NEXT IAS

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Registration Number : ..... **Date of Examination :** 26/02/23

Exam Centre : Old Rajinder Nagar ☑ Bhopal ☐ Online ☐

Test - 2

Code : TC072

MTS IGP Batch 2023

GENERAL INSTRUCTIONS

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.....

SUBJECT/PAPER
GENERAL STUDIES

Invigilator's Sign. : .....

NEXT
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(For filling by Examiners only)

Evaluator Code :

Q.No	Pg No.	Maximum Marks	Marks	Total
1	1			
2	3			
3	5			
4	7			
5	9			
6	11			
7	13			
8	15			
9	17			
10	19			
11	21			
12	24			
13	27			
14	30			
15	33			
16	36			
17	39			
18	42			
19	45			
20	48			
Grand Total				

Signature

MACRO COMMENTS

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6. Handover your QCA Booklet personally to the invigilator before leaving the examination hall.

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Q.1 जन प्रतिनिधित्व अधिनियम, 1951 की धारा 8 में उल्लिखित निर्योग्यता प्रावधानों में उपस्थित अस्पष्टता का समाधान करने की आवश्यकता है। चर्चा कीजिए। (150 शब्दों में उत्तर दीजिए) 10 अंक

There is a need to resolve the ambiguity in the disqualification provisions under section 8 of the Representation of People Act 1951. Discuss. (Answer in 150 words) 10 marks.

Article 327 and 328 of Indian Constitution gives the Power to Parliament and State legislature to make laws regarding elections. Representation of people act 1951, was enacted by Parliament which also deal with disqualification of members under section 8.

Ambiguity in disqualification provision under RPA, 1951

1. Regarding vacancy of seat in the house → whether a disqualified member has to vacate the seat immediately or has option to file an appeal. (Article 101 and 102)

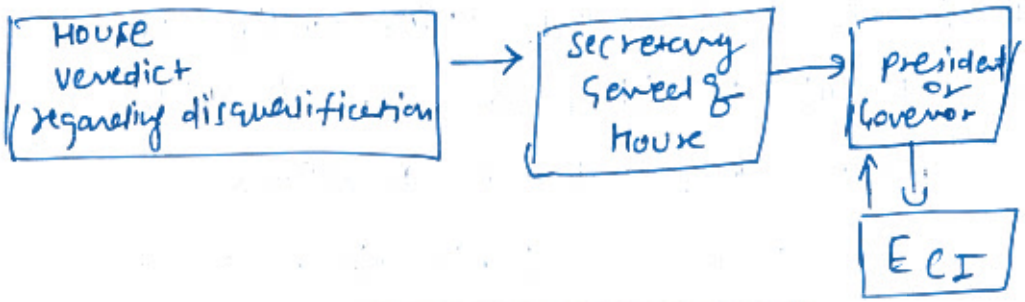
2. If the disqualified member files an appeal within 3 months of disqualification date then will she be considered as disqualified or not. (section 8(4) of RPA)

3. The time frame to decide upon the disqualification of a member is not clear.

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4. Cumbersome procedure is mentioned regarding disqualification which creates ambiguity.

Eg.



Developments regarding reducing ambguity

(1) Supreme Court in Lily Thomas case, 2013 struck down the section 8(4) of RPA which provided immunity to a disqualified member if an appeal is filed in court within 3 months.

(2) Supreme Court said, as per provision of Article 101, there is an immediate vacancy created after disqualification of a member. Eg. Rahul Gandhi case

(3) In Meghachandran case, supreme court directed Speaker of house to make decision within three months regarding disqualification. (10th schedule).

These developments are a step in right direction, however, legislative reforms are needed in order to make disqualification process clear and unambiguous.

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Q.2 संविधान मात्र एक कंकाल है जबकि संविधानवाद लोकतंत्र की आत्मा है। विवेचना कीजिए।

(150 शब्दों में उत्तर दीजिए) 10 अंक

Constitution is a mere skeleton whereas constitutionalism is the soul of democracy. Discuss.

(Answer in 150 words) 10 marks.

Constitution is a framework which outlines the rights and duties of citizen, the manner in which Government will work and type of polity.

Whereas, Constitutionalism is the way to limit the executive powers as per the provisions of Constitution. It checks the arbitrary power of government, thereby called as soul of democracy.

Constitution a mere skeleton

1. Simply outlines the provisions and procedures to be followed by legislature, Executive and judiciary wing to run the democracy. (Eg. Art 75(3))
2. Rights of citizens, their restrictions and provisions regarding their protection are clearly outlined Eg. (Article 12-35 of part III)
3. The level of interaction as well the seperation between the wings of democracy Eg. (Art 50 - Seperation of executive from judiciary)

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Constitutionalism as soul of democracy

1. Checks the authoritative / arbitrary power of the government Eg. Rule of law and Right to Equality (Article 14)

2. Refrains the Government to take away the rights from the citizens Eg. Article 32 of Constitution

3. Judiciary checks the executive or legislative actions based on the Constitution's provision (basic structure doctrine) → Keshvanand Bharti case

4. Ensures the seperation of power in order to reduce misuse of power. (Eg. Article 50)

In words of Ambedkar, "No matter how good the Constitution is, It depends on the persons who use it to make it good or bad." Therefore, Constitutionalism is the spirit which depends upon all stakeholders like citizens, judiciary and executive in order to run the democracy smoothly.

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Q.3 'चुनावी बॉण्ड एक दोधारी तलवार है, जो दानकर्ताओं को अनामिता प्रदान करता है जबकि राजनीतिक वित्तपोषण में पारदर्शिता के बारे में चिंताएँ बढ़ाता है।' चुनावी बॉण्ड ने किस सीमा तक चुनावी वित्तपोषण में अपारदर्शिता को वैध बना दिया है?

(150 शब्दों में उत्तर दीजिए) 10 अंक

"Electoral bonds are a double-edged sword, providing anonymity to donors while raising concerns about transparency in political funding." To what extent have electoral bonds further legitimized opacity in electoral funding?

(Answer in 150 words) 10 marks.

Electoral bonds are securities/bonds used to donate to political parties, introduced through Finance Bill 2017, in order to bring transparency in political funding.

Electoral bonds as double edged sword

Anonymity to donors	Concerns about Transparency
1. Bonds do not carry out the name of the donor hence anonymity to donors	Political parties in power may have access to details of ~~fund~~ donator therefore may be used for political purposes.
2. Political Parties also do not have obligation to reveal from where bond has been donated.	It is against the principle of Political funding transparency hence violates the fundamentals of democracy.

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Electoral bonds have legitimized opacity in ~~political~~ electoral funding in following ways →

(1) No restrictions to reveal the name of donor or political party

(2.) Removal of cap of 7.5% from corporate donations → will breed Ghost corporates

(3.) Removal of time period requirement of 3 years for a company to be in existance before donating to a political party

(4.) Reporting to of donation has not be decreased to 2000/- as asked by Election commission of India.

However, electoral bonds have resulted in increasing the transparency as donors are now free to donate as per their free will

Suggestions

1. Reporting of donations more than 2000/- Bond
2. Bring political parties funding under RTI
3. Applying a cap as donating limit of corporate in order to arrest round tripping.

