

NEXT IAS

NEXT IAS (Head Office) : 27-B, Pusa Road, Metro Pillar no. 118, Near Karol Bagh Metro, New Delhi-110060

Bhopal Centre: Plot No. 46, ZONE-2, M.P. Nagar, Bhopal-462011

Ph: 8081300200, 8827664612 | E-mail: mts@nextias.com | Web: www.nextias.com

(To be filled by candidate)

Name of Candidate : Divyanshi Singh

Roll No. : MT23 RCA PA 010

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RCA Batch 2023

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SUBJECT/PAPER
GENERAL STUDIES

Invigilator's Sign. : [Signature]

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Student's Queries for the Evaluator (if any write them below)

[To be filled by the EXAMINER]

Evaluator's response

(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				

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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.

Representation of People Act 1951 is the bedrock of electoral democracy and provides for logistics to ensure free and fair elections. Registration of Political Parties.

Sec(8) of RPA, 1951 - parameters of Disqualification

- ①. Corrupt practices $\left\{ \begin{array}{l} Bribery \\ voting in name of religion \end{array} \right.$
- ②. Practice of social crimes $\left\{ \begin{array}{l} Sati \\ Untouchability \end{array} \right.$
- ③. Conviction for offences resulting in imprisonment of more than 2 years.
- ④. Not declaring election expenses within time limit.
- ⑤. holding office of profit (art. 102).

Need to resolve Ambiguity in sec 8 →

- ①. To fast track the conviction of MLAs/MPs.
- ②. To decriminalise the election process.
(43% MPs in Parliament having criminal background)

- ③. To delineate the offences and reduce litigation.
- ④. Reduce money-muscle power in elections
- ⑤. Informed voting by protecting rights under art. 19(1)(a).
- ⑥. emerging issues to be tackled.
 - Hate speech
 - vote-Bank Politics

Thus, RPA, 1951 needs to be reformed as per recommendations of Law Commission and 2nd ARC to strengthen ECI (Art. 324) & electoral democracy.

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.

Constitutionalism refers to the constitutional limitations put upon the various organs of the state in order to promote Constitutional Objectivity (no encroachment of others' jurisdiction).

Constitution is a mere skeleton

- ①. Provides for fundamental rights (Part-III)
(Art. 12 - Art. 36)
- ②. Delineates the jurisdiction of
 ↗ legislature
 ↘ executive
 ↘ Judiciary
- ③. System of checks & balances
- ④. Affirmative action for weaker sections
 ↗ SCs
 ↘ STs
 ↘ women

(Art. 46, Art. 15, Art. 16).
- ⑤. Fundamental Duties (Art. 51-54) of citizens.

Constitutionalism is soul of democracy

- ①. Provides for checks & balances.
↳ Judicial Review (Art. 32)

- ②. enforcement of Fundamental Rights.
(Art. 32)
- ③. Mechanisms to check executive tyranny.
④ Basic Structure Doctrine
- ④. Independence of executive bodies/agencies.
④ Appointment of CVC by a Collegium.
- ⑤. Mechanisms for accountability
 - Contempt of Court
 - Parliamentary Committees.
 - Dissolution of Parliament.
- ⑥. Delineation of subjects (seventh schedule).

Constitutionalism is the hallmark
of Indian democracy providing for
whole-of-the-society approach.

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 refer to instruments of financing the elections in which a donor subscribe to the bonds issued by the political parties through RBI.

further opacity legitimised by Electoral Bonds

- ①. anonymity of donors
↳ Black money flow in elections.
- ②. Not level playing field.
↳ Ruling party can know about donor.
- ③. virtually no limit for funding.
- ④. Small parties not able to access funds.
- ⑤. Criminalisation of politics
↳ muscle-men-money power.

Transparency also promoted

①. Banking transactions
↳ keeping a tab on black money.

②. have to be redeemed within 15 days
↳ otherwise, go to a fund.

③. Mechanism still in progress.

Electoral Bonds are needed to be reformed in order to cleanse the elections in India and promote true democracy.

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.

Uniform Civil Code (Art. 44) refers to codification of personal laws of various communities so as to codify various laws related to inheritance, adoption, etc.

