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MAIN TEST SERIES 2023
(TEST-10)

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SUBJECT/PAPER
GENERAL STUDIES

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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				
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1. मानवाधिकार के मुद्दों पर सर्वोच्च न्यायालय के हालिया निर्णय अंतर्राष्ट्रीय कानून और संधियों को न केवल प्रेरणा के स्रोत के रूप में बल्कि विधि के स्रोत के रूप में उपयोग करने में एक उल्लेखनीय बदलाव का संकेत देते हैं। प्रासंगिक निर्णय–विधि के संदर्भ में परीक्षण कीजिए। (150 शब्दों में उत्तर दीजिए) 10 अंक

The recent Supreme Court judgments on human rights issues mark a remarkable shift in using International law and treaties not just as a source of inspiration but as a source of law. Examine with reference to relevant case laws. (Answer in 150 words) 10 marks

International treaties, only becomes a law (that is legally binding for country) if they are ratified after signing by that country but SC could use it for jurisprudence.

Shift in using treaties as inspiration to law:

① Recent case in Manipur, where SC gave judgment by referring to UN Human Rights Treaty on Countries citizen ethnic clashes.

② In the case when a ship was outside the Territorial waters of India, SC overturned the HC judgement saying that India's jurisdiction does not extend to EEZ by referring to UNCLOS

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(3) UN Convention on Transnational Crimes was used by SC in upholding the powers of Enforcement Directorate after 2017 Act of ~~Foreign~~ Economic Fugitive Offender Act stating that ED has right to seize their act.

(4) UN Convention on ~~Indigenous~~ Crimes on Indigenous people was referred by SC while it gave order in favour of Vedanta project protest by Dongriya Kondh Tribe of Orisa and not allowing to set up.

(5) Divya Pharmacy vs State of Uttrakhand where Uttrakhand HC, upheld the Nagoya protocol and rights of local for Access and benefit sharing.

. International treaties should be used by moulding as per India's circumstances to ensure free and fair treatment by SC.

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2. संवैधानिक प्रावधानों में समानता के बावजूद वाक् एवं अभिव्यक्ति की स्वतंत्रता पर संयुक्त राज्य अमेरिका और भारत का अपना विशिष्ट न्यायशास्त्र है। विश्लेषण कीजिए। (150 शब्दों में उत्तर दीजिए) 10 अंक

The United States and India have their own distinctive jurisprudence on freedom of speech and expression despite the similarities in constitutional provisions. Analyse. (Answer in 150 words) 10 marks

United States and India which represents the first and largest democracy repectively have made ensure that freedom of speak and expression in both the countries is not curtailed.

Similarities in constitutional provisions :-

1) Both provides freedom of speech and expression under the constitution exclusively.

2) Both have mention grounds of curtailment also as in Indian constitution from Article 19 (2) to 19 (5).

Distinctive Jurisprudence Reasons :

* As Judiciary in India is integrated whereas in US it is different in centre and at

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state, so in India appeals could be made in the same case whereas in US case starts afresh.

* There is no provision of special leave petition as in India under Article 136 in USA, so the freedom of speech and expression in USA can't be taken to court on this case.

* In USA, the original jurisdiction of their federal court is wider and have more provisions than in Indian constitution.

* In India, even President under Article 145 could ask for SC advise if any provision of Article 19(1) is violated but there in USA, there is not such provision.

In this background, both the democracies should make ensure to adopt best practises from each other

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3. मौलिक कर्तव्य एक अनुस्मारक हैं कि नागरिकता मात्र एक निष्क्रिय प्रस्थिति नहीं है, बल्कि एक सक्रिय संलग्नता है। चर्चा कीजिए। इनके विधिक प्रवर्तन में कौन–कौन सी चुनौतियाँ हैं? (150 शब्दों में उत्तर दीजिए) 10 अंक

Fundamental Duties are a reminder that citizenship is not merely a passive status but an active engagement. Discuss. What are the challenges in their legal enforcement? (Answer in 150 words) 10 marks

42nd ammendment act brought Part IVA and Article 51-A to Indian constitution on the basis of Sarthanam committee recommendations.

How Fundamental duty is an active engagement for citizens :-

(1) To respect dignity of women as enshrined represent citizens need to be active and respectful towards them

(2) Duty of parents to send children (6-18 years) to school.

(3) SC in State of Gujrat V/s Mirzapur case said that Fundamental duties and rights exist parallely to each other and performance of one's duty ensures other rights.

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(4) Duty to make efforts such that nation progresses (51- A (j)) is an reminder of making India a global leader by its citizens.

Challenges in legal enforcement :

Adminstrative challenge

a) Economic challenges :- As Fundamental duties Could be subjective for everyone, proving the violation of particular duty will be tough.

b) As sometimes social customary laws goes against fundamental duty, its legality can't be ensured there.

c) Increase in the cases in judiciary

d) State will get extensive powers which may lead to anarchy.

