में सविस्तार पूर्वक वर्णन कीजिए। (10 अंक, 150 शब्द)

Justice Indu Malhotra in Navtej Singh Johar case: The decriminalisation ^{of sec 377} is a long held reform to ~~only~~ minutely correct the decades of injustice done to the LGBTQ community.

Despite decriminalisation of sec 377, the LGBTQ+ communities still can't legally consider themselves in a civil union (marriage) as same-sex marriage remains prohibited in India.

Further the move hasn't served its purpose owing to the issues faced by the community:

- 1) Lack of social acceptance : still live in ghums, secluded communities.
- 2) Miniscule LFPR : 90% of LGBTQ+ not economically secure

- 3) Endangered Article 21 with continuous discrimination Ex: surgeries sex corrective
- 4) legal issues in Transgender's Act:
 - ↳ no proper grievance redressal mechanism
 - ↳ DM & medical authorities apathy
- 5) Health & Education access, availability & affordability threatened
- 6) Lack of political participation Ex: No MP

WAY FORWARD

- 1) Social sensitisation
 - ↳ Use of mythological examples Ex: Varaha swami, Shiva
 - ↳ Public awareness through streechads on how its a natural phenomenon
 - ↳ Person based, Ex: Dutee Chand medging
- 2) Political sensitisation
 - ↳ Training of bureaucracy by disseminating knowledge
 - ↳ Need for compassionate training preservation as suff in NALBA case

Giving them their due status is an essential component if India wants to build a inclusive society

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Q.8) Assess the relevance of lateral entry in civil services in making the governance structure more effective, efficient, and people oriented. (10 marks, 150 words)

शासन संरचना को अधिक प्रभावी, कुशल और जनोन्मुख बनाने में सिविल सेवाओं में लेटरल एंट्री की प्रासंगिकता का आकलन कीजिए। (10 अंक, 150 शब्द)

Lateral entry is a ^{new} civil services reform in an aspiration to bring more diverse & expert opinion into governance.

Working: → direct appointment at secretary level of various ~~private sector~~ professional / academicians etc for a specific period.

Advantages:

- 1) Effective structure:
 - ↳ targeting specific problems and addressing them with secured expertise
 - Ex: Skill development in automobile → through an industry expert.
- 2) Efficient structure:
 - ↳ private working culture is generally considered to be more responsive and

3) People oriented :

- ↳ Redressal of specific ^{pinpointed} problems
- ↳ Diverse point of view.

However challenges persist :

- 1) Lack of dedication to service owing to temporary nature
- 2) Tension b/w existing officers & the new ones
- 3) Accountability can't be ensured
- 4) Huge loss to exchequer if in case of ill evaluated reforms in name of modernisation.

Feedback
(For OFFICE use)

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TOTAL MARKS		

Q.9) Built upon common democratic values and shared vision of strategic autonomy, India-France bilateral ties exude a promise of stability, growth, and security in a time of geo-political flux and uncertainty. Do you agree? Substantiate your answer. (10 marks, 150 words)

सामान्य लोकतांत्रिक मूल्यों और रणनीतिक स्वायत्तता के साझा दृष्टिकोण पर आधारित, भारत-फ्रांस द्विपक्षीय संबंध भू-राजनीतिक प्रवाह और अनिश्चितता के समय में स्थिरता, विकास और सुरक्षा का वादा करते हैं। क्या आप सहमत हैं? अपने उत्तर की पुष्टि कीजिए। (10 अंक, 150 शब्द)

Recent High level meet b/w India & France has brought into discussion the deep ties which the two countries can enforce & secure their interests

Common values & shared vision } → Liberty, equality, fraternity of French revolution : key aspects of constitution
 → Non Alignment ^{on} without ^{care to} ~~such extensive~~ case basis

Can help counter flux :

- 1) Stability :
 - ↳ ensuring consistent views & implementation of global agreements ; Ex : Climate agreement
 - ↳ Polarity dilemma & Kindeberger trap has caused a death in global public goods

2) Growth :
 ↳ economic co-operation over green growth (technology transfer)

↳ China+1 option could be India in supply chain resilience

3) Security :

↳ Defence co-operation aiding in India's security demands of Indo Pacific

Ex: Rafale deals

↳ Preventing weaponisation of energy, food, finance etc through mutual aid.

Thus there is a need to take seize the opportunity & expand india's bilateral vision in Europe.

