

PYQ Vault

560

questions

50

days

10 yrs

of PYQs

DAY 19

Organs of Government · 13 questions

Every question carries a Flow Snapshot — and a handwritten model answer on the channel. **No PYQ will be unfamiliar.**

PREVIOUS YEAR QUESTION

UPSC 2016 · 15 marks

Critically examine the role of Governor in recent times.

FLOW SNAPSHOT — how the answer moves

Intro routes

R1 Constitutional head + Union–State link → **Sarkaria**: “sentinel and vital link” / **Ambedkar**: representative of the people, not a party
R2 Office “acutely controversial” (**Austin**) → recent conduct departs from constitutional design

Body flow

Departure clearest in government formation (Goa, Manipur → BJP invited over single-largest Congress; Karnataka → SC shortens majority window) → Article 356 strain (Uttarakhand recommendation overturned by HC) → delayed assent (Tamil Nadu) → **Kothari**: Governor as instrument of the Centre

Counter-view

Judiciary narrows the discretion → **Bommai** (floor test, 356 reviewable) → **Nabam Rebia** (reason, caution, good faith)

Conclusion routes

R1 Reform path: neutral appointment, fixed tenure, CM consultation, time-bound assent
R2 Governor as guardian of constitutionalism + cooperative federalism, not a partisan actor

The Governor is the constitutional head of the state and the link between the Union and the state. The Sarkaria commission called the office "a constitutional sentinel and a vital link between the Union and the State."

B.R. Ambedkar saw the governor as the representative of the people, not of a party. Recent conduct, however, has moved far from this design, making the office, in Granville Austin's words "acutely controversial".

In Goa and Manipur the Governor invited the BJP though the Congress was the single largest party. In Karnataka the long time given to prove majority was shortened by the Supreme Court. Article 356 shows the same problem: in Uttarakhand the President's Rule recommendation before a trust vote was overturned by the High Court. In Tamil Nadu, delay in assent to bills raised federal concerns. Rajni Kothari saw the governor as a potential instrument of the Centre.

The judiciary has tried to narrow this discretion. S.R. Bommai requires a floor test and makes Article 356 reviewable, while Nabam Rebia demands reason, caution and good faith.

The remedy lies in neutral appointment, fixed tenure, consultation with the Chief Minister and time-bound assent. The Governor must guard constitutionalism and cooperative federalism, not partisan power.

PREVIOUS YEAR QUESTION

UPSC 2017 · 15 marks

How is the President of India elected? Outline the salient characteristics of the electoral college of the Indian President.

FLOW SNAPSHOT — how the answer moves

Intro routes

R1 Anchor in text: Art 54 (election) + Art 55 (manner) → President indirectly elected → a constitutional head, not a popularly-mandated executive → **Ambedkar**: the President is “the head of the state”, not of the executive — represents the nation but does not rule it

R2 Read the electoral college as a federal device → Union Parliament + State Assemblies vote together → the office mirrors the Union-State balance, not a popular majority

Body flow

Composition: elected MPs (both Houses) + elected MLAs of all States + Delhi and Puducherry Assemblies (70th Amendment) → nominated members and MLCs excluded → proportional representation by single transferable vote, secret ballot (Art 55(3)) → twin principles: uniformity among States + parity between the States and the Union → $\text{MLA vote} = (\text{State population, 1971 census} \div \text{elected MLAs}) \div 1000$; $\text{MP vote} = (\text{total MLA votes} \div \text{elected MPs})$ → win = 50% of valid votes + 1 → disputes → Art 71 → Supreme Court, final

Counter-view

The design draws criticism: “uniformity” is now notional → vote values still pegged to the 1971 census (84th Amendment) while State populations diverge → the federal mirror is only partial (most UTs excluded) → indirect election + intricate formula give legitimacy but no popular mandate

Conclusion routes

R1 The electoral college is a deliberate design — indirect + federal + proportional → a President who is a pan-Indian symbol with Union-and-State legitimacy, not a rival power centre

R2 It balances democratic legitimacy with the parliamentary scheme → reform debates (census basis, UT inclusion) refine the edges, but the core logic holds

The welfare state in advanced industrial societies was built to guarantee social rights. Leonard Hobhouse redefined liberty to include positive welfare and made distributive justice a duty of the state.