Q.4 समान नागरिक संहिता पर बहस के केंद्र में लैंगिक समानता का प्रश्न है। इस आलोक में यूसीसी को संविधान में निहित लैंगिक समानता के साथ सामंजस्य स्थापित करने में क्या चुनौतियाँ हैं? (150 शब्दों में उत्तर दीजिए) 10 अंक

The question of gender equality is central to the debate on Uniform Civil Code. In this light what are the challenges in reconciling UCC with gender equality as enshrined in the constitution?

(Answer in 150 words) 10 marks.

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Article 44 of Indian Constitution provides for a uniform civil code for citizens of India.

UCC and gender equality

1. Personal laws like Hindu Marriage act, Succession act (or) Shariyat laws are not gender equal. Eg. Discrimination in succession and adoption for women.

2. Undermines the freedom and equality of women in personal laws like Triple Talaq in Muslim personal laws.

Therefore, there is a need to bring uniform civil code which will ensure the equal rights to women as enshrined in Constitution like Article 14, 15, 16 and 21.

However, there remains certain challenges—

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Challenges

1. UCC is against the right to religion enshrined in Article 25, 26, 27, 28.
2. It is against very ~~essen~~ idea of diversity of India.
3. Difficult to have a single common law for all citizen
   Eg. 8% Tribal population (different culture & customs)
4. Constitutional hurdle to invalidate all persaal laws existing in India Eg. Bombay High Court in 1951 had validated all personal laws.

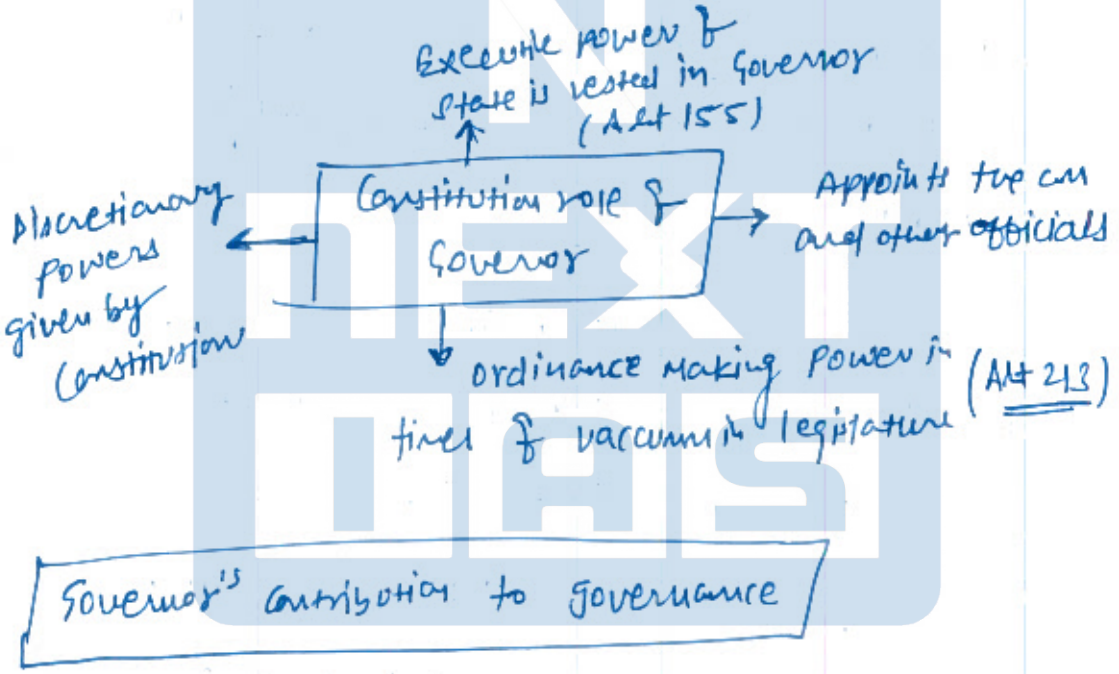
Gender Equality is integral part of India's democracy as right to freedom of religion, therefor any decision with respect to uniform Civil Code has to be taken only after wider consultation with all stakeholders of the society.

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Q.5 'राज्यपाल का कार्यालय न तो आलंकारिक है और न ही अप्रासंगिक है, यह गहन सारयुक्त संवैधानिक भूमिका निभाता है' राज्यपाल, किसी राज्य के शासन में किस सीमा तक सक्रिय रूप से योगदान देता है और देश में संघवाद के सिद्धांतों को सुदृढ़ करता है? (150 शब्दों में उत्तर दीजिए) 10 अंक

'The Governor's office is neither decorative nor inconsequential, it assumes a constitutional role of profound essence' To what extent does the Governor, actively contribute to the governance of a state and reinforce the principles of federalism in the country? (Answer in 150 words) 10 marks.

Article 153 of Indian Constitution provides for a Governor for every state. It is very important channel between Centre and State and fosters the federalism.



Governor's contribution to Governance

1. Ensures the smooth running of Government ⇒
   Eg. Appoints CM in case of hung assembly
2. All the bills are assented by the Governor then only become the acts (Article 200, 201)
3. Works on aid and advice of Council of Ministers.

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4. promulgation of ordinances when both houses are not in session (Art 213)

5. pardoning powers to deliver the justice.

Governor ~~as~~ role in federalism

1. Important link between centre and the state
2. Recommendation of Emergency to president if governance of state is not run smoothly (Art 355, 356)
3. Reservation of Bills to president (Art 200, 201)

However, there have been some issues regarding functioning of Governor →

1. ~~Appoi~~ Dissolution of Assembly without attempting the No Confidence motion (misuse of discretionary power)
2. Keeping the Bills for indefinite period sent by state legislature (Eg. In Kerala & Telangana)
3. Repromulgation of ordinances without attempting to pass by legislature (Eg. - Bihar)

Suggestions ⇒

- II ARC recommendations (Governor should not involve in local politics)
- SARKARIA Commission
- NCRWC recommendations
- NAGAM Rebia case (Make Art. 155 → Consultation process mandatory)

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Q.6 हाल ही में एक राज्य में सामाजिक जवाबदेही कानून बनाने को लेकर माँग उठ रही है. इस तरह का कानून किस प्रकार सुशासन की ओर ले जा सकता है और निर्णय लेने में नागरिकों की भागीदारी को कैसे बढ़ावा दे सकता है। टिप्पणी कीजिए।
(150 शब्दों में उत्तर दीजिए) 10 अंक

Recently demand has been rising in a state regarding the enactment of Social Accountability Law. How such a law can lead to good governance and boost citizens' participation in decision-making. Comment.
(Answer in 150 words) 10 marks.

It is the mechanism in which citizens and civil societies makes the Government accountable for their policies and programmes. It was demanded firstly in state of Rajasthan.



Social accountability and good governance

1. Accountability and Transparency → by having information and participation
   Eg. Jan Soochna portal of Rajasthan
   Social Audit in MNREGA, citizen Charters

2. citizen's empowerment → by having awareness about

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government's policies and plans → will empower them to caste their vote ~~consciously~~ cautiously.