Feed (For OFFIC

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Q.10) As an important attribute of soft power, "Knowledge diplomacy" has the potential to further various objectives of foreign policy. Explain. (10 marks, 150 words)

सॉफ्ट पावर के एक महत्वपूर्ण गुण के रूप में, 'नॉलेज डिप्लोमेसी' में विदेश नीति के विभिन्न उद्देश्यों को आगे बढ़ाने की क्षमता है। व्याख्या कीजिए। (10 अंक, 150 शब्द)

Knowledge diplomacy refers to the use of a country's wisdom to ~~enrich~~ ^{secure} its ^{national} self-interests are fulfilled over global high tables.

It is a feature of soft power which tends to move from conventional hard power tactics (economics & security) to ascertain hegemony.

Potential to further various objectives:

1) To secure territorial integrity :
economic interdependence interesting significantly reduces political tensions.

Ex: Education development in Afghanistan → peace on borders, terror leading technology transfer from Israel over drones

2) to secure people to people ties :

Ex: Yoga : sense of Indian identity , huge no. of service skilled workforce

3) to establish India's UNSC interests :
developing consensus among small nations
support from smaller nations

Ex: IIT foreign campus in Zanzibar,
COVAX Vaccine Maimi,
Kudumbasree model in Africa

4) to establish & facilitate easier
conversations

Ex: Use of Indian companies processes,
NRIs etc in Civil Nuclear Deal

5) Traditional knowledge usage: Ex: Snake catchers in Canada

Thus it is time these new age
techniques in diplomacy be adopted and
used for its advantageous interests
given the civilisational stage India
is and its potential to become
"Jagat Guru"

(Don't Write in this Area पर कुछ न लिखें)

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		

Q.11) Referring to the case laws through which the collegium system in India evolved, critically assess its functioning. (15 marks, 250 words)

उन केस कानूनों का उल्लेख करते हुए जिनके माध्यम से भारत में कॉलेजियम प्रणाली विकसित हुई, इसकी कार्यप्रणाली का आलोचनात्मक मूल्यांकन कीजिए। (15 अंक, 250 शब्द)

Judicial appointments ^(A124) underlying in itself the issue of accountability, independence and efficiency has seen a series of evolution.

Genesis of the collegium system :

- 1) Shankar Lal Sheth case :
consult by President \neq concurrence of CJI
- 2) First Judges case :
Executive decision on appointment can be questioned only on mala fide & irrelevant considerations
- 3) Second judges case :
- primacy to CJI in judicial appointments
- appointment of senior most judge as CJI \rightarrow introduced collegium
- 4) Third judges case :
 \rightarrow consultation = concurrence of CJI
 \rightarrow CJI has to further consult a collegium of 4 judges for SC appointment and 2 for HC appointments

5) SCAOR v/s UOI case :
 struck down the NJAC Bill 2014 which
 sought a committee based appointment
 (3 judicial + 3 non-judicial members)

The system has secured :

- 1) ensures independence to judiciary
 free from executive control. (Ex: 1985
 emergency : 15 judges transferred abruptly)
- 2) upholds constitutionalism & rule of law
 as courts remain the guardian

General issues noticed :

- 1) Opaque & lack of transparency :
 deliberation not public & hence
- 2) No defined criteria over appointment
- 3) Not a strict statement of procedure
 (some times even judges below 45 yrs
 appointed as SOP requirement)
- 4) Uncle judge syndrome i.e Nepotism

- 5) Only constitutional democracy where Judiciary appoints itself
- 6) No parallel to judiciary - Lack of Check & balances (Ambedkar: Imperium within imperio)

WAY FORWARD

- 1) Ensure transparency: 2017: CSI Deepate Mishra tenure: Collegium deliberations made public
- 2) Judicial accountability bill needs to be passed & ethical conduct of judges enforced.

3) Best practices:

US: Judges app. by President on recommendation of Senate comm. (qualific. doc. scrutinized by Advocates Bar)

UK: 15 member Judicial Commission (3 judges + 12 chosen on ^{gen} Competition)

Thus the appointment process need to actively involve all stakeholders (judges, Bar association, executive etc)

Feedback

(For OFFICE use only)

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Q.12) Considering the non-enforceable nature of fundamental duties and directive principles of state policy, critically examine their impact in socio-political norms. (15 marks, 250 words)

मौलिक कर्तव्यों और राज्य के नीति निदेशक सिद्धांतों की गैर-प्रवर्तनीय प्रकृति को ध्यान में रखते हुए, सामाजिक-राजनीतिक मानदंडों में उनके प्रभाव की आलोचनात्मक परीक्षण कीजिए। (15 अंक, 250 शब्द)

DPSPs & Fundamental duties (FD) given in the Part IV of the constitution and are non-enforceable as their non-fulfillment can't be questioned in court unlike Fundamental rights under Article 32.

