

TEST CODE 6 1 2 3 0 1

Time Allowed : Three Hours
समय : तीन घंटे

ForumIAS

Maximum Marks : 250
अधिकतम अंक : 250

GENERAL STUDIES / सामान्य अध्ययन

Name Of Candidate परीक्षार्थी का नाम	DR. PRASHANTH S		
Roll No./अनुक्रमांक	1910109444	Medium/माध्यम	English <input checked="" type="checkbox"/> हिंदी <input type="checkbox"/>
Center Code/परीक्षा केंद्र	ONLINE	Date/दिनांक	14.8.2023

*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 :	
			11:55AM	3PM (3hrs 5min)	
Total Marks/कुल अंक :			Mode Of Examination/ परीक्षा की विधि :	Online/ऑनलाइन <input checked="" 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 आकड़ों 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 हैं।			For Office Use Only / केवल कार्यालय प्रयोग हेतु		
			ECN CODE/ ईसीएन कोड :	EG/ईजी :	Evaluation Date/ मूल्यांकन तिथि :
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Note: You can discuss your evaluated copy with the Mentor. Raise a ticket from your portal to schedule a mentor 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

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) 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 doctrine of Basic Structure was borrowed from the Supreme Court of Pakistan by the Supreme Court of India, established in 1973, through the Keshavananda Bharati vs State of Kerala Judgement.

Creature of the Constitution:

- 1) Parliament consisting of the Lok Sabha (House of People) and Rajya Sabha (House of Commons) was established with collective responsibility of the Council of Ministers to the Lok Sabha (Article 74, 75)
- 2) The Supreme Court in the Golaknath case opined that the Parliament could amend any law including the Fundamental rights acc. to Art 13

Parliament - Not a Master to the Constitution:

- 1) The Supreme Court established the Basic Structure Doctrine to opine that the Parliament could amend certain features of the Constitution without the Basic structure
- 2) Reiterated in the Judgements of India
 Gandhi vs Raj Narain (Rule of Law);
 S.R. Bommai vs UOI & Ors (Federalism);
 M. Nagaraj vs UOI & Ors (Right to Equality);
 Nullified the 99th Constitutional Amendment on NJAC
 (Independence of Judiciary)

The recent remarks of the Chief Justice of India that the Basic Structure Doctrine has set a precedent to Constitutional Supremacy is proof to the strength of the doctrine.

Feedback

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AWIS			
CD & VA			
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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.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)

Self-Help Groups refers to voluntary associations of women who unite to achieve common goals of financial and self-empowerment.

Data: 8 Million SHG's with 10 crore women exist in India

Women Development at Grassroots:

1) Microcredit availability:

Maharashtra Atishi Mahila Vikas Mandal (MAVIM), has helped more than 1 million women avail accessible microcredit.

2) Women Employment:

Female Labour Force Participation Rate stands at

20% in India. SHG's have enabled self-employment
Eg: Self Employed Women's Association (Smt. Bhatt)

3) Financial Independence:

Eg: Lijjat Papad, have enabled entrepreneurial status of women.

4) Recovery from Poverty:

Eg: Kudumbashree, in Kerala has ushered in reforms to remove nearly 10 million women from Poverty

5) Decision-Making:

Eg: Jay Ambe, SHG from Maharashtra helps with leadership Training

Thus, based on Sharda Prasad Antee recommendations, SHG's must undertake skill development to achieve SHG 5.0 & 10.0 goals

Feedback

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TOTAL MARKS			

Informal Pressure Groups shape Public Policy:

1) Environmental Concerns:

Eg: Narmada Bachao Andolan under Medha Patkar

2) Legislations against Corruption & Governance:

Eg: Lokpal Bill demand by India against Corruption. (Anna Hazare Movement)

3) Voice against Injustice:

Eg: All India Mahila Sammelan protesting against Triple Talag.

4) Action against Cruelty:

Eg: Various doctor Rodis protesting against Dr. Vandana's death

Concerns: 1) <10% file Income Tax returns
2) Anti-social activities Eg: Greenpeace NAO.

Thus, Informal Pressure Groups through means of Lobbying, Deliberation & Negotiation shape public policy.

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)

The Supreme Court of India declared that "Bail not Jail" is the cardinal principle in criminal Justice System (Honble CJI Dr Chandrachud)

Data: 77% of the prisoners are undertrials.