3. Resources optimitization → Government will have growing information about efficacy of policies, therefore changing them as per the need.

[Case study: Community scorecards given to in Maharastra and Andhrapradesh has led to good governance]

Challenges

1. Lack of awareness in citizens
   - literacy is low
   - digital divide
2. poor capacity building measurements to enable citizens to hold governments accountable
3. Unholy Nexus between locals and Government representatives leads to corruption.

Social accountability tool is very powerful to ensure good governance which will have People's participation to be seen in New India of 21st century.

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Q.7 भारत में बाल कुपोषण से प्रभावी ढंग से निपटने के लिए 'पोषण–विशिष्ट' और 'पोषण–संवेदनशील' कार्यक्रमों को अभिसरित करने की आवश्यकता है। परीक्षण कीजिए। (150 शब्दों में उत्तर दीजिए) 10 अंक

There is a need for convergence of 'nutrition-specific' and 'nutrition-sensitive' interventions to effectively tackle child undernutrition in India. Examine. (Answer in 150 words) 10 marks.

As per NFHS-5 Survey reports there are 32% stunted and 25% undernourished children in India, which shows the poor state of nutrition in India.

Nutrition specific interventions

1. Increase the Availability, Affordability and Quality of food
   - Eg. ⇒ fortified rices to be distributed in NFSA and mid day meal scheme.
2. Diversification of food basket ⇒
   - Eg. promotion of millets, inclusion of Eggs in mid day meal
   - ↳ Diversification of Indian Agriculture

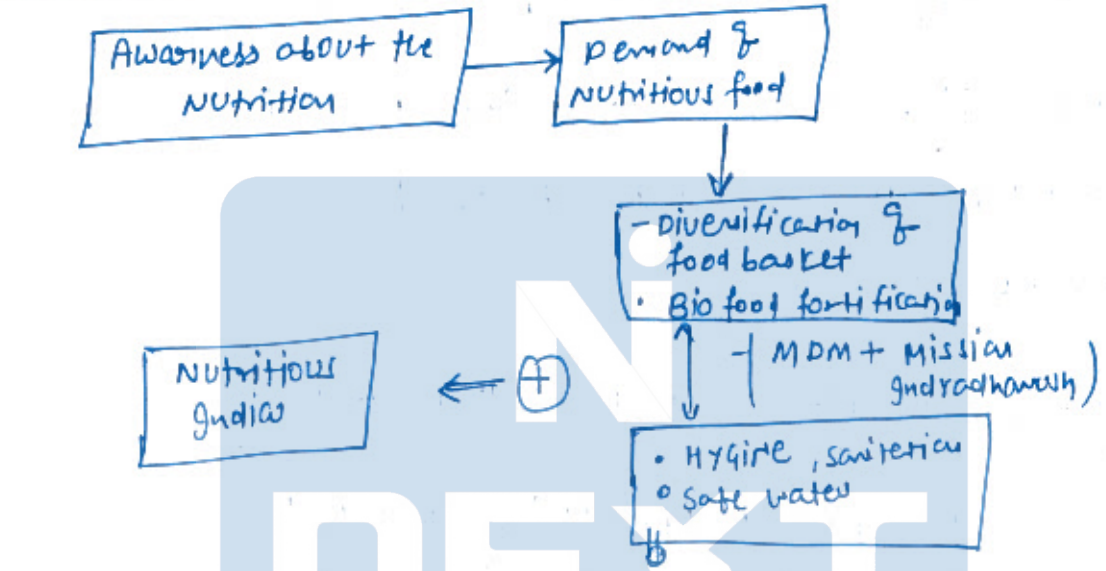
Nutrition Sensitive Interventions

1. Awareness about the importance of nutrition to have better physical and cognitive growth.
2. Awareness about the water, sanitation and Hygiene (WASH) in order to increase

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the assimilation which is an important component of nutrition. Eg. Mission Indradhanush (vaccination)

Convergence between the two



Eg. PM Matru Vandana Yojna ⇒ Component of both nutritious food and awareness about nutrition (Hygiene, vaccination etc.).

As per WHO report, undernutrition accounts to 1.5-2% loss of Indian GDP every year, therefore there is a high need to accelerate the nutrition related interventions in order to have a safe and healthy India which will help to harness the demographic dividend potential.

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Q.8 ग्रामीण गरीबी उन्मूलन की धुरी मनरेगा, राजकोषीय उदासीनता का शिकार हो गया है।" हालिया घटनाक्रम के आलोक में कथन का आलोचनात्मक विश्लेषण कीजिए। (150 शब्दों में उत्तर दीजिए) 10 अंक

"MGNREGA, the lynchpin of rural poverty alleviation, has become the victim of fiscal apathy." Critically analyze the statement in light of recent developments. (Answer in 150 words) 10 marks.

MGNREGA Act, 2005 provided guaranteed employment of 100 days in a financial year for the rural families. It has resulted into alleviation of rural poverty, however suffers the numerous challenges.

MNREGA, lynchpin of Rural poverty Alleviation

1. Increased employment opportunity to rural households (minimum 100 days in a year)
2. Income levels of rural households were increased. (state specific determination of wages)
3. Women empowerment ⇒ as minimum 33% ~~women~~ & MNREGA workers are women.

MNREGA, Victim of fiscal apathy

1. The Budget allocation has been reduced by almost all states year on year. Eg. Rajasthan Govt reduced Budget allocation to MNREGA
2. Even the ~~allota~~ allocated budget has not

Candidates must not write on this margin

been utilised by the State governments. (CAG Report)

(3.) The wages has not been revised as per the actual prevailing fiscal conditions, however they are linked to CPI-IW parameter.

(4.) Government's failure to distribute the wages to the labours and even no compensation was given in condition of inability to provide employment.

Therefore, MNREGA scheme needs a serious overhaul in order to alleviate the rural poverty.

Suggestions

1. Increased allocation of Budget
2. Creation of meaningful infrastructure which can augment the government's revenue
   [Eg.] Highways
3. Digitisation in order to eliminate Ghost beneficiaries and transparent disbursal of payment.