Positive impact

- 1) DPSPs are fundamental to the governance (A37) of country and hence many policies have been made to fulfill their vision.
- 2) A48A & 48A : Animal husbandry on scientific lines → Beaked intervention
Protection of forests & wildlife
Ex: WPA 1972, FRA 2006 etc.
- 3) A38, A39A : diminution ^{gender}, minimising inequalities, equal pay for equal work

preventing wealth concentration etc

Ex: MANREGA, land reforms, Code on wages
thus helped alleviate poverty ridden people

4) A42: Maternity relief & subsequent
Act → help in women empowerment

5) A46: Scheduled caste & tribe
empowerment Ex: 5th & 6th schedule,

SC/ST Act helped ameliorate their
situation

6) instilling a sense of civic duty among
citizens

↳ to preserve cultural heritage (51F)

↳ to preserve environment (51G)

↳ to cherish freedom (51B)

struggle ideas

Ex: active participation in Azadi
Ka Amrit Mahotsav

Despite presence, paradox persists -

- 1) Huge wage gap b/w men & women
Global Gender Gap Index: Women: 15% of what men earn
 despite equal pay for equal work (A39)
- 2) ~~Strikes &~~
Expensive & ill affordable
health care & justice despite (39A)
- 3) Strikes & protests destroying
public property despite 51(F) & 51(i)
- 4) Huge inequalities Top 1% → 70% wealth
 despite 39A (Oxfam)

Thus the country has a long way to go in completely realising the ideals of the constitution

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Here G is Good Average and P	
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Q.13) Despite its vital role for the smooth functioning of the body politic, constitutional punctuality remains conspicuous by its absence. Discuss.

राजनीतिक निकाय के सुचारु कामकाज में इसकी महत्वपूर्ण भूमिका के बावजूद, संवैधानिक समय की पाबंदी इसकी अनुपस्थिति के कारण स्पष्ट बनी हुई है। चर्चा कीजिए।

(15 marks, 250 words)

(15 अंक, 250 शब्द)

The Supreme court and constitution makers have time and again reiterated the fact of Indian constitution being a transformative and a living document adjusting according to the changing nature of the society.

However, despite provisions of rigidity for constitutional amendments on the flexible side many changes have not been done at the right time (constitutional punctuality) as per the evolving needs of society.

Instances of Absence :

- 1) India's 4th Industrial revolution → Data 'new oil' → yet no explicit inclusion of Right to Privacy

though implied by Pattuswamy case

→ No explicit mention of Right to Internet though implied in Aniruddha Bani case (2020)

2) Increasing Preventive detention concept remains held in A 22 despite being antithetical to democracy

3) Ordinance powers continue to exist → undermining parliamentary democracy

4) Speaker powers on Anti Defection not delinked on timelines despite governments falling due to defection

5) Take so long to decriminalise adultery, sec 377 etc

6)

(Don't Write anything
in this Area / इस स्थान
पर कुछ न लिखें)

- Constitution did respond to needs
- right to education (82nd CAA)
 - DPSP on health, worker rights (42CAA)
 - DPSP on environment protection (42CAA)

Thus proactive legislations & amendments are kept to the need of the day to ensure a smooth polity as per 21st century needs.

Feedback

(For OFFICE use only)

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TOTAL MARKS			



Q.14) Frequent reliance on the ordinance making power by the government, not only dilutes the basic tenets of executive accountability in a parliamentary democracy, but also overlooks the democratic traditions of building consensus. Discuss with relevant examples.

(15 marks, 250 words)

सरकार द्वारा अध्यादेश बनाने की शक्ति पर बार-बार निर्भरता न केवल संसदीय लोकतंत्र में कार्यकारी जवाबदेही के बुनियादी सिद्धांतों को कमजोर करती है, बल्कि आम सहमति बनाने की लोकतांत्रिक परंपराओं को भी नजरअंदाज करती है। प्रासंगिक उदाहरणों के साथ चर्चा कीजिए। (15 अंक, 250 शब्द)

A 123 & A 213 of the Indian Constitution enable for President / Governor to promulgate ordinances when the legislature is not in session or in urgent need as perceived by them.