The post-war consensus, drawing on John Maynard Keynes, combined economic planning with social justice. Neoliberalism inverted this purpose, repositioning the state to serve the market rather than shield citizens from it.

By the 1980s the New Right under Margaret Thatcher & Ronald Reagan challenged this consensus. They rolled back intervention and favoured privatisation and free markets, with Friedrich Hayek's case against planning as intellectual ground.

Globalization hardened the shift. Bob Jessop's "hollowed-out" state - outsourcing and public-private partnerships - shows a State retooled around competitiveness. Structural adjustment programmes dismantled welfarism & deepened inequality.

The reconfiguration is not total. Paul Hirst and Grahame Thompson call the death of the nation-state exaggerated. New institutionalists like Linda Weiss show that domestic institutions mediate global pressure and may even strengthen the state.

The welfare state's purpose has shifted from securing social rights to enabling competitiveness, yet it is transformed, not abolished.

PREVIOUS YEAR QUESTION

UPSC 2017 · 20 marks

Judiciary has acquired the role of both, a legislature and an executive in recent years. Examine with suitable examples.

FLOW SNAPSHOT — how the answer moves

Intro routes

R1 Core judicial role = adjudication + constitutional review, not law-making/administration → but Arts 32, 226, 136, 142 + PIL pull courts into both → filling gaps or replacing elected branches?

R2 Claim partly real → judiciary has stepped into legislative + executive space → where does activism end and overreach begin?

Body flow

Legislature side: Vishaka guidelines = binding law till the 2013 Act → Article 142 directions (khap panchayats, firecrackers) read like statutes → Unnikrishnan / Mohini Jain expand Art 21 to education → courts doing legislation's work. **Executive side:** Prakash Singh enters police-reform domain → M.C. Mehta pollution standards, forest governance, 2G → continuing mandamus = sustained supervision, court acts like executive

Counter-view

Baxi defends activism as social justice (chemotherapy of carcinogenic politics) vs **Pratap Bhanu Mehta** (courts as political institutions, basic structure expands power) + **Shunmugasundaram** (judges ≠ legislators/administrators) → democratic deficit: unelected, no policy accountability

Conclusion routes

R1 Claim partly true → courts entered both domains, but mainly where elected branches defaulted

R2 Activism legitimate when it protects rights / fills gaps → overreach when judges replace, not prompt, legislature/executive

The judiciary's core function is adjudication and constitutional review, not ordinary law-making or administration. Yet through Articles 32, 226, 136 and 142, & the PIL route, Indian courts have entered both domains.

The legislative role is clearest in *Vishaka vs. State of Rajasthan* (1997), where the court framed sexual harassment guidelines that worked as binding law until Parliament passed 2013 act. In *Unnikrishnan and Mohini Jain*, Article 21 was expanded to cover education. These rulings did the work of legislation.

The executive role is equally visible. In *Prakash Singh*, the court entered the government's domain of police reform. The *M.C. Mehta* cases set pollution standards, while forest governance and the 2G cancellation showed courts shaping administration. Through continuing mandamus, judges supervise agencies for long periods, acting like an executive.

This expansion has defenders. Upendra Baxi treats such activism as social justice, even a chemotherapy for carcinogenic politics. Against this, Pratap Bhanu Mehta cautions that courts can become political institutions expanding their power through the basic structure.

R. Shunmugasundaram argues that judges cannot become legislators or administrators. The deeper worry is democratic: judges are unelected and lack policy accountability.

The claim is partly true. Courts have taken on legislative and executive functions, but largely where the elected branches failed to act. Such activism is legitimate when it protects rights and fills constitutional gaps. It becomes overreach only when judges replace the legislature or executive rather than prompting them.