Gender equality central to UCC

- ①. Discrimination with women
↳ No coparcenary rights.
- ②. exploitation of married women
↳ Triple Talag followed in Islam.
- ③. women discriminated by Religious Institutions
↳ Ban on entry of women in mosques.
- ④. No autonomy on their bodies.
↳ Religions proscribe use of contraceptives.
- ⑤. Bar on inter-community marriages
↳ honour killings.

Challenges in reconciling UCC with Gender Equality

- ①. No consensus among different communities.
↳ opposition by muslim organisations.
- ②. Don't respect diversity of practices.
↳ fear of cultural homogenisation among tribes.
- ③. No expertise to check essential religious practices.
- ④. Lack of political will.
↳ vote-bank politics.
- ⑤. Age-old customs, traditions
↳ orthodox outlook ⇒ trivialisation of Gender Inequality.

Need is of UCC is urgent as has been observed by honorable SC in various judgements like Shah Bano Case, Sarla Mudgal Case and so on.

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.

The office of Governor is mentioned under art. 154 and he is appointed by the President by warrant under his hand and seal to enhance federalism in India.

Contribution of Governor to the governance of a state & reinforce principle of federalism.

- ①. Governor responsible for summoning & proroguing the Legislative Assembly.
- ②. Administers the schedule V & VI states for administration of tribals.
- ③. Check on hasty, ill-considered Bills.
↳ assent (art. 200).
- ④. Check the miscarriage of justice.
↳ pardoning powers.
- ⑤. Promulgates ordinance during emergency & fills legislative vacuum. (art. 213).

- ⑥. Act as link b/w Central Govt. & State Govt.
- ⑦. Check on subversion of Constitution & obstruction of democracy → President's Rule (Art. 356).

Challenges of Governor's Role

- ①. Political bias
 - ↳ Unimachal Pradesh Governor ordering Trust vote before completion of disqualification proceedings (10th schedule).
- ②. Acting w/o advice of State Council of Ministers (Art. 163(2))
 - ↳ TN Governor summoning assembly.
- ③. Arbitrary use of discretionary powers
 - ↳ Recommending President's Rule.
- ④. concerns related to role of ~~Chancellor~~ ^{VC} Chancellor of University. Ex: Kerala, Punjab.
- ⑤. Speaking against Govt. of the day publicly
 - ↳ Motion of Thanks speech

Role of Governor should be above party politics and above all politics (B.P. Singh Case).

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.

Social Accountability refers to accountability of executive to the common public who are the beneficiaries or at the receiving end.

eg → Demand of MKSS for implementation of Right to Information Act.

Role of Social Accountability in Good Governance

①. Promotes Citizens participation

↳ eg → 6mn applicants in RTI per year.

②. Mid-course correction of govt programmes

↳ Monitoring

③. Works on building consensus

↳ stakeholder approach. eg → Legislative Impact Assessment

④. Promotes e-governance.

eg → eCRAMS, UMANG portal.

⑤. In alignment with Swottana Model

- ⑥. Transparency in govt. functioning
↳ e.g. open data policy.

Further, Measures Needed

- ①. Empowerment of local governance
(73rd & 74th Amendment)
- ②. education & skill development.
- ③. legislative framework
↳ e.g. Meghalaya's social audit law.
- ④. CAR guidelines on social auditing can be replicated.
- ⑤. Rights based approach (Part-III)

Social Accountability is crucial to realise the vision of "Sabka Saath Sabka Prayas, Sabka Vikas".

- 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.

Multidimensional Poverty Report released by NITI Aayog in 2023 has emphasised upon curbing malnutrition & hunger as it is the cause of 30% poverty prevalent in India.

Need for Convergence of Nutrition-specific & Nutrition-sensitive approach to tackle child undernutrition

- ①. Focus on nutrition deficiencies
 - ↳ e.g. Anaemic children.
- ②. To tackle the issue of stunting & wasting. e.g. 25% muslim children stunted.
- ③. For nutrient absorption & cognitive development.
- ④. To tackle IMR (26 in 2021)
 - ↳ Due to diarrhoea, TB, etc.

- ⑤. lack of focus on nutrition security in India. ~~eg~~ focus on wheat-rice bias.
- ⑥. To diversify the food basket under PM-Poshan. ~~eg~~ including millets.