Rationale :

- 1) to manage crisis → Ex: 45 ordinances during LPA reforms
3 ordinances during COVID
Banjara ordinance during PMC bank collapse
- 2) to cater to urgent needs of public :
↳ Ex: suspension of IBC during COVID.

Issues

- 1) Undermining democracy : as bypasses parliament & used as parallel power of legislation
- 2) Frequent misuse to avoid legislative scrutiny → No executive accountability

- 3) Violation of Separation of powers ~~with~~
- 4) ^{Non-inclusive} ~~poor~~ nature of bills due to lack of deliberation in Parliament ^{or nonholistic} Ex: Farm laws
- 5) Frequent re-promulgation ~~as~~ byranny the safeguard of presenting before legislature Ex: Bihar: Re-promulgation case
- 6) Increased usage by states
Ex: Kerala: 286 ordinances b/w 2016-20 despite largest no. of sittings of legislature, MH(45) etc.

Case laws: SC has repeatedly pointed its flag

- 1) DC Wadhwa Cooper case:
Ordinance subject to JR if trying to bypass legislature
- 2) DC Wadhwa case:
Ordinance making only extraordinary power
Re-promulgation can be cancelled if malafide
- 3) Krishna Kumar Silyh:
expanded nature of JR to examine if ordinance based on relevant material

WAY FORWARD

- 1) Digital parliamentary proceedings during
2) Emergency
 - 2) Executive restraint in using the power
 - 3) Opposition conscience is not disrupting
the house by intention which in recent
days has become the push factor for ordinances.
- * Understanding the colonial legacy of law
 (taken from CoI 1935) but can help
 executive to ~~stay~~ from making the
 government "by the raj, for the raj
 & to the raj" instead of people.
 (rule of democracy)

Feedback

(For OFFICE use)

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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		

Q.15) The critical reason for poor public health indicators in India goes beyond recognition of right to health as fundamental right. Do you think that a statutory framework alone can ameliorate the situation? (15 marks, 250 words)

भारत में खराब सार्वजनिक स्वास्थ्य संकेतकों का महत्वपूर्ण कारण स्वास्थ्य के अधिकार को मौलिक अधिकार के रूप में मान्यता न देना है। क्या आपको लगता है कि केवल वैधानिक ढाँचा ही स्थिति को सुधार सकता है? (15 अंक, 250 शब्द)

SC has recognised Right to health as an implied fundamental right under Article 21 - Right to Life. However the recognition is not enough to address the multifaceted challenges to healthcare in (i):

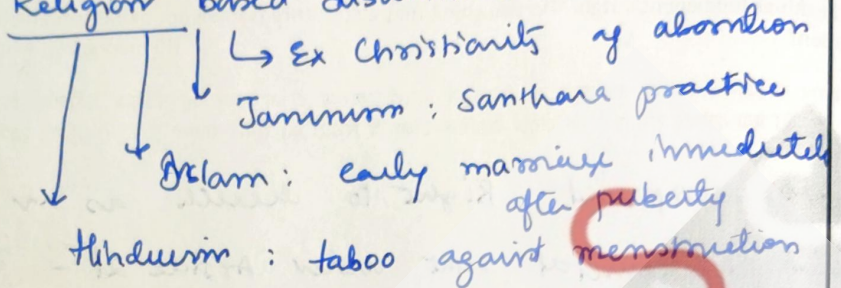
1) Equity Distorted:

- ↳ Women jeopardised with respect to health access, their health equated to national health
- ↳ lack of enough interventions & awareness for LGBTQ+
- ↳ Rich better placed to access than poor b/c of high OOP expenditure on health
- ↳ Urban areas have better medical facilities than rural counterparts

2) Access issues:

- ↳ Caste based discrimination (Upper caste doctors not treating lower caste patients)

↳ Religion based disabilities



3) Excellence Underpar

- i) Doctors under excessively burdened
- ii) Lack of state of art facilities in all hospitals
- (iii) Rural medical personnel not adequately incentivised & trained

4) Schemes related issues:

- ↳ inclusion & exclusion errors
- ↳ corruption & bureaucratic apathy.