PREVIOUS YEAR QUESTION

UPSC 2018 · 15 marks

Do the Lieutenant Governors have more powers than the Governors of the States? Explain.

FLOW SNAPSHOT — how the answer moves

Intro routes

R1 Two offices, different constitutional design → no flat yes/no → answer turns on which UT

R2 Governor = constitutional head (Art 153, Part VI, Art 163 discretion) vs LG = President's administrator (Art 239) → built-in asymmetry

Body flow

Governor: advice-bound, limited discretion → LG: Centre's role stronger → Delhi Art 239AA carves out public order / police / land from the Assembly → LG wider reach than a state Governor here → SC accepts greater power in reserved subjects → but bounded by constitutional morality + no mechanical referral to President

Counter-view

Edge not uniform → Puducherry (239A) lacks the same restrictions → Andaman LG only administers (no legislature) → **Khosla**: office for crises, not to displace an elected govt → **Kashyap**: no authority supreme

Conclusion routes

R1 "More powers" holds only for Delhi's reserved subjects, not as a general rule

R2 Asymmetry is territory-specific → LG stronger where the Constitution carves out space; elsewhere the Governor remains the model

The Governor and the Lieutenant Governor occupy different constitutional positions. Under Article 153 the Governor is the constitutional head of a state under Part VI, acting generally on the advice of the Council of Ministers, with limited discretion under Article 163.

The lieutenant governor, by contrast, is an administrator under Article 239 - an agent of the President in a Union Territory, where the Centre's role is stronger.

This gives the Lieutenant Governor greater reach in particular settings. Article 239 AA places public order, police and land outside the Delhi Assembly's competence, and on these subjects the LG carries a wider role than any state governor.

The Supreme court accepted that the Delhi LG holds more power than a state Governor in these reserved areas, but held that he must act with constitutional morality and cannot refer every matter mechanically to the President.

Yet this edge is not general. In Puducherry under Article 239 A those restrictions do not apply, while the Andaman LG administers a territory without a legislature. As Madhav Khosla notes, such an office exists to handle constitutional crises, not to displace an elected government and Subhash Kashyap stresses that no authority in a democracy is supreme. The LG thus holds greater powers in Delhi-specific matters, not across all Union Territories.

PREVIOUS YEAR QUESTION

UPSC 2019 · 15 marks

Prime Minister's Office (PMO) has emerged as the most powerful institution in India. Discuss.

FLOW SNAPSHOT — how the answer moves

Intro routes

R1 Extra-constitutional, recognised only under the Allocation of Business Rules → PM (political) + Principal Secretary (admin) → “most powerful” claim rests on growth beyond the brief

R2 PMO built only to assist the PM → real weight has outgrown that mandate → power is real, but not institutionally supreme

Body flow

Strength tracks PM's style/mandate → modest (Nehru) → decision-centre (Indira) → strong again (Modi, single-party majority) → **Gupta + Jaffrelot**: centralisation tied to mandate → appointments + flagship programmes + foreign policy + crisis management → rivals Cabinet Secretariat + erodes ministerial autonomy + parallel cabinet → **Baru**: court-like concentration around the PM

Counter-view

Power derivative + conditional → shrank under coalitions (Manmohan Singh) → no independent constitutional standing → dominance only mirrors executive centralisation → **Arendt**: concentration weakens plurality + collective responsibility

Conclusion routes

R1 PMO's rise = personalisation / centralisation of executive power, not the supremacy of an autonomous institution

R2 Democratic balance needs Cabinet deliberation + transparency + a restored Cabinet Secretariat role

The Prime Minister's office is an extra-constitutional body, recognised only under the Allocation of Business Rules. It is headed politically by the PM and administratively by the Principal Secretary and exists the PM.

Its real weight has grown beyond this modest brief and the claim that it has become India's most powerful institution rests on that growth.

The PMO's strength has always tracked the PM's style and mandate. It remained modest under J.L. Nehru, became the centre of decision-making under Indira Gandhi and grew strong again under Narendra Modi after a single-party majority.