Remedial Measures

- ①. Fortification of food. ~~eg~~ Golden Rice
↳ Recommendations by FSSAI
- ②. Including millets
↳ Protein
↳ micro-nutrients
 ↳ Zn ↳ Vit B 12
- ③. Strengthening Food Processing Industries
↳ formalisation of MSMEs.
- ④. Education of Lactating mothers
↳ early breastfeeding.
- ⑤. Involving CSOs in immunisations
↳ resolving concerns of Aasha workers.

A multipronged approach is needed to build capabilities for future of nation to make them future ready.

Q.8

ग्रामीण गरीबी उन्मूलन की धुरी मनरेगा, राजकोपीय 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 is a Govt. programme which assures employment of 100 days to all adults living in rural areas and are unemployed.

MGNREGA : lynchpin of Anti-poverty

- ①. Provides employment.
↳ generates income.
- ②. Build community assets
↳ ex) Toilets under Swachh Bharat Abhiyan.
- ③. Promotes community participation
↳ ex) Social Audit.
- ④. Promotes over-all development.
↳ ex) convergence of MISHTI & MGNREGA.
- ⑤. Additional income for agri labourers.
↳ during lean season.

MGNREGA : Victim of fiscal Apathy

- ①. lower budgetary allocation this year as compared to previous years.
- ②. Delayed wages due to diversion & middle-men.
- ③. exclusion due to Digitisation.
↳ selection of workers due to biometric attendance.
- ④. Digital Divide $\Rightarrow$ exclusion of women
↳ Need for mobile phones
(NFHS-5 - 56% women has access to mobile phones).
- ⑤. Decline of social Auditing Tools

MGNREGA scheme has to be strengthened as it is based upon workfare economy model to alleviate inter-generational poverty

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.

Global divides refer to the divide b/w haves and have nots where haves are countries of Global North and have nots are countries of Global South.

Current Geopolitical Churn —

- ①. Russia-Ukraine War
↳ Potential Disruptions of Supply Chains
- ②. Chequebook Diplomacy of China
↳ Countries like Africa, Sri Lanka in Debt trap.
- ③. Role in Indian Ocean Region
↳ String of Pearls Policy of China
- ④. US-China Cold War
↳ Trade War.
- ⑤. Decline of multilateral institutions
↳ WHO, WTO, UNSC, etc.

Way for India's rise to global high table

- ①. Potential for India to be part of global value chains.
ex → electronics.
- ② strategic partnerships
ex → icET partnership b/w India & US.
- ③. Role of Net Security Provider in IOR.
ex → operation Sanjivani & Neer during Covid-Pandemic.
- ④. Projection of soft-power
Yoga for Vasudhiva Kutum
balam
Knowledge Diplomacy
ex → IIT in Tanzania
- ⑤. Leveraging Presidency of G-20
Medical Diplomacy
ex → Ayurvedic Medicine
Reforms in Multilateralism
ex → UNSC
- ⑥. Diversification of ties in West Asia
ex → CEPA with UAE.

Diplomatic softness of India can go a long way in India soon becoming a Global leader.

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.

Germany holds significant amount of economic, political power in European Union - Rising India - Germany Cooperation can be a gateway for India - EU ties.

Significance of Germany in India's relations with EU

- ①. Germany has greater say in EU's matters.
↳ ex: Brexit.
- ②. Germany is a leading power.
↳ ex: defence power.
- ③. A leading player in green growth initiatives of EU.
- ④. India - Germany Cooperation in several areas
 - ↳ Geoeconomic
 - ↳ Geopolitical
 - ↳ climate change.
 - ↳ Russia - Ukraine war

⑤ India - Germany convergence in emerging technologies. (eg) electric vehicles

⑥ Both support each other's claim for seat in UNSC (members of G-5)

Reforms to strengthen ties with EU

- ①. Resolving pending agreements.
(eg) India - EU BTIA
- ②. Changing mindset towards Europe.
(eg) elimination of colonial legacy.
- ③. Reinvigorating momentum in economic ties.
- ④. Talks for Free Trade Agreement.

Europe has to change its mindset in terms of considering world's problems as its problems. — EAM JAISHANKAR

Q.11 दल-यदल 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.