Need:

1) 5.4 lakh prison inmates against capacity of 4.2 lakh (India Prisons Report 2021)

2) More than 140% super saturation in Prisons

3) Benefit of Doubt to the accused.

4) Article 21 ensure a right to speedy justice, fair trial & liberty

5) Pendency of cases: 4.4 crore cases of which 70% involves criminal Justice System

Judicial Pronouncements:

- 1) In the Kanhaiya Kumar vs State of Bihar case, the Supreme Court acceded bail keeping in abeyance, the provisions of the Sedition Act.
- 2) In the Puttaswamy Judgement, the Court upheld the Right to Privacy as part of Art. 21.
- 3) In the Maneka Gandhi Judgement, the Court upheld due process of law as liberty under Art. 21.

Thus, according bail to the accused rather than jail is in consonance with the

International Convention on Civil and Political Rights of the accused.

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 of India provides for the constitution of an Inter-State Council by the President.

Dispute Redressal Mechanisms:

- 1) Article 131 - Original Jurisdiction between Centre & States
- 2) Article 263 - Interstate Council.
- 3) National Development Council.
- 4) Zonal Council. - State Reorganisation Act, 1956.
- 5) NITI Aayog (Non-statutory)
- 6) GST Council. (101st Constitutional Amendment Act)

Disputes in Cooperative Federalism include:

- 1) Border Disputes - Eg: Assam & Meghalaya.

2) Jurisdictional Disputes:

Eg: Centre - State Law of Farm Bill.

3) Dispute over Water Resources

Eg: Cauvery water Dispute

Facilitation by Inter-State Council:

1) Negotiation & Deliberation mechanisms by the Centre & States

2) Dialogue & Debate including discussion on Border Disputes Eg: Namsai Pact - Assam & Meghalaya.

3) Consensus Based Approach

Challenges: 1) Not enforceable upon the states (Decisions)

2) Partisan politics Eg: DMK vs BJP

3) Regional aspirations of states Eg: Karnataka & Tamilnadu.

4) Lesser meetings conducted

Thus, the Inter-State Council must be reformed to fully utilize its jurisdiction & powers.

Feedback

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TOTAL MARKS			



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)

Anti-Defection Law arose from the 52nd Constitutional Amendment & the 86th CAA in the Tenth Schedule of the Constitution

Issues surrounding Anti-Defection Law:

- 1) Partisan role of speaker in deciding Anti-Defection Cases Eg: Manipal speaker.
- 2) Inability of speaker to act as a Tribunal Eg: Nalsam Rebia
- 3) No time limit proposed to decide on Disqualification Eg: TN speaker kept in abeyance for 3 years
- 4) Anti-Defection law applies to independents joining a political party but does not apply to nominated members within 6 months

- 5) Inability to recognize original political party
Eg: Shiv. Sena split
- 6) Not Applicable in elections to Rajya Sabha.
- 7) Anti-Defection law not applicable if candidate is removed by political party
Eg: ADMK MP Sasikala Pushpa.

Corrective Measures:

- 1) Strengthening of Anti-Defection Law by stricter legislations
- 2) Removal of bias between nominated & independents
- 3) Constitution of tribunal instead of Speaker.
- 4) Referral of cases to President & Vice-President instead of Speaker
- 5) Constitution of a time frame of 6 months to decide cases (Manipur Speaker case - Honble SC)

Thus based on the Venkatachaliah Committee recommendations, Anti-Defection Law must be amended to ensure its purpose. (NCRWC)

Feedback

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TOTAL MARKS			



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 जौहर 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 सविस्तर पूर्वक वर्णन कीजिए। (10 अंक, 150 शब्द)

Recently, the Supreme Court has entertained a petition to legally recognize Same-Sex Marriages under the Special Marriages Act, 1955.

Decriminalization of Homosexuality:

- 1) Under the NALSA vs UOI & Ors. transgenders were recognized as the third gender.
- 2) Under the Navtej Singh Johar vs UOI & Ors. decriminalization of homosexuality by striking down of Sec 377 IPC was done

Socio. Political Sensitisation:

- 1) Lack of social support to the transgenders
- 2) Lack of political will - Eg: Implementation of

Transgender Rights Bill (Private Bill)

3) Non-representation of Transgender community in Parliament & State Legislatures

Social: 1) Lack of healthcare facilities. Eg: Inter-sex toilets

2) Lack of education & social ostracisation

Way Ahead: 1) Prevention of human trafficking (sexual)

2) National Commission for Transgenders to be a constitutional body.