Smita Gupta and Christophe Jaffrelot read this as centralisation tied to such a mandate, visible in key appointments, flagship programmes, foreign policy & crisis management.

In this phase the PMO can rival the Cabinet Secretariat, reduce ministerial autonomy and act as a parallel cabinet. Sanjaya Baru describes this as a court-like concentration of power around the PM.

But this power is derivative and conditional. It shrank under coalition governments, as it did under Manmohan Singh. The PMO has no independent constitutional standing; its dominance mirrors how centralised the executive is.

As Hannah Arendt cautions, such concentration weakens plurality and collective responsibility. The PMO's rise therefore reflects the personalisation of executive power, not the supremacy of an autonomous institution.

PREVIOUS YEAR QUESTION

UPSC 2020 · 15 marks

Has the thrust of government tilted towards executive in contemporary Indian politics? Give your arguments.

FLOW SNAPSHOT — how the answer moves

Intro routes

R1 Parliamentary design: executive drawn from & accountable to Lok Sabha (Art 75) → overlap natural → tilt = overlap hardening into dominance

R2 Question of degree, not kind → some executive strength is built-in → locate where strength starts weakening Parliament / committees / opposition

Body flow

PM-PMO ascendancy (**Ambedkar** → Indira's Cabinet-to-PMO shift → Modi-era PMO centrality) → executive law-making bypass (**Mehta** on ordinances → Krishna Kumar Singh 2017 → Money Bill / Aadhaar route) → Parliament's decline (sitting days 120 → 58, 16% of Bills to committees → **Hewitt & Rai**: weak committee scrutiny → party whip → **Khaitan**: accountability crisis → **Shah**: elected autocracy)

Counter-view

Checks still bite: 2008 nuclear-deal confidence vote, coal-block cancellation, Money Bill review (**Chandrachud, Bhushan**) → **Abraham**: responsible govt needs a functional Parliament

Conclusion routes

R1 Tilt is real, but separation of powers negotiated, not rigid; the parliamentary form = basic structure

R2 Executive strength aids governance; the danger is unchecked dominance, not strength itself

India's constitution builds a parliamentary government in which the executive is drawn from and accountable to the Lok Sabha under Article 75. Some overlap between the two organs is natural

The tilt towards the executive begins where this overlap hardens into dominance – where executive control weakens Parliament, its committees, the opposition and autonomous institutions.

Authority has shifted to the PM and the PMO. Dr. B.R. Ambedkar observed that if any Indian functionary resembled the U.S. President, it was the PM. Indira Gandhi moved decision-making from the Cabinet to the PMO, producing prime ministerial government. Under Narendra Modi, a single-party majority revived this pattern, with the PMO central to policy and administration.

Pratap Bhanu Mehta links excessive ordinances with executive dominance.

Parliament's own decline reinforces this. Sitting days fell from around 120 a year in 1952-1972 to about 58 in the 17th Lok Sabha, and only 16% of its bills went to committees. Vernon Hewitt and Shirin Rai find committee scrutiny weak under government control, while party whip disciplines members.

Khaitan observes that "a crisis of executive accountability is a crisis of holding the ruling party to account," and Justice A.P. Shah cautions against a drift to elected autocracy.

Checks still operate. The 2008 confidence vote on the civil nuclear deal, the judicial cancellation of coal block allocations and the review of Money Bill certification by Justice D.Y. Chandrachud and Justice Ashok Bhushan show accountability surviving.

The thrust has tilted towards the executive, but India's separation of powers remains negotiated, not rigid & parliamentary form is part of the basic structure.

PREVIOUS YEAR QUESTION

UPSC 2021 · 15 marks

Examine the evolution of the jurisdiction of the Supreme Court of India as a constitutional court.