Thus the intervention needs a holistic address redressal beyond statutory basis:

- 1) Skill development of local ANM & AWA, ANM to become early diagnostic agents
→ enabling as para medical professionals

(Don't Write anything in this Area / इस पर कुछ न लिखें)

- 2) shifting policy focus to preventive health care from curative nature
 ↳ awareness campaigns on sanitation, ill effects of liquor, tobacco etc
- 3) Development of infrastructure in rural area & appropriate incentives for personnel, PPP partnerships
- 4) Digital health intervention
 ↳ e-sanjivani
- 5) proper implementation of PMJAY, POSHAN Abhiyan, Swachh Bharat
- 6) ~~Swachh~~ Abhiyan.

Thus the necessary interventions need to be taken in time so as to swap the demographic dividend
 a/c Swasth Bharat is Shreshth Bharat
 (healthy India) (efficient India)

Feedback

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 Here G is Good, A Average and P is F

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Q.16) Reforming the education infrastructure through digital interventions is a progressive step, but it has its limitations too. Comment. (15 marks, 250 words)

डिजिटल हस्तक्षेप के माध्यम से शिक्षा के बुनियादी ढांचे में सुधार एक प्रगतिशील कदम है, लेकिन इसकी अपनी सीमाएँ भी हैं। टिप्पणी कीजिए। (15 अंक, 250 शब्द)

COVID 19 has in a way overhauled the way Education system functions not just in India but all over the world in a way digitally revolutionizing it.

Digital Interventions

1) School Education :

↳ SWAYAM - broadcasting edu content on TVs

↳ online textbooks, video based

pedagogy,

↳ ^{Lack of} Teacher → addressed through recorded video lectures

↳ PM DIKSHA : online curriculums

↳ PM NISHTTA : Teacher assessment online

2) Higher Education :

↳ GIAN : Global connection

↳ NKN : knowledge network

↳ digital libraries ↳ Shodhganga : ^{online} Phd thesis

Limitations :

- 1) Digital Divide :
 - ↳ < 40% of women use internet
 - ↳ Rural area internet penetration - 30%
- 2) Loss of human touch & presence influencing learning outcomes
- 3) Mechanised mode of education : one size fits all without understanding individual capabilities
- 4) Increased screen times and associated health issues (mental, eye health, spinal health etc)
- 5) < 50% of schools have computers
→ Infrastructure Gap
- 6) Hierarchy within already existing not so egalitarian framework (public v/s priv scenario).

Education is the keystone to a nation

WAY FORWARD

- 1) hybrid models
- 2) Capacity building of teachers PM NISHTA
- 3) Improvement of Digital Infrastructure
Ex: Bkpedite BHARAT Net

Necessary interventions need to be taken in time to avoid unintended ramifications of Digital revolution

Feed
(For OFFICERS)

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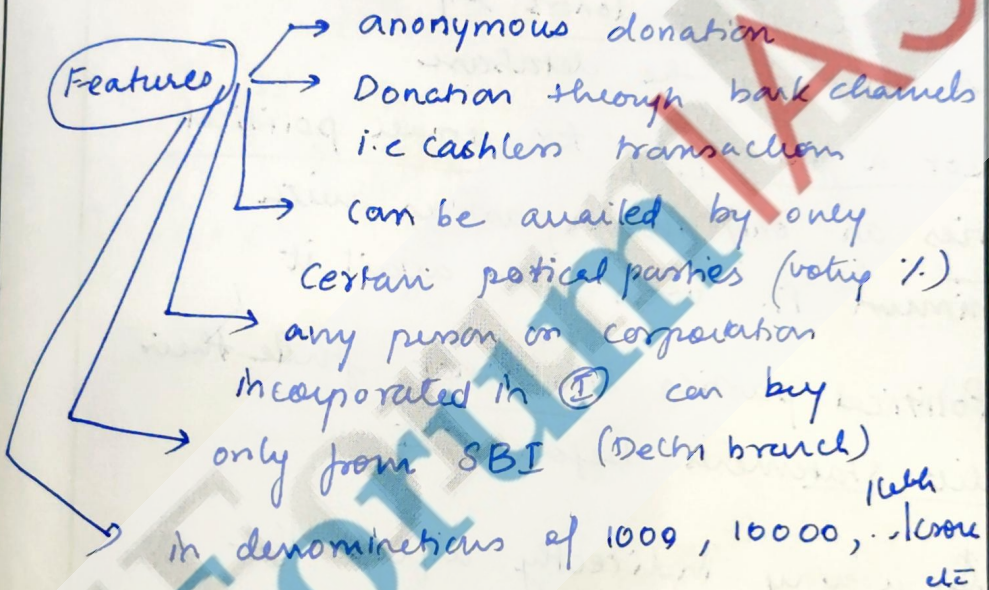
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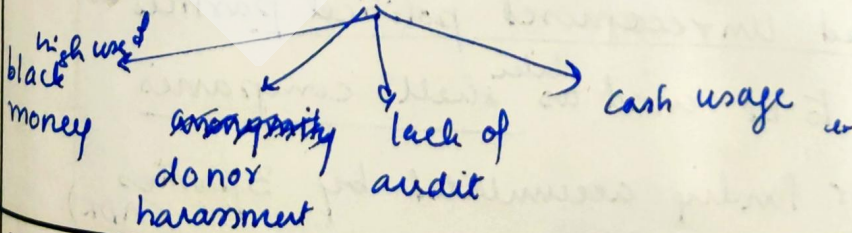
Q.17) Electoral bond was brought in as a reform that was high on intent but has proved to be low on substance. Do you agree? Justify. (15 marks, 250 words)