3) SMILE scheme for rehabilitation of Transgenders

4) Horizontal reservation

5) Recognition of same-sex marriages.

The Union of India is constitutionally obliged to protect the vulnerables under Article 46

& must take legislations for same-sex marriages.

Feedback (For OFFICE use only)

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TOTAL MARKS	
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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)

The Government of India introduced lateral entry in civil services bringing senior management professionals with wide experience into the bureaucracy.

Relevance ← Need :

- 1) Existing Red tapism & Corruption
Eg: India ranks 86 in Corruption Perception Index
- 2) Iron tower mentality of Bureaucracy.
Eg: Thoothukudi Collector making peon take shoes
- 3) Specialised manpower & expertise (Hota Committee)
Eg: Nandan Nilekani for AADHAR roll-out.
- 4) Increased productivity in lateral entry.
Eg: Subject - specialisation helps in decision making

5) Existing Vacancy:

Eg: More than 100 vacancies of civil servants

6) Savings to the Exchequer:

Eg: Terminal benefit savings due to contract tenure of lateral entry

Challenges:

- 1) Non-acceptance of existing civil servants as part of the bureaucracy
- 2) Contract tenure leading to loss of continuity of policy
- 3) Direct appointment to level of Joint Secretary & above lacking field training
- 4) Loss of promotions of junior officers

Thus, Mission Karmayogi which includes training of civil servants is a welcome step for a role based rather than rule based reformation of civil servants.



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)

Recently, the French President honoured the Indian Prime Minister with the country's highest honour (Legionnaire's Honour)

Common Values:

- 1) Shared Constitutional Principles of Liberty, Equality & Fraternity
- 2) Shared vision of strategic autonomy as a naval superpower & security provider in the Indo-Pacific region

Indo-French Bilateral ties:

- 1) Historic: 75 years celebration of friendship between India & France Eg: Comprehensive Strategic Partnership
- 2) Defence: Provision of RAFALE fighter jets & nuclear powered submarine technology (P-75)

- 3) Security: Regular Indo-French Military Exercise.
- 4) Trade: \$ 14 Billion Dollars Bilateral trade between India & France.
- 5) Growth: Free-trade agreement proposal & liaisoning with India as part of Presidency of European Union
- 6) Support: UN - Permanent membership for India is supported by France.

Geopolitical Uncertainty:

- 1) Closeness to China by France.
- 2) Larger trade ties with China.
- 3) Political ostracisation of Russia.

Thus, Indo-France ties have sustained time-tested practices and ensured sustainable growth & development in Indo-Pacific region.

Feedback

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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 objectives of adopting education & brain wealth as a means of influencing foreign policy.

Attribute of soft power:

- 1) Knowledge Diplomacy includes → mutual exchange.
→ research & development
→ Brain-wealth.
→ institutions of eminence.
→ Employment opportunities

Potential of Knowledge Diplomacy:

- 1) Mutual Exchange of human resources.
Eg: Indo-Australia student exchange.
- 2) Research & Development
Eg: Khurana-Wisconsin research program.

3) Brain-Drain

Eg: India experiences brain-drain to developed nations

4) Institutions of Eminence

Eg: IIT's to be opened at UAE
Indira Gandhi University at Maldives

5) Employment Opportunities

Eg: UK offered job opportunities for Indians: H1B visa for USA

6) Sharing of Traditional Knowledge:

Eg: Yoga, AYUSH adopted by US, UAE

7) Multilateral institutions Eg: SAARC University

Objectives:

- Establish India as education hub (NEP 2020)
- Human Development (currently rank 132)
- Counter an aggressive China lacking modern education
- Developed country status

Thus, knowledge diplomacy serves to further the goals of SDG 4.0 and helps in achieving status of a developed country by 2050.

Feedback

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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)

Recently, the Collegium system came to limelight with the ongoing spat between the Government & the Judiciary on appointment of Judges

Evolution of Collegium System:

First Judges Case: Opined that the recommendations of the Judiciary / Collegium were under the discretion of the President to accept / reject

Second Judges Case: Opined that appointments to Judiciary were to be based on a consensus between 3 senior most judges of the Apex Court

Third Judges Case: Appointments to Judiciary were to be based on the consensus of the 5 senior most judges of the Apex Court.