FLOW SNAPSHOT — how the answer moves

Intro routes

R1 1950 founding → five jurisdictions (131 original, 136 appellate/SLP, 143 advisory, 32 writ, 137 review) → constitutional guardian; Art 32 = protector of FRs (**Ambedkar**, “soul”)

R2 SC born as a court of defined jurisdictions → examine the shift towards a constitutional court that guards *and* shapes the Constitution

Body flow

Guardian role + Art 32 / **Ambedkar** → early restraint (Gopalan, Shankari Prasad, Sajjan Singh) → Golak Nath limits amending power over FRs → Kesavananda basic structure → constituent power scrutinised → Maneka expands Art 21 / substantive review → S.P. Gupta widens locus standi + PIL / access → Arts 136 + 142 / complete justice → Bommai, Minerva Mills, Coelho → review over federalism, amendments, the Ninth Schedule

Counter-view

Nariman: guardians of the Constitution → guardians over it (basic-structure expansion risks overreach)

Conclusion routes

R1 From enumerated jurisdictions → a constitutional court that both protects and shapes the Constitution

R2 Evolution as a *widening* of jurisdiction, not a break from text → the guardian became a shaper while staying anchored in the Constitution

The Supreme Court began in 1950 as the Constitution's guardian, vested with original jurisdiction under Article 131, appellate jurisdiction including special leave under Article 136, advisory jurisdiction under Article 143, writ jurisdiction under Article 32, and review jurisdiction under Article 137.

Article 32 made it the protector of Fundamental Rights; Dr. B.R. Ambedkar called it "the very soul of the Constitution and the heart of it."

In its early years the Court was textual and restrained deferring to Parliament in *A.K. Gopalan*, *Shankari Prasad* and *Sajjan Singh*. Assertion came with *Golak Nath* (1967), which limited Parliament's power to abridge FRs, and *Kesavananda Bharati* (1973), which created the basic structure doctrine and placed constituent power itself under judicial scrutiny.

The role then deepened. Maneka Gandhi (1978) expanded Article 21 and opened substantive review. S.P. Gupta (1981) broadened locus standi and enabled PIL, widening access. Articles 136 & 142 extended its reach to do complete justice, while S.R. Bommai, Minerva Mills and I.R. Coelho carried review into federalism, amendments and the 9th Schedule.

Such expansion invites caution. According to Fali S. Nariman, the guardians of the Constitution may become guardians over it. Yet the trajectory is clear: from a court of defined jurisdictions, the SC has grown into a constitutional court that both protects and shapes the Constitution.

PREVIOUS YEAR QUESTION

UPSC 2022 · 10 marks

Legislative Council is a house without any effective powers. Comment.

FLOW SNAPSHOT — how the answer moves

Intro routes

R1 Art 169 (creation/abolition) + Art 171 (composition) → secondary chamber, weaker than even the Rajya Sabha → charge has force, but “without any” overstates

R2 Take the claim head-on → test the absolute “without any” → concede weakness on decisive power, deny total powerlessness

Body flow

Critique holds → ordinary Bills: delay only (3 months → 1 month, Assembly final say) → Money Bills: cannot originate, only recommend → no no-confidence, no control over executive → but not powerless → revising + deliberative chamber, checks hasty legislation (**Ambedkar**) → members can be ministers / Chief Minister → political weight

Counter-view

Wheare + Austin: weak duplication → others: a costly refuge for defeated politicians

Conclusion routes

R1 Powers limited, not absent → advisory worth is real → turns on better composition + genuine scrutiny

R2 Claim true on decisive power, overstated as a whole → value is deliberative, contingent on reform

The Legislative Council is the upper house in some states, created or abolished under Article 169 and composed under Article 171. As a secondary chamber, weaker than even the Rajya Sabha, the charge carries force - yet calling it powerless overstates the position.

On effective power the criticism holds. Over ordinary bills the council can only delay - 3 months at first, 1 month thereafter. Money bills cannot originate here; it may merely recommend changes the assembly can reject. It also cannot move a no-confidence motion or remove the ministry, so it exercises no control over the executive.