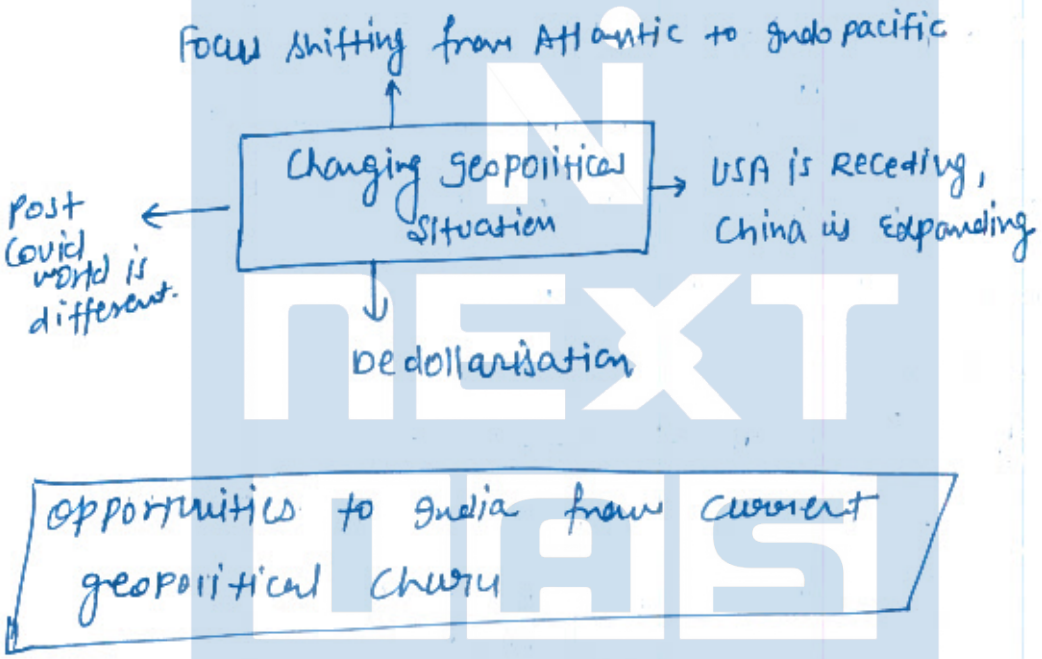
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Q.9 "भारत को इसका लाभ उठाना चाहिए, यदि प्रबंधन नहीं किया गया तो वैश्विक विभाजन हो जाएगा।" वर्तमान भू–राजनीतिक मंथन वैश्विक स्तर पर भारत के उत्थान का मार्ग कैसे प्रशस्त कर सकता है?

(150 शब्दों में उत्तर दीजिए) 10 अंक

"India must leverage, if not manage, the global divides". How can the current geopolitical churn pave the way for India's rise to the global high table? (Answer in 150 words) 10 marks.

Current changing geopolitical conditions suggests India to leverage the opportunities given its rising stature and capabilities.



Opportunities to India from current geopolitical churn

1. As a world leader →
To become voice of global South Eg. Demanding reforms in global organisation like United Nations, World Bank etc.

2. Economic advantage →
India is home to world's largest working age population. Need is to harness their potential

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(3) Become as Net Security provider in Indo-Pacific →

Indo-Pacific holds utmost importance in today's world.

- → Home to important choke points like Malacca strait
- → 80% of world's Trade passes through Indo-pacific
- → Crucial for Blue Economy.

(4) Advantage of dedollarisation →

Eg. BRICS currency to provide as an alternate to dollar.

Challenges to India

- → Still 80% of global trade happening in dollars
- → India has less deep pockets than China
- → & has not been able to attract global companies because of poor skillset of workers, and less ease of doing business
- → China has dominance in spheres like critical minerals, defense etc. (import dependency)

Current Geopolitical conditions favours India, however, India need to strengthen itself first to leverage itself. Atmanirbhar Bharat is a step in the right direction.

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Q.10 "बर्लिन यूरोपीय संघ में भारत के लिए प्रवेश द्वार हो सकता है।" यूरोपीय संघ के साथ भारत के संबंधों में जर्मनी के महत्त्व के बारे में विस्तारपूर्वक वर्णन कीजिए। (150 शब्दों में उत्तर दीजिए) 10 अंक

"Berlin can be India's gateway to the European Union." Elaborate with respect to Germany's significance in India's relationship with the EU. (Answer in 150 words) 10 marks.

Recent visit of German Chancellor to India and various developments signifies the importance of Germany to access European Union.

Germany as gateway to EU

1. Germany is a member of European Union, hence proximity to Germany will bring EU- India closer.
2. Germany has highest GDP among all EU countries and has a wider say in EU decisions. Eg. Germany has 4th largest GDP in the world.
3. Convergence on the issues like Data protection with EU with Germany vis-a-vis divergence with EU with respect to data protection
4. India-EU Bilateral Trade and Investment agreement may be finalised in leadership of Germany.

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5. Historical ties with the Germany supports the future growing proximity between India and EU.

However, there are certain challenges -

1. Issue of data localisation
2. No direct connectivity between the two
3. Chinese presence in the European Union
4. Trade between the two countries has been low
5. Friction in organisations like WTO

Eg: Sanitary and Phyto Sanitary measures of Indian products.

India and Germany are the time tested partners and Germany may truly help to open the gateway to EU Provide ~~better~~ both fosters the bilateral relations proactively.

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Q.11 दल–बदल विरोधी कानून ने भारत में राजनीतिक दलों और वैयक्तिक विधायकों/सांसदों के बीच संबंधों को कैसे प्रभावित किया है? हाल की घटनाओं के आलोक में भारत में लोकतंत्र की प्रकार्यात्मकता पर इस कानून के अनपेक्षित परिणामों की भी चर्चा कीजिए। (250 शब्दों में उत्तर दीजिए) 15 अंक

How has the Anti-Defection Law impacted the relationship between political parties and individual legislators in India? In light of the recent incidents also discuss the unintended consequences it has on the functioning of democracy in India. (Answer in 250 words) 15 marks.

52nd Constitutional amendment act inserted Schedule X in Indian Constitution to deal with the matters of anti-defection in the legislatures.

Impact of Anti defection law on relationship between political parties and individual legislators

Before legislation	After legislation
1. Whip of political party was not followed forcibly by an individual Member. It had scope of violating the whip.	Violation of third line whip amounts to disqualification of individual Members therefore the has to follow the whip.
2. Scope to express their dissent views with respect to views of political party	Compulsion as a member to go with the views of political parties
3. ~~Autom~~ Autonomy to join any political party by an individual Member	leads to disqualification

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Recent incidents like in Maharastra and karnataka assembly shows the unintended consequences of the legislation.

Unintented Consequences of legislation

1. Loss of independence of an average legislator.
2. curtails freedom of speech → since a legislator is bound to vote as per direction of whip, it suppresses the dissent views.
3. Reduces parliamentary Accountability → It reduces the interests of legislators to involve in discussion since all major decisions by few powerful leaders of party
4. Unbridled power of presiding officer →
   - s/he has no time limit to decide against antidefection case, and it leaves the scope of discretion to a speaker whether to disqualify a member or not

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However, it has relevance to parliamentary democracy :-

(1) Arrests the horse Trading ⇒ which violates the Mandate of democracy and fosters the practice of 'Aya Ram Gaya Ram'

(2) It promotes party discipline in ensuring that elected candidates remains loyal to the party.

(3) It prevents the disruptions in the working of the house and ensures stability in the Government.

Given its ~~without~~ unintended Consequences, there is a need to relook the provisions of the legislation.

[Suggestions]

↳ Apply recommendation of Supreme Court in 'Meghachandran case' to decide within 3 months by the Speaker

↳ Recommendations of Halim Committee and NCRWC to revamp this legislation.

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Q.12 आलोचकों का दावा है कि असीमित न्यायिक अधिकार मूल ढाँचा सिद्धांत की संरचनात्मक अस्पष्टता पर निर्भर है। क्या मूल ढाँचा सिद्धांत की लोचदार प्रकृति ने न्यायपालिका को कार्यपालिका से अधिक शक्तिशाली बना दिया है?