Citizens need to respect others rights, thus ensuring their Fundamental Duties as envisaged by PM Modi in 'Panch Pran'

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4. केंद्रीय प्रशासनिक न्यायाधिकरण (CAT) के अधिदेश पर चर्चा कीजिए। सर्वोच्च न्यायालय के पूर्व के निर्णयों ने CAT और उच्च न्यायालयों के बीच क्षेत्राधिकार संबंधी विवाद को किस सीमा तक हल किया है?

(150 शब्दों में उत्तर दीजिए) 10 अंक

Discuss the mandate of the Central Administrative Tribunal (CAT). To what extent earlier SC verdicts have resolved the jurisdictional tussle between CAT and High courts? (Answer in 150 words) 10 marks

42nd Ammendment act added Article 323-A which gave parliament power to create tribunals and using this it enacted Administrative Tribunals Act (ATA), 1985. which formed Central Administrative Tribunal (CAT)

Mandate of CAT :

Mandate
- Faster case disposal
  - 92% disposal rate of CAT
  - makes sure that most of time is not spend in judicial hurdles of bureaucrates
- Checking bureaucratic cases of indiscipline
- Ensuring transparency in transfers of employees

SC Verdicts and judicial tussle resolution :

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* Original Article and subsequent AIA, 1885 mentions only that appeal from CAT could be taken to

SC only

↓

L. Chandra Kumar Case (1997) : Appeals can also be taken to High Courts (HC), otherwise SC will be devoid of experience and said that appeal in HC is a basic structure doctrine

* Proved to be a historic judgement but as Law Comission says it defeats the original purpose of enacting CAT, as nearly every judgement is challenged in HC. → later a judgement came in T Ushaw Kumar Case where CAT members are made equivalent to HC judges but the issue of appeals is still as per 1997 case.

As Law comission says there is need to revisit L. Chandra Kumar case, it should be done.

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5. 'भारतीय संविधान के तहत समानता केवल औपचारिक समानता नहीं है, बल्कि इसमें वास्तविक (मौलिक) समानता का विचार भी शामिल है।' संवैधानिक प्रावधानों और इस संदर्भ में सर्वोच्च न्यायालय के निर्णयों के आलोक में कथन का विवेचन कीजिए। (150 शब्दों में उत्तर दीजिए) 10 अंक

'Equality under the Indian constitution is not merely about formal equality, it also incorporates the idea of substantive equality'. Discuss this statement in light of constitutional provisions and relevant Supreme Court judgments. (Answer in 150 words) 10 marks

Article 14 of Indian constitution exclusively talks about equality provision enshrined for the citizens of India.

2 forms of equality under Article 14

- Equality before Law → every one is equal in eyes of law
- Equal Protection of Law → only alike should be treated alike → Positive discrimination.

Indian Consitiution vis-a-vis substantive equality

1) Article 15(3) talks about Special provisions can be made for Children and women by Parliament.

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2) Article 15(4), 15(5) and 16(4), 16(5) provides reservation for SC/ST/OBC.

3) Article 15(6) and 16(6) ensuring economically weaker section is not left behind.

4) Article 243D and 243ZT makes provision for reservation in local bodies.

5) Article 31C for invalidating Art 14 and 19 to makes Article 39(b) and 39(c) enacted properly ensuring wealth redistribution.

Supreme Court Judgements

1) Janhit Abhiyan case (2022) upheld EWS judgement.

2) Puttaswamy case and Sabarimala judgement ensuring right to privacy and women rights giving substantive equality

3) TMA Pai case - equality for minorities.

Substantive equality is the bedrock of democratic setup so must be upheld in every sphere of life

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6. दबाव समूह और राजनीतिक दल राजनीतिक प्रक्रिया को लोकतांत्रिक बनाने के अपने उद्देश्य में स्वाभाविक रूप से समान हैं, यद्यपि वर्तमान समय में अधिकतर दबाव समूह राजनीतिक दलों में रूपांतरित होने की महत्त्वाकांक्षा रखते हैं। उन कारकों का सविस्तार वर्णन कीजिए जो इस रूपांतरण को प्रोत्साहित कर रहे हैं।

(150 शब्दों में उत्तर दीजिए) 10 अंक

Pressure groups and political parties are inherently similar in their objective to democratise the political process, however, more and more pressure groups today aspire to transform into political parties. Elaborate and highlight the factors that are encouraging this transformation. (Answer in 150 words) 10 marks

Pressure groups and political parties both are formed on common agenda for taking the rights of people having common ideology and ensure their implementation

Similarity in their objectives:

→ Both are formed for any common goal to be acheived.

→ Both usually are funded from external sources. ensuring transparency in working.

Factors for transformation of Pressure groups into political parties :—

1) As political parties are having statuory

Candidates must not write on this margin

provisions of getting funds (Electoral Bonds through Finance Act 2017) — so easy fund availibility.

2) Political parties are relatively more autonomous as once they get registered with Election comission

3) Political parties stay in media glare thus lobbying for them becomes easier.

4) Pressure groups usually are confined to only one sector (eg:- AITUC in textile trade only) but political parties has multidimensional outreach.