But "without any powers" goes too far. It remains a revising and deliberative chamber that checks hasty legislation, a role B.R. Ambedkar defended.

Its members may become ministers, or even CM, giving it political weight.

Critics like K.C. Wheare and Granville Austin still see it as a weak duplication and others as a refuge for defeated politicians.

Its powers are limited, not absent; its worth depends on better composition and genuine scrutiny.

PREVIOUS YEAR QUESTION

UPSC 2022 · 15 marks

The Speaker represents the freedom and dignity of the House. Examine.

FLOW SNAPSHOT — how the answer moves

Intro routes

R1 Speaker = constitutional head of the Lok Sabha (Art 93) → presides over the whole House, not a party/constituency → office embodies its freedom + dignity

R2 Echoes **Nehru's** framing → Speaker as symbol of the House's (and nation's) freedom + dignity → holds in design, must be tested in practice

Body flow

Art 93 position → presides over the whole House → protects privileges, regulates proceedings, admits motions, certifies Money Bills, joint sittings (Art 108) → salary on the Consolidated Fund → independence from executive → **Nehru**: symbol of the nation's freedom/liberty, needs impartiality

Counter-view

Elected on a party ticket + retains party links → Tenth Schedule quasi-judicial role → bias charges (defection cases, Aadhaar Money Bill) → *Kihoto Hollohan* (1992): decisions open to judicial review

Conclusion routes

R1 Dignity + freedom real in design, realised only through neutrality in practice

R2 Holds as an ideal; partisanship is the gap; neutrality conventions + an independent defection mechanism make it true

The Speaker is the constitutional head of the Lok Sabha, established under Article 93 and presides over the whole House rather than any party or constituency. In this sense the office embodies the collective freedom and dignity of the chamber.

The speaker protects the privileges of members, regulates proceedings, admits motions, certifies Money bills and presides over joint sittings under Article 108. The salary charged on the consolidated fund secures the office from executive pressure.

J.L. Nehru held that the Speaker symbolises the freedom and liberty of the nation & should be a person of "outstanding ability and impartiality".

Elected on a party ticket and often retaining party links, the Speaker's quasi-judicial role under the 10th Schedule has invited charges of bias, as in defection cases and the certification of the Aadhaar Money Bill. In *Kihoto Hollohan* (1992) the court made such decisions open to judicial review.

The office therefore carries the dignity and freedom of the House in design, but realises it only through neutrality in practice.

PREVIOUS YEAR QUESTION

UPSC 2023 · 15 marks

Do you agree that over the years the Supreme Court has become a forum for policy evolution? Justify your answer.

FLOW SNAPSHOT — how the answer moves

Intro routes

R1 Court moved from dispute-settler to policy-shaper → “Supreme Court of India” to “Supreme Court for India”

R2 PIL + an expanded Article 21 turned adjudication into governance → a policy forum emerges

Body flow

PIL opens governance + *Maneka Gandhi* expands Art 21 (dignity, fair procedure) → *M.C. Mehta* (environment / regulatory standards) → *Vishaka* (→ 2013 workplace harassment law) → *Unnikrishnan* / *Mohini Jain* (→ RTE) → *Puttaswamy* (→ privacy / data governance) → criminal-justice directions (police, prisons, remission) into the executive domain → **S.P. Sathe**: courts shaped environmental + social policy

Counter-view

Democratic deficit → policy needs deliberation + expertise → unelected judges strain the separation of powers

Conclusion routes

R1 Qualified yes: a policy forum, legitimate where rights were at stake

R2 Agree, but the Court must not replace elected policy-making

The Supreme Court has moved from settling disputes to shaping public policy. The shift from a "Supreme Court of India" to a "Supreme Court for India" captures this changed role.

Two routes made this possible. PIL opened the court to questions of governance and the expanded reading of Article 21 in Maneka Gandhi brought dignity and fair procedure within its reach.

This is visible across policy fields. The M.C. Mehta cases set environmental and regulatory standards; Vishaka led to workplace harassment law of 2013; Unnikrishnan and Mohini Jain shaped the right to education and the RTE framework.