Fourth Judges Case | NJAC Case:

The Court struck down the 99th CAA as unconstitutional - nullifying the National Judicial Appointments Commission

Functioning of the Collegium:

- 1) Recommends appointment of judges to the Supreme Court & High Court
- 2) Recommends transfers of High Court judges

Issues in Functioning:

- 1) Lack of transparency
Eg: Collegium proceedings & Minutes of the Meeting are not released
- 2) Lack of objective criteria
Eg: Position number 13 elevated as SC Judge.
- 3) Controversial appointments
Eg: Justice Victoria Gowri to Madras High Court

4) Promotes Nepotism & Influence Peddling
Eg: Judiciary appointing colleagues hampering separation of power (Art 50)

5) Lack of consensus based appointments
Eg: V.V. Lalit (Retd. Justice) could not conduct Collegium meeting

6) Delay in Appointment & ratification

7) Lesser number of meetings

Way ahead:

- Expedite ratification of appointments
- Evolve system for appointments in discussion with Honble SC
- Proposals not to be returned unless adequate reasons
- Develop Objective criteria.

The Honble SC in consultation with the Government can appoint a system to expedite appointments & transfers of judges in unison.

Feedback

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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 निर्देशक सिद्धांतों की गैर-प्रवर्तनीय प्रकृति को ध्यान में रखते हुए, सामाजिक-राजनीतिक मानदंडों में उनके प्रभाव की आलोचनात्मक परीक्षण कीजिए। (15 अंक, 250 शब्द)

Art 36-51 & Art 51A provides for the
Directive Principles of State Policy & Fundamental
duties in the Constitution of India.

Non-Enforceable nature:

1) The Fundamental Duties & DPSP are non-
enforceable & non-justiciable in nature by the
Constitutional Courts. Eg: Art 38 provides for
Welfare State

Impact on Social Norms & Political Norms:

1) Article 38 provides for a welfare state
thus reducing inequalities amongst the
population

2) Article 39A provides for legal aid - to the poor & vulnerable sections

Eg: National Legal Services Authority Act, 1987.

3) Article 40 provides for self-governance

Eg: 73rd & 74th CAA for Panchayats.

4) Article 43 provides for Cooperatives

Eg: 19(1)(c) - Cooperative Unions

5) Article 46 provides for empowerment of vulnerable sections of society like SC, ST's etc.

Eg: Prevention of Atrocities Act.

6) Article 48 provides for promotion of dairy farming

Eg: White revolution, AMUL

7) Art 51A provides for duties including
espousing science, history, humanity with
honour to nation Eg: Prevention of Insult to
National Honour Act

8) Art 51A (g) provides for environmental protection
Eg: Environment Protection Act, 1986

9) Art 51A provides for education between 6-14 yrs
Eg: RTE Act

10) Art 51A (j) provides for fostering international
peace

Concerns:

1) Swaran Singh Committee recommended for
legal backing of fundamental duties

Thus, India as it reaches a 5 billion economy,
must move towards legal backing & enforcement

of Fundamental Duties & DPSP's,

Feedback (For OFFICE use only)

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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. (15 marks, 250 words)

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 अंक, 250 शब्द)

Constitutional Punctuality refers to the time-bound execution & legislation of laws by constitutional authorities.

Vital role for smooth functioning:

- 1) President needs to accord sanction & approval to bills passed by the Parliament
- 2) Bills passed by one house need to be passed by the other house within 6 months
- 3) Prevents lackadaisical approach of Constitutional authorities
- 4) Timely resolution of complaints & disputes by the Chair of the Houses - Speaker & Vice-President

5) Timely resolution & deliberation on laws by Parliamentary Committees.

Remains Conspicuous by Absence:

1) Speakers do not have time limit to decide on Anti-Defection cases

Eg: Manipur case by Speaker

2) President taking unlimited time on deciding mercy petition of death row convicts

Eg: Perarivalan Case in Rajiv Gandhi murder

3) Resorting to Ordinance Route

Eg: Kerala Govt. resorted to 141 Ordinances

4) Fast passing of bills without appropriate deliberation

Eg: Farm Bills

5) Wrong passing of bills Eg: Aadhar Act as money bill

b) Pendency of cases in Constitutional courts

Eg: 4.4 crore cases pending as per Nat. Judicial Data Grid

↳ Lack of timely addressal of complaints by tribunals under Art 323A, B

↳ Time limit of 1 year on complaints to National Human Rights Commission (Ahmadi Case) & 7 years on Lokpal

Thus, Constitutional Policy making should ensure punctuality for effective law making & speedy disposal of justice under Art 21 of Constitution.