(250 शब्दों में उत्तर दीजिए) 15 अंक

Critics assert that limitless judicial authority rests on the structural ambiguity of the basic structure doctrine. Has the elastic nature of the basic structure doctrine made the judiciary more powerful than the executive?

(Answer in 250 words) 15 marks.

Basic Structure doctine was given by supreme Court in Kesvanand Bharti vs State of kerala Case, 1973 to limit the unbridled Constitution amending powers of the ~~leg~~ parliament.

However, the definition of Basic Structure is not defined, and it is on the discretion of supreme Court as to decide what Constitutes 'Basic structure'

Relevance of Basic structure doctrine

1. Limit the goverment to amend the Constitution irrationally Eg. Minerva Mills Case, FR and DPSP are bedrock of devocracy. SC struck down the law that puts all DPSP over Fundamental rights.

2. Ensure rule of law and due process of

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Law → Eg. Maneka Gandhi case

→ legislation has to adhere the Constitutional provisions.

3. Ensures Constitutionalism →

Eg. Judicial Review is a basic feature of the Constitution. (Kihoto hollohan case, 1992)

(I.R. Coelho Case, 2007)

4. Has protected the fundamental rights of the citizens: (Article 12-25)

However, there are various challenges associated with the Basic Structure doctrine

(1.) It amounts to redefining of constitution by the judiciary which is not the elected representative.

(2.) Discretion of Judiciary: to define the basic structure is not based on any objective criteria and is highly subjective.

(3.) It violates the seperation of power: Since it is an interference to matters of legislators and violates Art. 50 (seperation of executive from judiciary)

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(4) Elastic nature of basic structure to define it as per the understanding of judiciary violates the parliamentary democracy.

Since the Indian Constitution is a living document and basic structure has come to rescue to save the Indian democracy Eg. (During Emergency & 1994-95). However, certain changes has to be there

(1) Development of an objective criteria to define the basic ~~of~~ structure

(2) Least interference in the matters of legislative competence and avoid the practice of judicial overreach.

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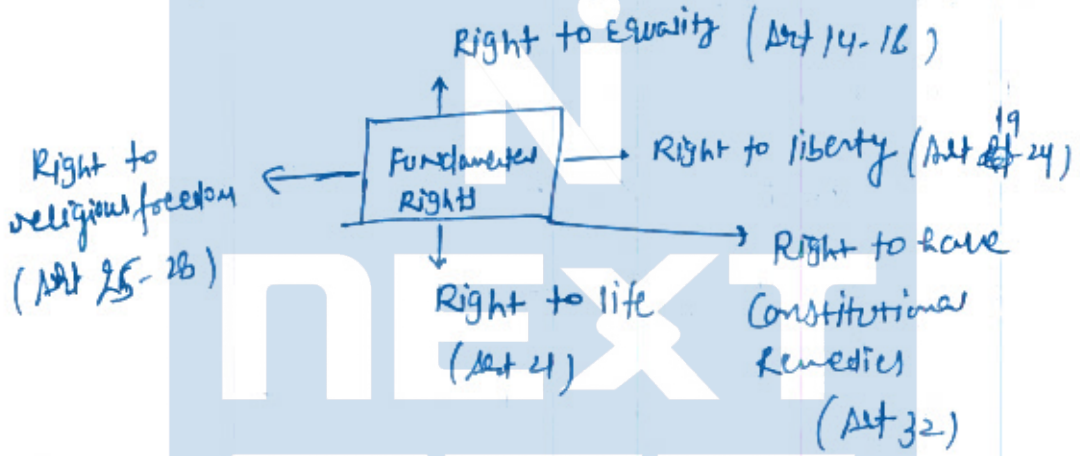
Q.13 मौलिक अधिकार राज्य द्वारा प्रदत्त उपहार नहीं हैं बल्कि एक व्यक्ति उन पर राज्य से स्वतंत्र रूप से अधिकार रखता है। इस संदर्भ में विभिन्न मौलिक अधिकारों पर युक्तियुक्त निर्बंधन की वांछनीयता पर चर्चा कीजिए।

(250 शब्दों में उत्तर दीजिए) 15 अंक

Fundamental rights are not gifts bestowed upon by the state rather an individual possesses them independently of the state. In this context discuss the desirability of reasonable restrictions on various fundamental rights.

(Answer in 250 words) 15 marks.

Fundamental rights are provided by Indian Constitution under part III (Article 12-35) to citizens of India.



Fundamental rights are not gift by state but Independent of state

1. They are given by the constitution of India and poses an obligation on goverment to ensure these fundamental rights. (negative rights)

2. Constitution has obligated state not to take any fundamental rights from citizens so it is not the discretion of state to give/snatch the fundamental rights.

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3. Supreme court is the guarantor of fundamental rights. A citizen can move to Supreme court directly for protection of their fundamental rights. (Article 32)

4. Fundamental rights passes the qualities of all human rights which are integral to a human being hence they possess them independently.

However, the fundamental rights enjoyed by the people are not sacrosanct and they have reasonable restrictions.

Eg. Freedom of Speech and expression under Article 19(1) can be restricted on grounds of security of state, sovereignty, public order as mentioned in Article 19(2)

Desirability of Reasonable Restrictions

1. Discipline in the citizen →

Lack of restriction may amount to indiscipline and instability in the country. Eg. speech

Candidates must not write on this margin

is free but it has to be used with morality.

2. It ensures the sovereignty and security of state along with public order ⇒
Eg. Article 19(2), Article 25 & 26,
which restricts practices detrimental to security of nation.

3. will undermine the authority of wings of democracy if there are no restrictions Eg.
Incitment to violence to overthrow a goverment

4. In a democracy a citizen not only enjoys the rights but also ultimate responsibilities and these responsibilities are ensured with reasonable restrictions. Eg. Right to forceful conversion is not a fundamental right.

Misuse of Reasonable Restrictions

1. To gag the press, to curb freedom of speech & Expression against goverment Eg. Sedition law
2. To serve the political interests.

Fundamental rights are basic feature of the Constitution however they are not the absolute, therefore in a democracy, they should be enjoyed with ultimate responsibility.

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Q.14 'एस.आर. बोम्मई बनाम भारत संघ मामले ने संघ द्वारा किसी राज्य के प्रशासन पर नियंत्रण ग्रहण करने के संघ के अधिकार की न्यायिक व्याख्या में एक आदर्श बदलाव का संकेत दिया।' इस संदर्भ में संघीय ढाँचे को मजबूत करने पर निर्णय के महत्त्व और प्रभाव पर चर्चा कीजिए। (250 शब्दों में उत्तर दीजिए) 15 अंक

'S.R. Bommai v. Union of India signified a paradigm shift in the judicial interpretation of the union's authority to assume control of a state's administration.' In this context discuss the significance and impact of the judgement on cementing the federal structure. (Answer in 250 words) 15 marks.

S.R. Bomai Vs union of India case is related to the basic structure doctrine as well as regarding blatant misuse of Article 356.