चुनावी बॉन्ड को एक ऐसे सुधार के रूप में लाया गया था, जिसका इरादा उच्च था, लेकिन यह कमतर साबित हुआ है। क्या आप सहमत हैं? औचित्य सिद्ध कीजिए। (15 अंक, 250 शब्द)

Electoral bond was introduced to bring about reforms in the transparency in the Election finance means & procedures.



Considering the above features it was supposed to address the issues of electoral finance like:



However the scheme hasn't served the purpose b/c :

- (i) 66% of the funding still comes from unknown sources (ECI)
- (ii) ~~Govt.~~ Ruling govt. can potentially find the names of donors by analysis as the bank still has the database
- (iii) Not a fair play for small political parties as only those parties with minimum 1% votes can avail it
- (iv) Political parties still donot file their audit statements before ECI
- (v) In a way indirectly lifted the 7.5% cap on electoral funding by corporates → Crony Capitalism base.
- (vi) Registered Unrecognized political parties continue to be used as ^{like} shell companies
 ex: 100cr funding accumulated by 3 parties (ADR)

To a certain extent it did fare up well

- Decreasing cash usage
- Start towards transparency
- ~~maint~~ donor neutrality maintained

WAY FORWARD :

- 1) Reinstating the 7.5 % cap on corporate spending
- 2) Indrajit Gupta comm : state funding of elections while Law Commission says it is not the right time yet.
- 3) Stricter norms of execution
- 4) ECI : power to deregister party in case of malpractices

Election Finance reforms are of utmost importance to ensure free & fair elections in spirit.

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



Q.18) The profound impact of the data revolution and widespread smartphone usage has necessitated the use of digital tools in welfare programmes. Discuss. (15 marks, 250 words)

डेटा क्रांति और व्यापक स्मार्टफोन उपयोग के गहरे प्रभाव ने कल्याण कार्यक्रमों में डिजिटल उपकरणों के उपयोग को आवश्यक बना दिया है। चर्चा कीजिए। (15 अंक, 250 शब्द)

Given the increased penetration of data usage in the country (> 70%) & most being mobile users (> 95%) has necessitated for e-governance models.

Use of Digital tools :

1) Education :

- ↳ AAN, NKN
- ↳ SWAYAM
- ↳ PM DIKSHA
- ↳ eShodhgaya

2) Health :

- ↳ e Sanjeevani : mental health
- ↳ telemedicine
- ↳ CoWIN

3) Skill Development :

- ↳ Online MOOCs
- ↳ digital certifications
- ↳ portal connecting employer & employees

4) Vulnerable Sections :

- ↳ SACRED portal : connect old age formal
- ↳ one Nation one ration card :

5) Rural Development :

↳ SWAMITVA : land records digitisation

↳ Agriculture : m-kisan, Meghraj

↳ ePDS, Aadhar authentication @ PDS shops

6) Industrial Development :