5) Pressure groups are less autonomous and easy to be cracked down by government under departments.

c) To gain more & more strength of young people as they see political parties performing on social media.

Government should make ensure that both the entities keep their process as much as democratised and transparent

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7. "क्या भारत में उच्च शिक्षा की वैश्विक प्रतिस्पर्धात्मकता को बढ़ाने तथा वर्तमान गुणवत्ता चुनौतियों का समाधान करने के लिए विदेशी शैक्षणिक संस्थानों का प्रवेश एक परिवर्तनकारी कदम हो सकता है?" तर्क सहित पुष्टि कीजिए।
(150 शब्दों में उत्तर दीजिए) 10 अंक

"Can the infusion of foreign educational institutions be a transformative step in enhancing the global competitiveness of higher education in India and addressing the prevailing quality challenges?" Justify with reason.
(Answer in 150 words) 10 marks

Gross
Global Enrollment Ration (GER) is just 27% in Higher Educational Institutions (HEI's) in India as reported by AISHE. In this regard UGC allowing Foreign HEI's could be a game changer.

Foreign HEI's in enhancing global competitiveness :—

① There is a provision when only Top 500 QS ranking university can setup institution in India (UGC), thus ensuring a competitive environment.

② New subjects in courses such as AI and learning of emotional skills, will place Indian students at better position.

③ Foreign expertise of lecturers can be utilised for PhD in Research.

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Addressing the prevailing quality challenges:

- As only 4% of workforce is skilled (ASSOCHAM) and main reason is due to poor Academia - Industry linkage, which can be improved by employing technical expertise of ~~toyo~~ Foreign HEI's.
- Programmes like Twin Degree and Double degree will ensure flexibility in the course and students could complete it in foreign as well as Indian university.
- Regional disparity could also be solved by setting up institutions at far places.
- Problem of Brain drain could be stopped.
- Teacher recruitment will become transparent.

As the demographic dividend is here to stay till 2055, on the lines of Saptrishi IK (Investing in Youth) should be the goal of higher education policy makers.

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8. सार्वजनिक स्वास्थ्य प्रणाली की सीमाओं को संबोधित करने के हेतु निजी क्षेत्र किस प्रकार सभी के लिए समान और सुलभ स्वास्थ्य देखभाल सुनिश्चित करने के अंतर को पाटने में प्रभावी योगदान दे सकता है? चर्चा कीजिए।

(150 शब्दों में उत्तर दीजिए) 10 अंक

To address the limitations of the public health system, how can the private sector contribute effectively to bridging the gap to ensure equitable and accessible healthcare for all? Discuss.

(Answer in 150 words) 10 marks

Public health care sector has made ensure over the years good health for all but still the numbers of stunting (32%), wasted (19%), child mortality (35/1000) are alarming.

Limitations in Public Health System :—

- Doctor : Patient is 1 : 1500 against WHO 1 : 700.
- Only 10% Rural PHC's are as per global standards.
- 70% of hospitals are in urban areas where only 35% population lives

Recent lacunae highlighted by CAG in PMJAY (7L people registered on same fake mobile number)

Need of private sector :—

1) To ensure that hospitals must be there

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in every nook and corner is only possible due to private-public partnership because only 2.1 % of GDP is alloted for public health.

2) COVID-19 highlighted the unhygeinic conditions which can be improved by adopting better equipments by private sector.

3) More importantly for secondary and tertiary healthcare, specialised doctors required which will need high expenditure on salaries — can be ensured

4) As NITI Aayog mentions the 'Middle Missing' (30% population in insurance of health) (∵ 50% bottom under PM-JAY) so to cater that 30% insurance facilities can be provided.

5) Ensuring proper technological advancements in data analytics.

2047 may seem distant, but to ensure universal health care not only for elite but for all private sector participation has become must.

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9. गरीबी और भुखमरी उन्मूलन के लिए वैश्विक सहयोग की यथाशीघ्र आवश्यकता है। अंतर्राष्ट्रीय सहयोग गरीबी और भुखमरी की चुनौतियों से निपटने के प्रयासों को कैसे प्रभावित कर सकता है? विश्लेषण कीजिए।

(150 शब्दों में उत्तर दीजिए) 10 अंक

There is an urgent need for global cooperation to eradicate poverty and hunger. In this context analyse how international cooperation can impact efforts to address the challenges of poverty and hunger.

(Answer in 150 words) 10 marks

"I ~~that~~ have a vision for India : An India free of illiteracy and hunger and wants and fear"

-[AB Vajpayee]

To fulfil this elimination of hunger and poverty has become the need of hour.

International cooperation to address the challenges of poverty and hunger :-

* As COVID-19 made us realise that in todays world the problems are not national but global, and so the efforts should be to strengthening of WHO removing the voluntary contibution and corresponding voting share can be taken.

* Strengthening of instutions like (UN) so that

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it holds people accountable for SDG completion and checks regular monitoring.