Feedback

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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।
(15 अंक, 250 शब्द)

Article 123 & 213 of the Constitution of India empowers the Government for the promulgation of ordinances

Necessity of Ordinances:

- 1) When one or both houses of the Parliament or Legislatures are not in session
- 2) Emergency legislation to be passed by Executive

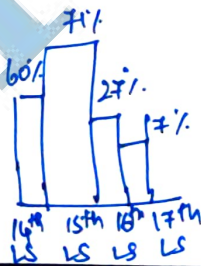
Executive Accountability:

- 1) The council of ministers including the Prime Minister are responsible individually & collectively to Lok Sabha (Article 74, 75)

2) The Prime Minister may inform the President of the administrative actions & legislations to be executed (Article 87)

Impact of Repeat Ordinances:

- 1) Repeat ordinances lead to bypassing legislature
Eg: Kerala Govt. promulgated 141 ordinances
- 2) Helps to buy time
Eg: Ordinances stay in force for maximum of 6 months
- 3) Abuse of Parliamentary Democracy
- 4) Leads to evasion of discussion by MP's
- 5) Lack of referral to Parliamentary Committees
Eg: < 17% of bills were referred in 17th Lok Sabha



Judicial Pronouncements:

- 1) DC Wadhwa vs State of Bihar.
- 2) Krishnakumar vs State of Bihar where the Supreme Court cited grounds on which ordinances could be promulgated & rejected arbitrary orders of repeat ordinances

Way Ahead:

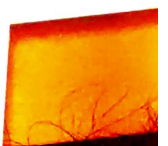
- 1) Promulgate ordinances only in extreme emergency
- 2) Referral of bills to Parliamentary Committees
- 3) Limitation on number of ordinances promulgated per year

Thus, the Ordinance making power of the Executive needs to be used judiciously & the President & the Governor need to exercise due constitutional obligation in this regard.

Feedback

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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)

The Honble Supreme Court has recognized the Right to Health as part of Article 21 of the Constitution of India Eg: Union Carbide Case.

Poor Public Health Indicators:

- 1) Stunting - 31%
 - 2) Wasting - 19%
 - 3) Anemia -
 - Male - 28%
 - Female - 57%
 - 4) Rising rates of Antimicrobial Resistance - 710%
- Out of Pocket Expenditure - 4.8%

Recognition of Health as a Fundamental Right:

- 1) Article 39, 46 and 51A (g) recognize right to health & a healthy environment

- 2) Lack of spending by the Government
Eg: 1.28% of GDP on health.
- 3) Lack of inclusion / exclusion benefits in scheme
Eg: 6.5 lakh fake subscribers to PM-JAY
- 4) Poor - primary health care services
Eg: 70% of the diseases can be treated in PHC's
- 5) Lack of connectivity to healthcare services
Eg: 14% spent on logistics
- 6) Lack of targeted health schemes
Eg: Rare Diseases - Hemophilia etc.
- 7) Lack of equipped health care personnel:
Eg: 1:1400 ratio in India against 1:1000 recommended by WHO

Statutory recognition:

- 1) Explicit recognition helps ensure enforcement as a legal right

- 2) Enforceable by the Judiciary legally.
- 3) Helps funding & procurement
- 4) Enables specialised Research & Development
Eg: 0.25% of GDP spent on R&D.

Cannot Ameliorate:

- 1) Overlap of statutory laws:
Eg: National Food Security Act to prevent hunger.
- 2) Overlap of various schemes:
Eg: MCHIS & PMJAY scheme in TN
- 3) Increases scope of unnecessary litigation
Eg: 4.4 crore pending cases in Judiciary.

Thus, the Right to Health as enshrined by the Constitution as a fundamental right is to be enforced in due letter & spirit.