Puttaswamy built the constitutional base for privacy & data governance; and directions on police reform, prison conditions & remission entered the executive's domain. As S.P. Sathe notes, the Court has shaped environmental and social policy.

Critics see a democratic deficit here. Policy needs deliberation & expertise and unelected judges deciding it strains the separation of powers.

The Court has become a forum for policy evolution - legitimate where rights were at a stake, but it should not replace elected policy-making.

PREVIOUS YEAR QUESTION

UPSC 2024 · 10 marks

Relevance of the Legislative Council in 150 words

FLOW SNAPSHOT — how the answer moves

Intro routes

R1 Upper House, Art 169 + 171 → weak chamber: delays not blocks, no executive control → relevance rests on *function*, not *force*

R2 Open from the redundancy charge → can a near-powerless second chamber still matter? → yes, but only on functional grounds

Body flow

Revising chamber, second thoughts on hasty Assembly decisions (**Ambedkar**) → widens representation: teachers, graduates, local authorities, nominated experts → expands political space for those shut out of other elected bodies (**Yogendra Narain**) → critics find this value thin

Counter-view

Weak duplication (**Wheare** + **Austin**) → a chamber of political patronage (**Kothari**)

Conclusion routes

R1 Relevant, but only conditionally → needs better composition, real scrutiny, no refuge for defeated politicians

R2 Relevance is latent, not automatic → reform turns a delaying house into a deliberative one

The Legislative Council is the Upper House in some state legislatures, created under Article 169 and composed under Article 171. It can delay ordinary legislation but cannot block it, and it exercises no control over the executive. Its relevance, therefore, rests on function rather than force.

As a revising chamber, it allows second thoughts on hasty decisions of the Assembly. Dr. B.R. Ambedkar defended second chambers as a check against hurried legislation. It also widens representation, bringing in teachers, graduates, local authorities and nominated experts. Yogendra Narain notes that the Council expands political space for those who cannot enter other elected bodies.

Critics, however, find this value thin. K.C. Wheare & Granville Austin saw it as a weak duplication, while Rajni Kothari treated it as a space of political patronage.

The council thus remains relevant, but only conditionally – provided its composition improves, scrutiny becomes real and it stops serving as a refuge for defeated politicians.

PREVIOUS YEAR QUESTION

UPSC 2025 · 20 marks

Parliamentary committees are indispensable to the legislative process. It provides for the opportunity for cross-pollination between the two chambers of the Parliament. Discuss.

FLOW SNAPSHOT — how the answer moves

Intro routes

R1 Wilson: committee-rooms = “Congress at work” → full House short on time, hit by disruption → detailed work shifts to committees

R2 Legislative load too heavy for the floor → Articles 105 & 118 empower committees → real scrutiny moves off the House floor

Body flow

Constitutional base (Art 105/118) → depth via DRSCs (post-1989): technical scrutiny + expert input + non-partisan → financial control: PAC (**Morris-Jones**), Estimates, CPU guard public money → **Chakshu Roy**: identify issues, suggest solutions, flag gaps → reports aid interpretation (**Kalpana Mehta**) → cross-pollination: joint + departmental committees seat both Houses together → Lok Sabha ↔ Rajya Sabha shape a Bill together

Counter-view

Referrals collapse 71% (15th LS) → 16% (17th LS) → farm laws bypass scrutiny → short tenure, weak attendance, non-binding reports → **Pratap Bhanu Mehta**: weak committees feed executive centralisation

Conclusion routes

R1 NCRWC: send all major Bills to DRSCs → restored committees secure law quality + inter-chamber collaboration

R2 Indispensability real but neglected in practice → revival = better laws + genuine cross-pollination between the Houses

Woodrow Wilson captured the point when he said that "Congress in its committee-rooms is Congress at work." The same holds for the Indian Parliament. The full House, pressed by time and frequent disruption, cannot examine every bill in detail.