* WTO could make sure that global trade in food grains must not restrict the poor people being fed. Eg: Recently 4L people died in Somalia due to hunger (drought).

* Recent black grain deal was suspended which will effect African countries as they import wheat from Russia, but no provision for penalising Russia could be taken.

* ILO must ensure that wage, working conditions of informal sector workers are as per regulations as they are most prone to hunger and poverty.

Global politics must not come in between the poor children and their meal, and for this international efforts are required.

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10. बदलती वैश्विक गतिशीलता को ध्यान में रखते हुए विश्व व्यापार संगठन (WTO) में प्रभावी और सार्थक सुधार किए जाने की तत्काल आवश्यकता है, ताकि आधुनिक व्यापार की जटिलताओं को दूर करने में WTO की प्रासंगिकता और क्षमताओं का उपयोग किया जा सके। चर्चा कीजिए। (150 शब्दों में उत्तर दीजिए) 10 अंक

The changing global dynamics require prompt effective and meaningful reforms within the World Trade Organization (WTO), to ensure its relevance and capacity to address modern trade complexities. Discuss. (Answer in 150 words) 10 marks

World Trade Organisation (WTO) established in the 8th Uruguay round (1986-1994) and replaced its predecessor organisation for more effective trade among countries.

Need of reforms due to changing dynamics :-

(1) WTO has been accused of supporting globally strong countries (such as USA) on the funding is voluntary giving a larger share to them.

(2) The WTO has been ineffective in recent past as the judges appointment has been blocked by USA

(3) The e-commerce issue has not been yet completely solved.

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(4) In its 2022 ministerial conference, the subsidies on fishing has to be stopped in case of high seas which has been opposed by India as it had not been a major exploiter of fisheries in past.

(5) The biasness towards developed countries was also witnessed during Vaccine nationalism, in which WTO just gave a temporary solution.

(6) Due to rise in protectionism eg: EU pulling out companies off China (re-shoring) needs WTO to interfere.

(7) China-US Trade war & currency manipulation by China to make its export cheaper should be checked.

(8) Clarification criteria of developing and developed must be revisited.

At a time when Global Trade is around 60 billion dollars, WTO as an independent & powerful institute is the need of hour.

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11. 69वें संविधान संशोधन ने किस प्रकार दिल्ली में दोहरे शासन की दुविधा को उत्पन्न किया है? संविधान में परिकल्पित सहकारी संघवाद पर इसके प्रभाव की चर्चा कीजिए। (250 शब्दों में उत्तर दीजिए) 15 अंक

How has the 69th Constitutional amendment led to Delhi's dual governance dilemma? Discuss its impact on cooperative federalism as envisaged in the Constitution. (Answer in 250 words) 15 marks

69th Constitution ammendment, 1991 was enacted on the recommendation of Balkrishnan committee and added 239-AA and 239-AB in our constitution providing Lieutenant Governor (LG) and legislate assembly for Delhi.

Led to Dual Governance Dilemma :-

(A) Some experts say Yes because :-

1) Delhi being a UT and strategically located Capital of India require more central control, so giving a legislative assembly hampers the working.

2) Recent issue of Delhi Services Bill (2023) once again highlighted how it is a challenge for dual governance.

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3) Various SC judgements and then them getting overturned by Parliament keeps confusion alive.

(B) Some say No because :-

1) Clear provision in constitution, that except Public order, police and land. Delhi goverment can make laws on any subject of state list (7th schedule)

2) Increased political participation and more localised Governance.

Impact of Cooperative Federalism :-

* Cooperative Federalism is ensured when there is equal distribution of power among Centre and State, but it was challenged as :-

a) Frequent tussles between LG and Delhi elected government.

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2) Could hamper the national security as it is the capital of country.

3) Goes against the spirit of Doctrine of colorable legislation when Parliament encroaches into the subjects of state list for Delhi

4) Though 239 AB not used, but it gave the powers to President which are similar like Article 356

5) Provision of "LG means government" in GNCTD Act 2021 makes it tough for Delhi govt to pass any bill.

6) Further LG could recommend any bill to be reserved for President creating further delays.

The National Capital during the Amrit Kaal must be given equitable power and resource so that India emerges as a global power.

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12. "संविधान एक स्वतंत्र न्यायपालिका की परिकल्पना करता है, न कि पृथक न्यायपालिका की"; दिए गए कथन के आलोक में उच्च न्यायपालिका में न्यायाधीशों की नियुक्ति से जुड़े मुद्दों पर चर्चा कीजिए तथा वर्तमान प्रणाली के विकल्प तलाशिए। (250 शब्दों में उत्तर दीजिए) 15 अंक

"Constitution envisages an independent judiciary, not insulated judiciary"; In the light of the given statement, discuss the issues associated with the appointment of judges in the higher judiciary and explore alternatives to the current system. (Answer in 250 words) 15 marks

As said that, Judiciary holds the pulse of the nation, it must be independent and integrated in its functioning.