↳ MSME - GEM portal

↳ single window clearance system

7) Disaster preparedness

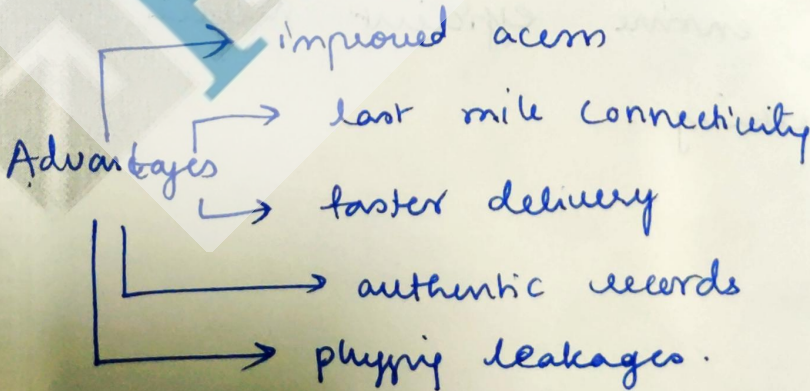
↳ Meghdoot

↳ online transmission of early warnings

8) Financial inclusion :

↳ JAM Trinity, DBT transfer of subsidies

↳ e-RUPI



Challenges

- 1) Lack of infrastructure: POS machines, broadband, connectivity
- 2) Inadequate digital literacy
- 3) Digital Divide b/w urban & rural, rich & poor, women & men

WAY FORWARD

- 1) Bharat Net expedition
- 2) Improving infrastructure → PM WAN
- 3) Digital literacy through civil society participation.

e-governance is a norm of the 21st century to ensure efficient public service delivery.

Feedback

(For OFFICE use only)

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TOTAL MARKS			

Q.19) Presidency of G20 is but a reflection of India's quest for a more just and polycentric world order, where the voice of the global south is mainstreamed not muzzled. Elucidate.

(15 marks, 250 words)

G20 की अध्यक्षता एक अधिक न्यायपूर्ण और बहुकेंद्रित विश्व व्यवस्था के लिए भारत की खोज का प्रतिबिंब है, जहाँ विश्वव्यापी दक्षिण की आवाज को मुख्यधारा में रखा जाए, दबाया न जाए। स्पष्ट कीजिए। (15 अंक, 250 शब्द)

EAM Jaishankar :- India by default becomes the leader voice of Global South considering its exceptionalities. G20 presidency is a formalised version for expression of the same.

Current World Order:

1) poly polarity dilemma. G20 trend
 bipolar → unipolar → multipolar → dilemma.
 (with China, USA, Russia, Europe having their significance in respective areas.)

2) Thucydides trap: regional / small power like China trying to take up over the bigger ones like USA etc.

3) Kindelbarger trap: No country able to provision for global public goods

- (iv) Trade war b/w USA & China having further implications like inflation, food insecurity etc.
- (v) Lack of Supply Chain resilience hence movement from offshoring → friendship
- (vi) Discrimination on climate change talks, WTO talks on los inconcluded loss & damage talks, non implemented CBDR etc

G20: Venue of reform :

- 1) G20 is most inclusive forum among the rest
- ↳ developed + developing
 - ↳ 85% of the world's population
 - ↳ 78% of world's GDP
 - ↳ 70% of world's emissions

Hence any agreement shall have wider consensus & more unanimous & uniform implementation.

2) IMF : The next decade shall be run by the Asian & African growth hence a form with their voice is required for world economics

3) Addressing concerns of the global South is imp in fossil fuel transition, CBDR, climate damage funds, etc as there is a move towards multilateralism moving away from WTO, UNFCCC etc

4) G20's expanded focus beyond economies since 2008 makes it a forum to discuss wider statements of purpose.

not devoid of limitations → under Africa presence Only south Africa
→ no stronger resolution etc

Thus the G20's success is a key stone is deciding how the world grows in coming decades