Feedback

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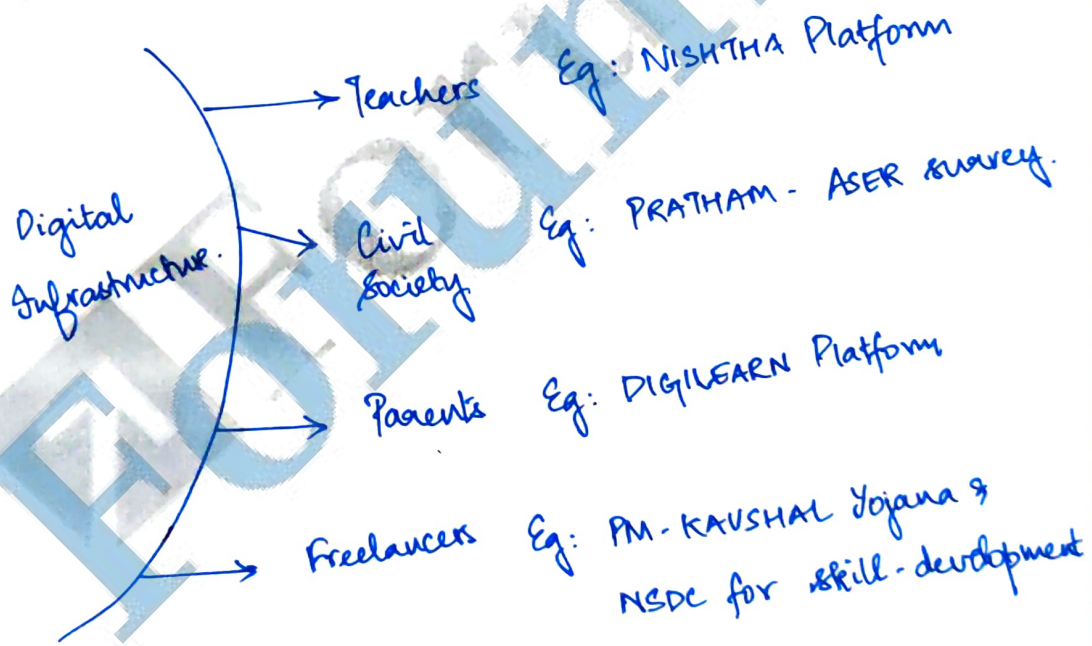
Q.16) Reforming the education infrastructure through digital interventions is a progressive step, but it has its limitations too. Comment. (15 marks, 250 words)

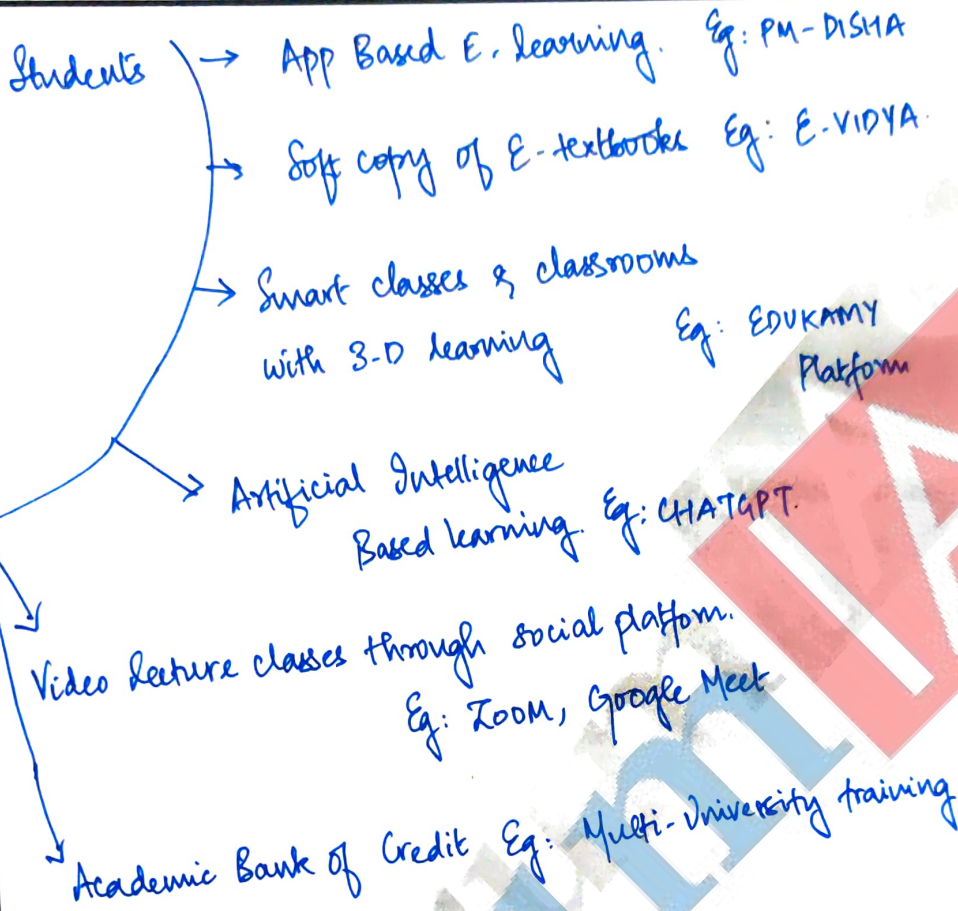
डिजिटल हस्तक्षेप के माध्यम से शिक्षा के बुनियादी ढांचे में सुधार एक प्रगतिशील कदम है, लेकिन इसकी अपनी सीमाएँ भी हैं। टिप्पणी कीजिए। (15 अंक, 250 शब्द)