S.R. Bomai case Judgement

(1) Decision to impose president's rule in a state by the president is under judicial Review powers of court. (Art. 356)

(2) President can not dismiss a Government and apply emergency without having a floor test. She can only suspend the Assembly.

(3) It leaves no scope for Governor to dismiss the Government without having the floor test.

(4) Powers under Article 356 are not absolute.

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Significance of the judgement

1. Reduced discretion of Governor → to dissolve the assembly or dismiss the government even without observing the floor test. Eg. Recent Maharastra case

2. Spirit of Constitutionalism → limited unbridled power of Union to apply emergency in the State for political mileage.

3. Basic structure doctrine was reiterated → Judicial Review is basic feature of the Constitution and decision to impose Article 356 is under judicial review.

4. Reduced the arbitrary dismissal of State Governments for political rivalry Eg. Bihar 1965-1971 multiple times Art. 356 was imposed.

5. Kept the spirit of federalism → Article 356 if applied arbitrarily violates the basic doctrine of federalism.

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Impact of the judgement

1. Possibility to form an alternative goverment or conduct the floor test was explored in the states by the Government.
   [Eg.] Case of Karnataka Assembly

2. Number of instances to imposed Article 356 has been reduced after the judgement.

3. Better running of state governments and spirit of federalism.

This judgement converted the federal structure however the same judgement spirit should be legislated upon by the parliament in order to make India a true federal & political Goverment.

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Q.15 प्रभावी विकेंद्रीकरण की कुँजी यह है कि राजनीतिक विकेंद्रीकरण को वित्त और प्रकार्यात्मक विकेंद्रीकरण का अनुगमन करना चाहिए। भारत में स्थानीय शासन के समक्ष आने वाली बाधाओं के संदर्भ में चर्चा कीजिए।

(250 शब्दों में उत्तर दीजिए) 15 अंक

The key to effective decentralization is, 'political decentralization should follow finance and functional decentralization'. Discuss in the context of impediments faced by local governance in India.

(Answer in 250 words) 15 marks.

73rd and 74th Constitution amendments provided the schedule XI and XII(A) which deals with the local governance in the country.

These amendments were brought to empower the local governance by increasing ~~dem~~ decentralisation in order to foster the grassroot level democracy.

Political decentralisation

1. ~~Rule~~ Power to legislate upon the local matters
2. Gram sabha as a legislature and panchayats as Executive Eg. Art 243
3. State election commissioner to conduct the Elections at local level (Art 243 K)
4. State Finance Commission (Art 243 I)
5. Reservation of seats for women at all levels of B local governance
6. Representation of MP/MLA in the local bodies.

Candidates must not write on this margin

Finance and functional decentralisation

1. Autonomy and ability to collect the taxes at local level for local governance Eg. user charges

2. To levy the fees and other taxes at local level Eg. Property Tax

3. To carry out the functions regarding civic Amenities Eg.; water, Housing, sanitation by local bodies

4. To control the transfer of land and regulate sale and purchase of land.

However, to carry out these functions, local goverment faces the multifaceted challenges

(1.) problems of fund, functions and functionaries → as dependency is on state goverment.
Eg. only 5% revenue is generated at local level

(2.) Poor capacity building →
Eg. inability to collect taxes, fees, user charges
└ poor Record keeping

Candidates must not write on this margin

(3.) Dominance by parallel bodies →

→ Khap, Gavki (MAH.) in villages undermines the Panchayath.

→ special purpose vehicle bodies/Trust bodies undermines the local governet at Urban level.

(4.) Menace of proxy Husbands (Panchpatis) →

undermines the very mandate of women empowerment.

(5.) Interference by MP/MLAs in local bodies

(6.) Corruption in panchayat bodies and at Urban bodies like Municipalities

Suggestions

(1) capacity building measures → to empower local bodies

(2) Make State finance commission recommendations binding

(3) Effective devolution of fund and functions for their smooth functioning

(4) Removing menace of panchpatis by increased vigilance by local Administration and at the same time capacity building of women.

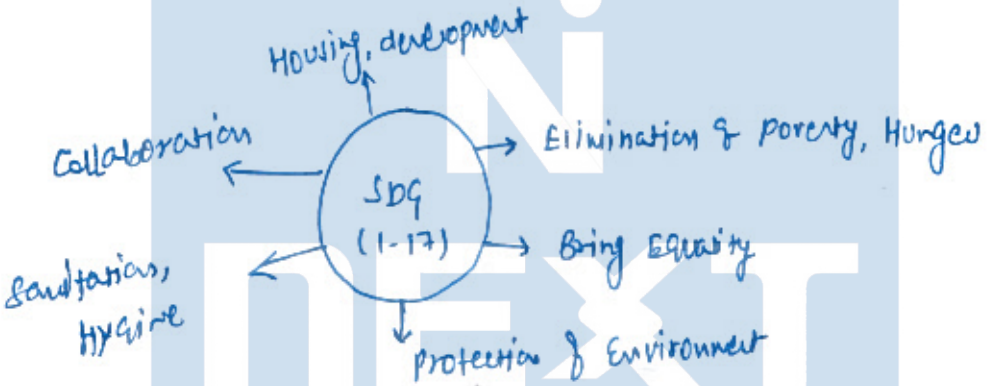
local governance is bedrock of grassroot democracy which represents true face India. We need an independent and powerful local govenmt at all levels & in by New India @ 75'.

Candidates must not write on this margin

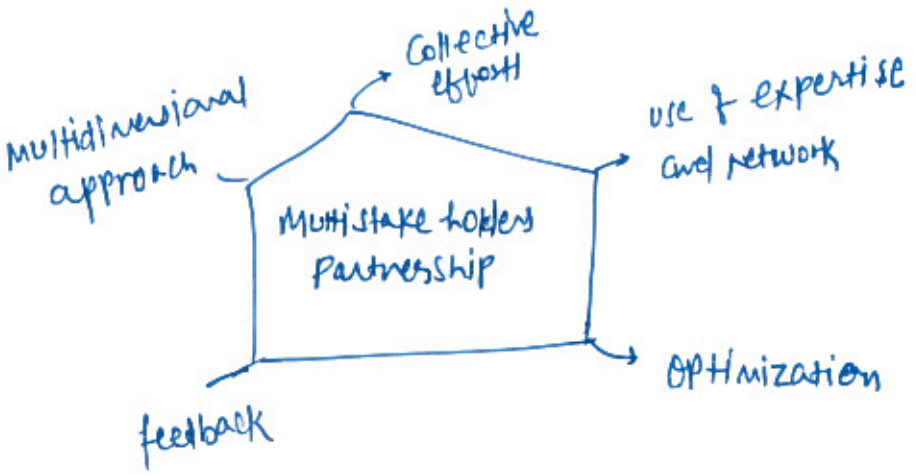
Q.16 सामूहिक विशेषज्ञता और नेटवर्क (संजाल) का लाभ उठाने के लिए बहु–हितधारक साझेदारी महत्त्वपूर्ण है। भारत में सतत विकास लक्ष्यों (एसडीजी) की प्राप्ति में तेजी लाने के लिए प्रभावी साझेदारी और स्थानीयकृत कार्यान्वयन प्रयासों को कैसे बढ़ावा दिया जा सकता है? (250 शब्दों में उत्तर दीजिए) 15 अंक

Multi-stakeholder partnerships are the key to leveraging collective expertise and networks. How can effective partnership and localized implementation efforts be fostered to accelerate the achievement of Sustainable Development Goals (SDGs) in India? (Answer in 250 words) 15 marks.