Independent not insulated : Significance

↳ Seperation of power through Constitution (Article 50, Article 121, Article 122) but at the same time checks and balances through appointment, removal and transfer

Issues associated with appointment of judges :-

(1) Article 124(2) provides for appointment of judges by the President with consultation of such judges as he deem fit. The word consultation has been interpreted by judiciary

Candidates must not write on this margin

and lead to evolution of collegium system, where basically judges apoint themselves. So, this process makes it as :—

a) Undemocratic —

b) Against seperation of power (as SC itself accepted in NJAC (2016) that judges appointing judges is not correct.

c) Allegations or chances of nepotism.

d) Diversity is not ensured due to biasness.

e) Closed door meeting leads to not being transparent & accountable.

f) As Law minister and even Vice President asked for reforms as it may lead to erosion of public trust otherwise.

g) Takes up administrative time and thus less time in judicial work of judges (4.7 cr cases pending)

Candidates must not write on this margin

Alternatives to current system :-

(1) NJAC like body having representation from all 3 organs of the constitution.

(2) From UK, where an Independent Body (Judicial appointment comission) is given the task.

(3) Creation of a National Comission of Judiciary which scrutinises the appointment after screening from lower judiciary judges functioning.

(4) All India Judicial Comission exam to make ensure that competent judges come into higher judiciary

Indian Judiciary, has played a seminal role in ensuring justice over the 75 years, so do judges appointment should also be made transparent so that public Keep trusting this organ.

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13. राष्ट्रीय अनुसूचित जनजाति आयोग (NCST) प्रायः निगरानी और सलाहकार की भूमिका तक ही सीमित है। संवैधानिक दर्जा प्राप्त होने के बावजूद NCST के कामकाज में क्या बाधाएँ हैं? इसमें सुधार हेतु सुझाव भी दीजिए।
(250 शब्दों में उत्तर दीजिए) 15 अंक

The National Commission for Scheduled Tribe (NCST) has largely been confined to a monitoring and advisory role. What are the impediments in the functioning of NCST despite the constitutional status, also suggests reforms.
(Answer in 250 words) 15 marks

89th Constitutional Ammendment act 2003 bifurcated NCST from NCSC and creating it as a seperate body under Article 323-A.

Role confined to monitoring and advisory :-

↳ NCST advises are not aimpolsry for centre or state to act upon.

↳ Provision more of post mortem ie after implementation of laws. eg: It reports that 60% of cases under FRA 2006 are unsettled but don't give futher solutions.

↳ NCST has been accused of delays in sending Annual reports to the parliament.

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Impediments in functioning of NCST:

- Ground work is very limited.
- Selection of members is through executive only so chances of political interference.
- Provision of 1 women member has been vacant for 2 years between (2013 to 2015).
- NCST funding has not been charged upon CFI leading to infrastructural issues.
- Less adoption of technology.
- In 2024, NCST met only 4 times around the whole year.
- NCST along with State comissions and other such as NCSC and NHRC had not been audited by CAG, thus less accountability.

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⊙ Bureaucrates ie members of NCST are less sensitive to deal with issues of tribals.

Reforms Suggested :—

⊙ As the tribals culture is distinct, so help must be taken from Anthropologists to deal with their issues.

⊙ Funding and appointment must be made timely and without political interference.

⊙ Comissions could also be brought under single body (suggestion by 13th Finance comission)

NCST ~~are~~ is a crucial body as 8.6% of tribal population is indigenous and require urgent safeguards for their protection.

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14. राज्यपाल किन–किन परिस्थितियों में किसी राज्य के विधेयक को राष्ट्रपति को विचारार्थ आरक्षित कर सकता है और यह प्रावधान विवादास्पद क्यों है? साथ ही इस संबंध में पुंछी आयोग द्वारा सुझाए गए सुधारों पर भी चर्चा कीजिए। (250 शब्दों में उत्तर दीजिए) 15 अंक

Under what circumstances can the Governor reserve a state bill for the consideration of the President and why is the provision controversial? Also, discuss the reforms suggested by Punchhi Commission in this regard. (Answer in 250 words) 15 marks

Article 200 of the constitution provides the Governor power to reserve a state bill for the consent of President.

Circumstances under which it can be done!

* There are broadly two ways :-

1) If Abel state Governor would have

(1) If it contains provisions related to High Court powers than reservation is mandatory.

(2) If Governor feels that security and sovereignty of nation will be under threat

(3) There are no explicit provisions in Indian Constitution, so it basically becomes a

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discretionary power as he do not require advice of Council of Minister.

eg: Recently TN governor reserved the NEET Bill for President.

Controversy around this :-

① Since, its a discretionary power, it is alleged that Governor uses it often frequently and create legislative blocade in opposition ruled states.

② SC in Periarivalan case also asked for Governor not to refer every case for president.

③ Issue could also be seen in the Delhi where LG has power to reserve the bill without any concrete provisions often creating Controversy.

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Punchi comission recommendations :

(1) Bill must be reserved only ~~out~~ when it is made outside legislative powers ~~out~~ of state.