The National Education Policy, 2020 envisages reforming education through digital means, providing digital literacy to aspiring students.

Reformation:

Modalities of Digital Education Infrastructure include





Progressive Step :

- 1) Ensures digital literacy of students
- 2) Promotes interactive & efficient learning
- 3) Promotes non-stop education even during COVID pandemic
- 4) Ensures simultaneous education at home set-up

Limitations:

- 1) Digital divide between rural & urban areas
Eg: 700 million internet subscribers with 25% rural & 75% urban (IAMAI)
- 2) Double discrimination for rural girls.
- 3) Poor net connectivity in rural areas Eg: Lack of 5G
- 4) Internet shutdowns frequently.
Eg: Manipur unrest, Jammu & Kashmir - 550 shutdowns in 2022
- 5) Lack of Affordability & Accessibility - 23% of population lives in poverty
- 6) Health issues - Eye Problems

Way Ahead:

- 1) Provision of smartphones, laptops by Government
- 2) Schemes like USOF Fund, BharatNET

Thus, implementation of 6% of GDP expenditure as stated by Kasturirangan Cmtee. can aid digital revolution in education to achieve SDG 4-D

Feedback

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TOTAL MARKS			

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)

The electoral bond scheme was implemented by the Union Government to ensure electoral funding for recognised political parties

Features of Electoral Bonds:

- 1) Provided by the State Bank of India on the 1st of January, April, July, October of every year
- 2) Can be drawn in multiples of 1000 up to 1 crore
- 3) Must be deposited in 14 days time or else, gets credited into PM's welfare fund
- 4) Provides only for funding recognised political parties

High on Intent:

- 1) Electoral bonds were used as a mechanism to account credits to political parties
- 2) Prevents diversion of Black money for political funding
- 3) Can track the person who credited using State Bank of India.
- 4) Large-scale companies can buy electoral bonds for political parties, exempted from taxation
- 5) Can be contributed as part of CSR funding
- 6) Brings credibility to the donations to political parties
- 7) Prevents large-scale transactions of money. (hard cash)
- 8) Promotes E-governance & prevents fraud (SWIFT portal)

Down on Substance:

- 1) Promotes anonymity of funders
- 2) Large-scale funding of political parties by corporates
- 3) May promote black money transactions
- 4) Makes buying electoral bonds, a cumbersome process
- 5) Can be purchased only 4 times a year.
- 6) Must be deposited within 14 days

Way Ahead:

- 1) Govt. must bring amendments to electoral bonds
- 2) Bring transparency to the funders & their details
- 3) Not allow CSR funding of electoral bonds

Thus, electoral bonds though brought in as a reform, have been put to litigation at the Supreme Court & doubts on its opaque nature must be removed from the veil.

Feedback

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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)

AMA1 data provides that there are nearly 700 million internet subscribers & 1.1 billion smart phone users in India.

Data Revolution: Need

- 1) Widespread smartphone usage has revolutionized data with increasing contributions from sectors.
- 2) High speed internet with minimal latency (<0.1ms)
Eg: 5G net
- 3) Spread to both urban & rural areas.
Eg: 75% of urban users.
- 4) Low cost of data services in India.
Eg: Rs 10 pack of 2G.
- 5) Large scale evolution of data.
Eg: Blockchain technology, Quantum computing.