17 Sustainable development goals (SDG) was defined in 2015 by United nations with all stekeholders participations and to be achieved by 2030.



SDGs belongs to every section of the society therefore multistakeholder partnership is very crucial to achieve them.



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Effective partnership and localised implementation

(1) Grassroot level information → by the concerned stakeholders for better policy formulation.

Eg. Involvement of women in formulation of Health related policy and its implementation at local level.

(2)

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Q.17 पी.ओ.एस.एच. अधिनियम के कार्यान्वयन से यौन उत्पीड़न के बारे में जागरूकता बढ़ाने में सीमित सफलता ही क्यों मिली है, और किन कारकों ने असंगठित क्षेत्र में कार्यरत महिलाओं तक इसकी प्रभावी पहुँच में बाधा उत्पन्न की है? इस अंतर को पाटने और असंगठित क्षेत्र में महिलाओं के लिए कार्यस्थल पर उत्पीड़न के विरुद्ध व्यापक सुरक्षा सुनिश्चित करने के लिए रणनीतियाँ प्रस्तावित कीजिए। (250 शब्दों में उत्तर दीजिए) 15 अंक

How has the implementation of the POSH Act resulted in limited success in raising awareness about sexual harassment, and what factors have hindered its effective outreach to women employed in the unorganized sector? Propose strategies to bridge this gap and ensure comprehensive protection for women in the unorganized sector against workplace harassment. (Answer in 250 words) 15 marks.

Prevention of women from sexual Harrasment Act, 2013 by enacted by Goverment of India Post Bhanwri devi case in order to protect the women from sexual harrasment at work place. (Vishakha guidelines)

POSH Act
- defines sexual harrasment
- legal obligation on employer to ~~protect~~ prevent and prohibit sexual exploitation
- Internal Complaints Committee (ICC) at each workplace with 10 or more employees
- duty of employer to make employees about the act (POSH)
- Non Compliance will attract the penalties.

Limited succes of POSH Act

1. Act is not wider in nature, it does not include all type of organisations to form a Internal Complaint Committee
   Eg. criteria of 10 or more employee

Candidates must not write on this margin

2. Lack of political will → to effectively aware ~~the~~ about the law and implementation of the law.

3. Limited participation of women in the employment eg. women LFPR is only 22%.

4. All the organisation have not formed the internal complaint Committee [Eg.] Sport federation

5. ~~Except~~ There is no punishment except penalty for violation of the law. ⇒ resulted in gross violation of the law.

6. Employees itself has not made aware about the law.

Factors that have hindered its effective outreach in any unorganised sector

(1) The act does not cover the unorganised sector ⇒ (ICC to be formed in formal organisation). For unorganised sector, remedies lies with district administration ⇒ difficult to access by women

(2) Majority of the women are employed in unorganised sector (~~is~~ > 85%) ⇒ ~~PLFS~~ PLFS data.

Candidates must not write on this margin

(3.) No easy and flexible mechanism to file a Complaint under POSH act for unorganised workers

(4.)

Strategies

(1.) Rationalization & criteria of ^ number of Employee (EO) at workplace and inclusion of unorganised sector to form an Internal Complaints Committee

(2.) Digital facility to file the complaint under POSH act

(3.) Increased Penalties and punishments for non compliance by employer

(4.) Awareness by about the Act through digital Advertisements and media campaigns.

(5.) Recommendation of Justice verma committee ~~POSH act has been a landmark~~

↓ Inclusion of Domestic workers in the Act

↳ formation of a Tribunal instead of ICC.

POSH act has been a landmark act, however it needs to be relooked upon in light of growing participation of women in Labor force and globalisation.

Candidates must not write on this margin

Q.18 'नव–उदारवादी सुधारों और वैश्वीकरण ने कल्याणकारी राज्य की संस्थाओं को गहराई से बदल दिया है और एक नई प्रकार की सिविल सेवाओं के लिए आधार तैयार किया है।' इस संदर्भ में सेवा वितरण के समक्ष आने वाली चुनौतियों का परीक्षण कीजिए और पर्याप्त सुधारों हेतु सुझाव दीजिए। (250 शब्दों में उत्तर दीजिए) 15 अंक

'Neo-liberal reforms and globalization have deeply transformed the institutions of the welfare state and set the ground for a new type of civil services.' In this context examine the challenges faced in service delivery and suggest adequate reforms. (Answer in 250 words) 15 marks.

Article 312 of Indian Constitution provides for All India Services which set as benchmark for the civil services in India.

Civil service has remained at forefront of public service delivery since Independence, however, the ~~as~~ globalisation and neo-liberal reforms has transformed the nature which demands for new type of civil service.

New civil service in light of globalisation and neo-liberal reforms

(1) Highly Tech savy ⇒ age of digitisation
Eg. JAM Trinity, Artificial Intelligence

(2) Quick and prompt → In the deeply interconnected world, civil servant has to be quick enough to respond.

Candidates must not write on this margin

3. Specialist in Nature → Globalisation has brought the generalist nature to an end. There is a need for highly specialised civil services.

Challenges faced in Service delivery

1. From Government side
   - Poor formulation of policies and programmes
   - Lack of consultation with stakeholders
   - does not examine the financial viability
   - works on political behest

2. From Administration side
   - Poor implementation of Policies
   - political - bureaucratic nexus
   - Lack of Research and Empirical data Collection
   - Exclusion and inclusion errors

3. from citizen side
   - Poor participation in policy formulation
   - Lack of awareness about the policies
   - digital divide (only 38% ~~people~~ women in rural has to Phone)
   - Poor Bargaining Power

Candidates must not write on this margin

Reforms in service delivery

1. proper and Authenticated collection of data for policy formulation with all stakeholders participation
2. Increase Transparency and Accountability by ~~keeping~~ having digital records.
   - Eg JAM Trinity has resulted into elimination of Ghost beneficiaries from PM JAY scheme.
3. Lateral entrants in civil services to make it Specialised in nature
4. & Effective time bound grievance redressal mechanism Eg. CPGRAMS, Rail madad
5. Training, Research and development of part of civil servants Eg. iGOT training platform
6. Adoption of SevoTerms Model & ~~Service del~~ Eg. citizen Charter

Service delivery to citizens is the basic function of any goverment and civil service, it need to be revitalised so that we can see this in form of Azadi ka Amrit Kaal.

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Q.19 चीन भारत को अपने "एशियाई प्रतिद्वंद्वी" के रूप में देखता है जिसमें एशिया में उसके वर्चस्ववादी लक्ष्यों का मुकाबला करने की जन्मजात क्षमता है। भारत–चीन संबंधों में इन कठिनाइयों के बावजूद, अभिसरण के भी कई क्षेत्र हैं। चर्चा कीजिए। (250 शब्दों में उत्तर दीजिए) 15 अंक

China views India as its "Asian Rival" with an innate ability to counter its hegemonistic goals in Asia. Despite these difficulties in India-China relations, there are also many areas of convergence. Discuss. (Answer in 250 words) 15 marks.