Eg: Bill made on subject not in state list

(2) Governor must give a chance of reconsideration to assembly if he feels any provision is outside their domain.

(3) Governor must attach a report before referring the bill to president mentioning all the provisions he ~~fills~~ feels are outside their domain.

Respecting, Article 246 of Indian constitution by states and Governor not interfering until necessary should be the way ahead.

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15. नौवीं अनुसूची ने संपत्ति के मौलिक अधिकार के तहत सामाजिक–आर्थिक न्याय से संबंधित कानूनों को चुनौती से बचाने के लिए एक संवैधानिक विरोधाभास उत्पन्न किया। क्या वर्तमान समय में नौवीं अनुसूची की कोई प्रासंगिकता है? आई. आर. कोएल्हो निर्णय ने इस विरोधाभास का कैसे समाधान किया? (250 शब्दों में उत्तर दीजिए) 15 अंक

The Ninth Schedule fabricated a constitutional paradox to safeguard laws related to socio-economic justice from being challenged under the fundamental right to property. Does the ninth schedule have any relevance in present times? How did the IR Coelho judgment resolve this paradox?
(Answer in 250 words) 15 marks

9th schedule was due to implementation of 1st Constitut-ional Ammendment (1951) to make sure that land reforms and zamindari abolition acts could be made succesfull.

Mandate of enacting 9th schedule :-

- Since till 1978 Right to property was a Fundamental right, and to implement Land reforms, Govern-ment had to redistribute land from Zamindars to tenants, but it would have created legal issue as Zamindars Fundamental right under Article 31 would have been abolished, so to ensure that socio economic justice takes

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place effectively, 9th schedule was created, in which the laws (central + state) put under this would be out of Judicial review even if they violate fundamental right

Relevance in present time:

- Recently Jharkhand made a bill to reserve 77% seats for on caste basis (against Indra Sawhney judgement of 50% ceiling) and requested centre to put in 9th schedule.
- Similarly TN - 69% reservation is also under 9th schedule which grants them protection.
- So, this schedule holds relevance even in present times.

IR Coelho judgement :-

- To resolve this, SC bench in 2007 case

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resolved this issue and said that laws under 9th schedule are not completely outside purview of judiciary but can be challenged if they violate the basic structure doctrine and are put after Kesavanand Bharati case ie 24th April 1973.

So, 9th schedule which was brought for socio-economic justice must not be made as populist vote bank tool and be kept to be used only in rarest cases as stated by Law Commission

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16. "केंद्रीय सूचना आयोग सुशासन के लिए अटूट प्रासंगिकता के साथ लोकतंत्र के संरक्षक के रूप में खड़ा है।" CIC के अधिदेश के संदर्भ में कथन को न्यायोचित ठहराइए। क्या CIC की वैधानिक स्थिति ने हाल के दिनों में इसकी प्रभावशीलता को सीमित कर दिया है? (250 शब्दों में उत्तर दीजिए) 15 अंक

"Central Information Commission stands as the guardian of democracy, with an unwavering relevance to good governance." Justify the context in terms of the mandate of the CIC. Has the statutory status limited the effectiveness of the commission in recent times? (Answer in 250 words) 15 marks

Central Information Comission (CIC) came into being after implementation of Right to Information Act (2005) by efforts of Mazdoor Kisan Shakti Sangathan (MKSS).

As Guardian of democracy:

(1) Right to information being a part of both Article 19 and 21 as stated by SC is ensured by CIC.

(2) CIC members and chairperson are appointed by selection through a committee thus ensuring proper scrutiny.

(3) Democratic rights of people are ensured. For eg: Vaishnavi from Karnatka after filing RTI gets to know selection criteria of IIM.

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Ensuring Good Governance :

- Section 4 of RTI Act, makes ensure that Public Information officers (PIO) disclose information in public interest, thus ensuring good governance.
- Helps to highlight the lacunae in implementation.
  eg: 20% error in beneficiary inclusion and exclusion in NFSA, 2013 found out by filing RTI
- Information Commissioners make ensure that governance is carried out on democratic lines.

Limited effectiveness : vis-a-vis - Statuory status

* Statuory status has limited effectiveness in one sense as it is not constitutional body so funding sometimes becomes an issue as is not charged upon CFI

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* Approximately 26,000 cases are pending in CIC.

* A survey shows that there is only 15% awareness and 45% people satisfied with responses they get from CIC office

These all lacunae can be said due to statuory effect but there are other factors also like:-

- more centralisation (2019 ammendment)
- Official secrets act (Sec 8 - officers can prevent sharing information)
- Political interference.

Thus as 2nd ARC suggest that both of IT more independence should be given in appointments by involving judiciary must be implemented.

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17. यौन अपराधों के खिलाफ बच्चों की सुरक्षा सुनिश्चित करने में POCSO अधिनियम के महत्व पर चर्चा कीजिए। वर्तमान अधिनियम के प्रभावी कार्यान्वयन को सुनिश्चित करने के लिए आप इसमें क्या परिवर्तन सुझाएँगे?