Use of Digital tools in Welfare Programmes:

- 1) Promotes corruption free E-governance.
Eg: TRR-SEVA, postal.
- 2) Promotes economic & marketing empowerment
Eg: e-NAM markets in farming.
- 3) Promotes educational services
Eg: GYANDOOT app.
- 4) Prevents red-tapism in bureaucracy.
Eg: CPGRAMS grievance redressal.
- 5) Promotes ownership & empowerment.
Eg: PM-SVANIDHI scheme & DILMRP
- 6) Promotes minority & skilling schemes
Eg: Abi ROSHNI, NSDC.
- 7) Promotes financial inclusion
Eg: Jan. Ahan. Aadhar, Mobile trinity.
- 8) Promotes healthcare services
Eg: Ayushman Bharat Digital Mission.

Advantages:

- 1) Easier access to public services
- 2) Prevents corruption & red-tapism.
- 3) Promotes E-governance.

Limitations:

- 1) Urban vs Rural digital divide
- 2) Less than 1.1 Billion smartphone users
- 3) Poverty stricken 271 million people who cannot afford.
- 4) Lack of digital expertise & literacy on usage.

Article 38 of the Constitution envisages a Welfare state and the Hyderabad Declaration & Nagpur Resolution on E-governance are welcome move to ensure public service delivery.

Feedback

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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 बहुकेंद्रीत विश्व व्यवस्था के लिए भारत की खोज का प्रतिबिंब है, जहां विश्वव्यापी दक्षिण की आवाज को मुख्यधारा में रखा जाए, दबाया न जाए। स्पष्ट कीजिए।
(15 अंक, 250 शब्द)

Recently, the Honble Prime Minister of India raised a proposal for inclusion of the African Union as a special invitee and the 21st member of the G-20.

Presidency of G20:

- India undertook the G-20 presidency from the Koika, last November 2022.

- Significance includes - Presidency of Wassenaar Agreement

- Presidency of Shanghai Cooperation Organisation

- Presidency of Missile Technology Control Regime

Data: G20 comprises 85% of the trade, 75% of the population of the global world.

G20, a reflection of Just & Polycentric World Order:

- 1) Equal importance to developed & developing:
Eg: African Union & USA as member.
- 2) As a countermeasure to the Chinese Aggressive Policy of domination single handedly.
- 3) Dialogue mechanism for wars
Eg: Indian PM offered to mediate Russia-Ukraine war
- 4) Increasing Globalization & trade ties
Eg: Global Minimum tax of 15% accepted by G20.
- 5) Special invitation to developing countries
Eg: Egypt was invited as a special invitee by India.

b) Environmental concerns:

Climate funding mechanism based on Polluter Pays Principle to safeguard developing countries

7) Voice of Global South:

India acts a voice of the least developing & developing countries in raising issues globally.

Concerns:

1) Non-cooperation of nations
Eg: Egypt did not attend the G20 Committee on Housing

2) No permanent Charter of Goals

3) Could not prevent Russia-Ukraine War.

4) Alternate Polycentric alliances Eg: SCO

Thus, the G20 acts as a voice of the Global North & South under the goals of one Global.

World - "Vasudhaiv Kutumbakam"

Feedback

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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)

The USA and China have long been engaged in a trade war with significant counteractive geo-strategic & political interests.

Impact on India:

- 1) Defence: Rising closeness of India with United States may create animosity towards China leading to non-resolution of border disputes.
- 2) Trade: India has negative trade balance with China & this may prompt India to curb imports.
- 3) Alliances: Russia-China-Pakistan axis on one hand while India turns closer to United States.

Shadow on India's strategic interests:

1) China's debt trap diplomacy

Eg: Hambantota port in Sri Lanka leased to China for 99 years

2) China's CPEC corridor & Belt & Road Initiative:
Eg: Counter India's influence.

3) China's maritime strategy of String of Pearls
Eg: Gwadar, Chabahar Ports

4) China's Aggressive Policy - One China Policy.

Eg: United States supporting Taiwan's autonomy may lead to Taiwan-China War impairing trade with India.

5) China's Salami Slicing policy:

Eg: Disputes on South China Sea between Japan & China where China tries to acquire newer territories

India's counterschemes :

- 1) SAGAR Initiative - Security provider in the Indian Ocean.
- 2) Increasing engagement with African countries
- 3) Multiple plurilaterals - Eg: Russia-India-China axis
- 4) Chain of Diamonds Maritime Strategy
- 5) Lobbying as part of G4 to become permanent member of UN
- 6) Atmanirbhar Bharat Strategy to reduce Chinese imports.

Thus, India through its Neighbourhood First Policy & Gujral doctrine prioritizes its geostrategic interests aiding in security & growth in the Indo-Pacific region.

Feedback

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