Recent changing geo-political conditions focus shifted towards the emerging two countries India and China which have potential to lead the world.

China views India as 'Asian Rival'

Hegemonistic goals of China	India as Rival
(1) Dominance in Indo-pacific region eg. string of pearls, Construction of ports	Aspires to become net security provider in Indo-pacific. Eg. Participant of Diamond ↳ Indian ocean Rim Organization ↳ QUAD
(2) Antagonistic relation with countries like vietnam or Philippines eg. dispute over Spartly islands	India having cordial relation with ASEAN countries Eg. • ASEAN-India FTA • Chabbar port v/s Gwader port

Candidates must not write on this margin

(3.)	Increasing its presence in Asian Countries through BRI Eg. CPEC corridor to pakistan and China Myanmar Economic corridor	India is also focusing on development front in Asian Countries Eg. BBIN corridor, IMT Trilateral highway
(4.)	Dominance of countries by Economic power Eg. Srilanka	Partnership with Countries using soft power Eg. Cultural Connect with Srilanka

Areas of convergence

(1.) **Security** ⇒ To counter the Terrorism and drug Trafficking Eg. RATS wing of SCO

(2.) **Economy** ⇒ Both are dependent on each other. Trade has gone beyond 100 billion USD.

(3.) **Reforms in Multilateral organisation** → Both are vocal in reform the organisations like WTO, WHO.

(4.) **Connectivity** → Increased Connectivity between two nation and Central Asia

Candidates must not write on this margin

(5.) Reducing dominance of west →

Eg. BRICS currency as an alternative to dollar. (Dedollarisation)

Since, china and India both are neighbours and our relations has been both sweet and sour at times. However, India need to adopt

Multipronged Strategy

- Self Development
  - Eg.
    - Economic Empowerment
    - Defence capabilities
    - Increased connectivity and relation with countries in Asia.
- Focus on informal summits like Mamallapuram or other Wuhan Summit
  - People to People Connect

NEXT IAS

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Q.20 हालिया दिनों में हिंद–प्रशांत क्षेत्र अलग–अलग हितों और प्राथमिकताओं वाले क्षेत्र के रूप में उभरा है। चर्चा कीजिए। क्या आपको लगता है कि वैश्विक सुरक्षा पहल (GSI) इस क्षेत्र में क्वाड (QUAD) का स्थान ले लेगी

(250 शब्दों में उत्तर दीजिए) 15 अंक

Indo-Pacific region in recent times has emerged as a zone of diverging interests and priorities. Discuss. Do you think the Global Security Initiative will supersede QUAD in the region?

(Answer in 250 words) 15 marks.

Indo-pacific region is new arena of geo-politics which holds its importance by increasing presence of west.

Indo-pacific region lies from East of Africa to west of Americas.

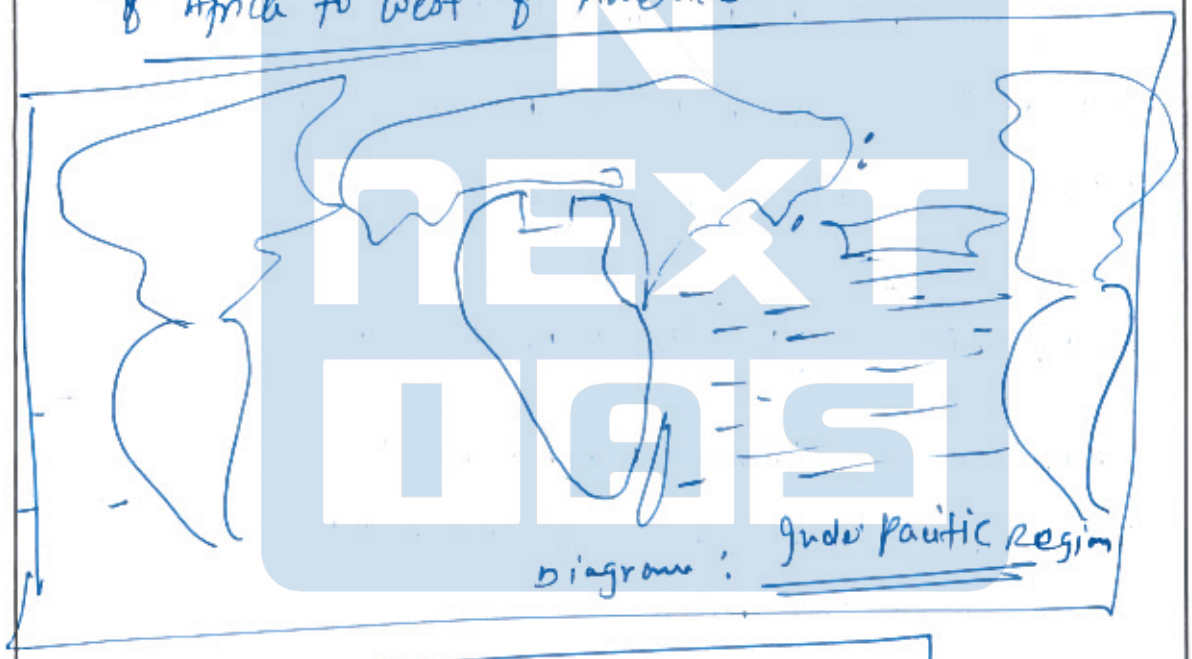


Diagram: Indo Pacific Region

Zone of diveging interests and priorities

(1) As a centre of dominance →

- Hegemony of china in the region Eg. disputes over 9-dash line
- Increasing presence of west Eg. USA

Eg. QUAD Initiative → Malabar exercise



Candidates must not write on this margin

(2) Centre of Blue Economy → for India and western world while China wants to secure it for its dominance for Ex. Indian ocean mission for polymetallic nodules

(3) China wants to take it from the presence of west, whereas QUAD wants an open and prosperous Indo pacific

Recently, a new Global security initiative was put forward by China to counter the QUAD initiative and US Indo-Pacific strategy.

Global security initiative as declared by China

1. Principle of Indivisible security ⇒ to counter hegemony, Power politics and unilateralism
2. opposing sanctions : imposed by west unilaterally
3. Tackling new cold war : ~~NATO~~ emerging in Indo-Pacific
4. Asian security model : openness, integration, mutual concern

Candidates must not write on this margin

Both QUAD and Global Security initiative have common objective of Safe, prosperous and open Indo Pacific, however both are led by the rival countries.

Will It Supercede

(1). China has economic power but it has trust deficit with the countries in the Indo pacific
Eg. Wolf warrior diplomacy, Debt Trap

(2) It will exaggerate the possibility of QUAD being a security alliance so will bring instability in the region.

The Current Changing Scenario needs the co-operation and not the conflict. Given the unique position of India, it ~~should~~ need to balance its ties with the west and China.

Candidates must not write on this margin

Space for Rough Work

NEXT IAS