(250 शब्दों में उत्तर दीजिए) 15 अंक

Discuss the significance of the POCSO Act in ensuring the safety and protection of children against sexual offences. What changes would you suggest to the present Act to enhance its effective implementation?

(Answer in 250 words) 15 marks

POCSO Act came in the backdrop of rising sexual offences against the children particulary about the girls. in 2012.

Significance of POCSO Act:

1) Gender neutral thus ensuring equality between both the girls and boys.

2) Provision of timely resolution of the case which ensure speedy justice

3) No time limit is given to file the case which ensures that case is filed even after some years have passed.

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4) Adult and minor children provision ensures that children less than 18 years are not exploited by an adult ie greater than 18.

5) As per NCRB Data, 1.2 L cases registered for child offences in 2021, out of which 8% are of sexual exploitation.

Lacunae in POCSO :-

1) Most of cases (68%) are of related to family relatives involvement, thus reporting does not take place.

2) Onus to prove innocence is on the victim, thus may lead to his/her harrasment.

3) Disposal rate under POCSO is not much effective (62% case disposed only).

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Changes suggested :-

1) Ammendment can be brought to include ~~adult~~ victim person if he is less than 18 years also as stated by Kerala HC

2) Law comission recommendation of making sure that investigation completes within 30 days must be completed.

3) 2nd ARC asks to increase the funding of Fast Track courts set up under Pocso.

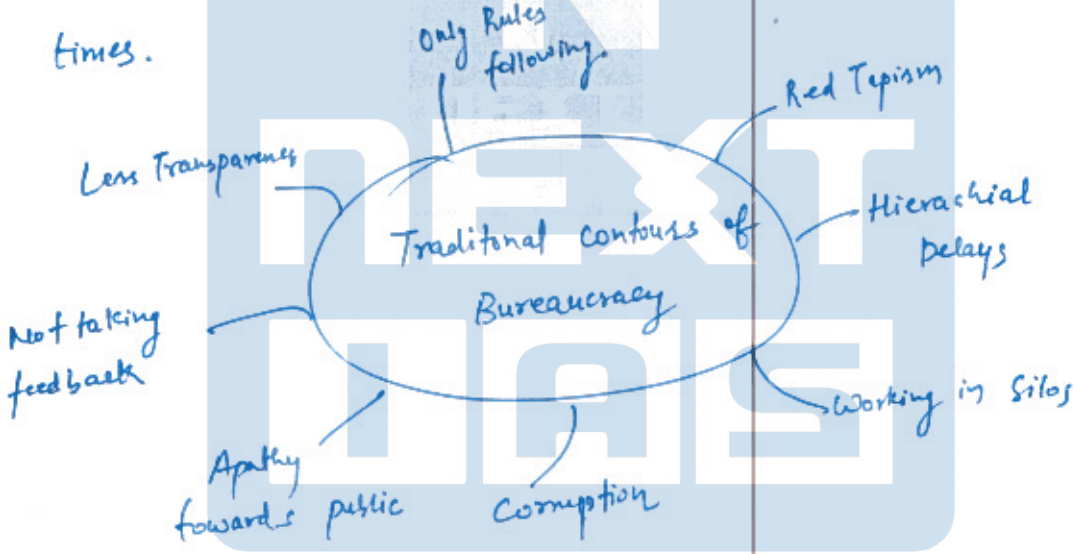
Though, Children contribute only 40% to Indian population but 100% in nation making, so Amrit Kaal is an opportunity to make this world a better & safe place for them.

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18. 'प्रौद्योगिकी नौकरशाही की पारंपरिक रूपरेखा को पुनः आकार देने, इसे अधिक कुशल, पारदर्शी और नागरिक–केंद्रित बनने हेतु प्रेरित करने के लिए उत्प्रेरक के रूप में कार्य करती है।' इस कथन का आशय स्पष्ट कीजिए तथा यह भी पता लगाइए कि प्रौद्योगिकी का एकीकरण लोक सेवा के आधुनिकीकरण के सरकारी प्रयासों को कैसे तेज कर सकता है। (250 शब्दों में उत्तर दीजिए) 15 अंक

'Technology serves as the catalyst for reshaping the traditional contours of bureaucracy, propelling it to become more efficient, transparent, and citizen-centric.' Explain and also explore how the integration of technology can expedite governmental efforts aimed at modernizing the civil service.
(Answer in 250 words) 15 marks

Sardar Vallabh Bhai Patel long back ago said that Civil Services is the steel frame of India, but question arise that has it been rusted in recent times.



Technology as Catalyst against this :

* As PM said, e-governance is economic & efficient governance → shows significance of technology :—

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a) Resorting to faster clearance using AI data analytics. eg: MCA formed a portal especially for Japan to ensure fast clearance.

b) Mission Karmyogi talks about e-HRMS and iGOT Karmyogi apps to train and enhance capacity of civil servants.

c) Citizen centric policies could be made due to linkage of Aadhar and DBT — As stated on my gov. in portal 2200 Billion have been saved since DBT is made into play.

d) Transparency could be ensure through real time tracking of welfare schemes eg: GeoTagging of assets in MGNREGA and MPLADS

e) Responsive eg: SAMARTH initiative in Pune for feedback.