Feedback

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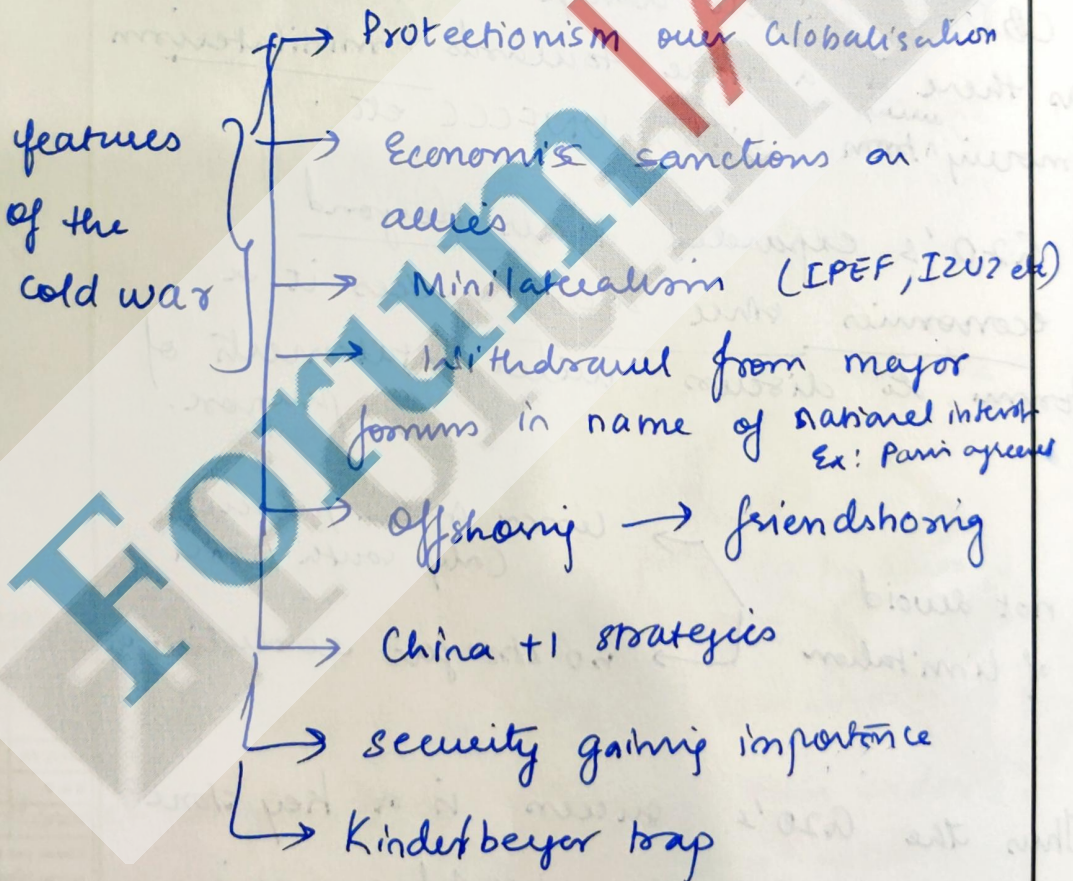
TOTAL MARKS	
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Q.20) The new cold war between the USA and China may have the effect of casting a long shadow on India's strategic interests from Pacific to Atlantic. Evaluate. (15 marks, 250 words)

संयुक्त राज्य अमेरिका और चीन के बीच नए शीत युद्ध का प्रभाव प्रशांत से अटलांटिक तक भारत के रणनीतिक हितों पर लंबी छाया डालने का हो सकता है। मूल्यांकन कीजिए। (15 अंक, 250 शब्द)

Post 1991 unipolar world has eventually shaped into multipolar dilemma with USA & China evidently trying to become the world hegemon's.



Casting a shadow on India's interests

- 1) India's regional hegemony countered with Chinese expansionism of
Ex: String of Pearls, BRI in its neighbourhood
- 2) Chinese cartographic aggression &
Creep policy into Indian territory
over conflict areas to keep India occupied
with internal tension can affect its
decisions on larger tables
- 3) Economic sanctions on India by US
which it followed could hurt India's
growth prospects Ex: Iran oil buy off
- 4) India by aligning towards USA might
tend to lose its strategic autonomy &
be at least lose the credibility of
voicing Global South
- 5) Continuous maritime wars can
endanger its economic interests

- in the seas Ex: Poly metallic nodules
- 6) Endangering India's diaspora in the Pacific (Fiji, PNG etc)
- Ex: China's 9 dash line
- 7) Shift of focus towards Vietnam as a counter support to India
- 8) Role as a net security provider in Pacific

Not necessarily a shadow

- emergence of I2U2, Quad
- ⇒ more power to India
- IPEF over RCEP
- technology transfer
- China + 1 opportunity

The war could necessarily shape India's status if it ensures to address the unsettled borders, unintegrated region and unexploited opportunities.

Feedback

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TOTAL MARKS			

Mentor Feedback Questions

1
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 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		

* Subject to change without prior notice.