Committees, drawing authority from Articles 105 & 118, do this quieter work - scrutinising bills, budgets and executive action away from the floor.

Their first contribution is death. Departmentally Related Standing Committees, set up after 1989, allow technical scrutiny, expert interaction and non-partisan discussion. Financial committees deepen accountability: the Public Accounts Committee, which W.H. Morris-Jones saw as a deterrent against waste, the Estimates Committee and the Committee on Public Undertakings together guard public money.

Chakshu Roy notes that committees identify pressing issues, suggest solutions and highlight gaps in implementation. Their reports even aid statutory interpretation, as recognised in *Kalpana Mehta vs. Union of India*.

The question's second claim is equally important. Joint & departmentally related committees bring members of both houses to a common table. This produces real cross-pollination between Lok Sabha and Rajya Sabha, letting members of both chambers shape a bill together.

Yet practice tells a different story. Referral of bills fell from 71% in the 15th Lok Sabha to 16% in the 17th Lok Sabha; major measures like the farm laws were passed without it.

The NCRWC therefore urged that all major bills go to standing committees. Restored to that role, committees remain indispensable; to better laws and to genuine collaboration between the two Houses.

PREVIOUS YEAR QUESTION

UPSC 2025 · 15 marks

Examine the constitutional provisions and nature of advisory jurisdiction of Supreme Court of India. Evaluate your answer with relevant examples.

FLOW SNAPSHOT — how the answer moves

Intro routes

R1 Art 143 = source of advisory jurisdiction → origin in Sec 213(1), GoI Act 1935 / Federal Court → a consultative, non-binding power

R2 Executive seeks the Court's opinion on a constitutional question *before* a dispute arises → located in Art 143(1)–(2)

Body flow

143(1): question of law/fact, public importance, existing or likely → Court may report → opinion advisory, not binding → 143(2): disputes barred from Art 131 → broad: not limited to President's functions, covers law or fact, even future questions → meant for exceptional cases → Court's discretion under 143(1) to decline → *Delhi Laws Act Reference* 1951 (first; delegated legislation) → *Kerala Education Bill* 1957 (minority rights, education) → *Keshav Singh* (advisory but great weight)

Counter-view

Value vs misuse → sparing use removes doubt early + prevents unconstitutional action ↔ overuse → becomes a political forum + burdens ordinary justice

Conclusion routes

R1 Legitimate when used sparingly → settles constitutional doubt early, keeps government within the Constitution

R2 A consultative aid, not a political shortcut → discretion + restraint preserve its value

Article 143 gives the Supreme Court its advisory jurisdiction. The power is traceable to Section 213(1) of the Government of India Act, 1935, under which the Federal Court performed a similar function. It lets the executive obtain the Court's opinion on a constitutional question before a dispute arises.

Under Article 143(1), the President may refer any question of law or fact of public importance, whether already existing or likely to arise, where it is expedient to seek the court's opinion. The court may report its opinion, but the opinion is advisory, not binding. Article 143(2) allows the President to refer disputes otherwise barred from the Court's jurisdiction under Article 131.

The nature of the power is broad. A reference need not concern the President's own functions, may cover law or fact and may even address a future question.

Yet it is meant for exceptional situations and the Court keeps discretion under Article 143(1) to decline.

Examples show its reach. The Delhi Laws Act Reference 1951 was the 1st reference, on delegated legislation; the Kerala Education Bill 1957 concerned minority rights in education; Keshav Singh's case confirmed that the opinion, though advisory, carries great weight.

Used sparingly, it settles constitutional doubt early & helps government avoid unconstitutional action. Overused, it risks becoming a political forum and burdening ordinary justice.

PSIR OPTIONAL 2026

PROGRAMS COMMENCING IN JULY

ATS 2026 (BATCH 3)

05 JULY

ATS 2026 (BATCH 4)

19 JULY

ATS 2026 (BATCH 5)

26 JULY

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05 JULY

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MASTER CORE
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HIGH-QUALITY
ANSWER WRITING
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