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Technology Aimed at modernizing the civil service :

(1) Mission Karmyogi – Capacity Building Comission.

(2) Providing both fieldwork (physical) and online training under the policy Framework of National Civil Services Authority Act

(3) Training provision in fields of data analytics and Big data analysis by collaborating with Singapore.

(4) A unique initiative of Delhi Police, (APP Based) for mental health of police officers could also produce positive results in increasing their efficiency.

Civil services has to change during Amrit Kaal to become more expedite and ensure that the inclusive development takes place

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19. भारत और अमेरिका के बीच अतीत में उतार–चढ़ाव वाले संबंध रहे हैं, हाल के दिनों में संबंधों में कितनी प्रगाढ़ता आई है? रूस–यूक्रेन युद्ध के मुद्दे पर वाशिंगटन के साथ तीखे मतभेद के बाद नई दिल्ली को अमेरिका के साथ अपने संबंधों को कैसे आगे बढ़ाना चाहिए? (250 शब्दों में उत्तर दीजिए) 15 अंक

India and US have had an oscillating relationship in the past, to what extent has the relationship acquired depth in recent times? How should New Delhi navigate its relationship with the US after its sharp divergence with Washington on the issue of the Russia- Ukraine war?

(Answer in 250 words) 15 marks

India and US are not allies but natural partners which signifies the importance of largest trading partner of India for our country.

Oscillating relationship in the Past :-

(A) Towards positive engagement :-

1) Helping during the 1960's food crisis.
2) Helping in space sector and defence from initial days.
3) Historic Civil Nuclear deal in the 2005
4) More than $100bn Trade partnership.
5) Visit of President (US) and Prime Minister (India) are frequent
6) 2023 India US agreement
7) Security agreements eg: LEMOA-

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B Some negatives :-

1) Sanctions after POKHRAN-II

2) Out from list of Generalised Prefrence Countries in 2018.

3) Accesing of subsidies in WTO.

4) Sanctions in buying oil from Iran

Depth in Recent Times :

1) Agreement such as LEMOA, COMCASA

2) Not sanctioning under CAATSA for buying S-400.

3) Together in QUAD, IPEF, and recent Artemis Accord also.

4) 2023 defence agreements and Transfer of technology for GE-414 engines and production of apple phones in India earlier.

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Navigation post Russia Ukraine war:

* As S. Jaishankar says that India must fulfil its strategic interest in foreign policy that should be also the way in dealing with US.

* India being keeping global order in mind has at times also called for stopping the war, so that stand must be maintained.

* India and USA being large trade partners must keep on engaging on these lines.

Though, Russia Ukraine war posed a big diplomatic challenge for India, India keeping the multipolarity in global order alive should consider its strategic autonomy as first priority in any engagement.

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20. 'पूर्व की ओर देखो नीति' के कार्यान्वयन के पश्चात् भारत–आसियान साझेदारी किस प्रकार विकसित हुई है? भारत भू–राजनीतिक वास्तविकताओं को ध्यान में रखते हुए अपनी अर्थव्यवस्था की बढ़ती ताकत का लाभ किस प्रकार से भारत–आसियान संबंधों को घनिष्ठ बनाने के अवसर के रूप में उठा सकता है?

(250 शब्दों में उत्तर दीजिए) 15 अंक

How has the India-ASEAN partnership evolved since the implementation of the 'Look East Policy'? In what ways can India leverage the increasing strength of its economy alongside geopolitical realities as opportunities to foster closer India and ASEAN relations?

(Answer in 250 words) 15 marks

ASEAN (popularly called as Tiger economies) is a group of 10 countries located east of Bay of Bengal and an important partner of India.



Evolution since Look-East Policy :-

(1) Increased trade partnership and more in terms of oilseeds, rubber, Coal (Indonesia).

(2) More and more cultural connect due to old Buddhism and Chola Empires impact

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(3) Bilateral relations especially with Singapore has increased significantly

• eg :- Recent Pay Now - UPI linkage.

(4) Ecological conservation due to part of same Bio-Diversity Hotspot site.

(5) Connectivity: such as India Mynmar Thailand Trilateral Highway.

(6) Together in groups such as ASEAN+C, IPEF and some in BIMSTEC also.

India's leveraging strength of their economies :-

1) As the economies are growing, potential market both for goods and services export.

2) Most of the countries are tilted away from communist politics, thus advocating free

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& private market.

3) Impact of essential elements such as critical elements as they are rich in Nickel (Indonesia)

Challenges :-

- Rising Chinese dominance and its BRI
- Pulled out of RCEP.
- Mynmar junta regime.
- Recent political instability in Thailand.

To make sure that India is changing global order do not miss ASEAN opportunity, it has converted Look East into Act East and thus engaging more proactively since then.

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Space for Rough Work

NEXT IAS