Anti-Defection law is mentioned under 10th schedule, was implemented by 52nd Constitutional Amendment Act, 1985 to prevent the menace of "Aaya Ram Gaya Ram" politics in India.

Relationship b/w Political parties and individual legislators impacted by Anti-Defection law

Positive Impacts

- ①. Promotes party discipline
↳ voting on party lines.
- ②. Maintains trust among party members.
↳ Party-ticket.
- ③. Prevents house-trading and political opportunism → Party loyalty.
- ④. Maintains ideological affiliations of members & party.

- ⑤. strengthens opposition and strict scrutiny of ruling party
↳ shadow cabinet (Britain)

Negative Impacts

- ①. Results in Party Bossism
↳ Whip issuing guidelines.
- ②. Crisis of conscience of individual member
- ③. Obstructs intra-party democracy
↳ Centralisation of powers
- ④. lack of ideological moorings in
- ⑤. exploiting loopholes in law.
↳ members are exempted ($\frac{2}{3}$ rd members can defect).
⇓
erosion of trust in party.
- ⑥. Party dictatorship even in mundane matters → voting on ordinary Bills.

Unintended Consequences on functioning of democracy

- ①. ^{4th} loss of accountability to the Constituency.
- ②. Defections still happening.
 ↳ e.g. Karnataka, Maharashtra.
- ③. Politicisation of office of speaker (Art. 93)
 ↳ Shriamant Patel case
- ④. Legal loopholes → e.g. resignation & induction by by-polls
- ⑤. Instability of Govt.
- ⑥. Political exigencies & defection
 ↳ e.g. Uttarakhand.
- ⑦. Political biasness of Governor
 ↳ ordering of trust vote before completion of defection proceedings.

Reforms in Defection law has become urgent as has been highlighted by Suresh Goswami Committee, Law Commission, S.P. Maurya Case to give powers of speaker to a election commission or a Permanent Tribunal.

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 Doctrine originated in the Keshavanand Bharati Case, 1973 to overrule 24th Constitutional Amendment act to preserve Constitutional Supremacy and eliminate authoritarianism.

Structural Ambiguity of BSD

- ①. not codified yet.
- ②. Evolved by Supreme Court in various judgements from time to time.
 - ↳ SR Bommai Case → Secularism, Federalism
 - ↳ Minerva Mills Case → Judicial Review
 - ↳ Fourth Judges Case → Independence of Judiciary

Judiciary is more powerful than executive due to ambiguity of BSD

- ①. Instances of Judicial overreach:
 - ↳ Highway liquor Ban Case.

- ②. Nepotism → or striking down NTAC
↳ Independence of Judiciary part
of BSD.
- ③. Ordering Court time to time
↳ eg → To cancel internet shutdown
in J&K.
- ④. Encroachment upon jurisdiction of
legislature → Mishakha guidelines.
- ⑤. Contempt of Court charges arbitrarily
↳ Brashant Bushan Case.
- ⑥. exhausting various constitutional bodies
under court jurisdiction (Art. 32)
↳ eg → Governor, Speaker.

Basic structure doctrine inducing
harmony b/w executive & judiciary

- ①. Promotes faith of public.
↳ eg → Tehseen Poonam's Case
↳ asking for separate law
on mob lynching

- ③. Works for Complete justice (Art. 142)
↳ eg. compensation for victims of
Bhopal Gas Tragedy.
- ④. Fills Political vacuum.
↳ eg. action on mass sexual assault
of Kuki women in Manipur.
- ⑤. Evolution of Constitution as per changing
realities → eg. Navtej Johar Singh Case.
- ⑥. Protecting Constitutional Supremacy.
↳ eg. Dr. Upendra Case on promulgation
of ordinance.
- ⑦. Promoting Transparency and
accountability - eg. office of CJI under
RTI

Judiciary & Executive need to
work harmoniously under Basic structure
doctrine to give effect to Constitutional
objectivity.

- 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 निबंधन 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 (Art. 12-36) are mentioned under Part-III of the constitution to promote political & economic democracy by keeping a check on tyranny of the executive.

Fundamental rights possessed by individuals independently of the state

- ①. State has obligations to fulfill fundamental rights.
 For equality before law (Art. 14)
- ②. Accountability of state promoted by Judicial Review (Art. 13)
 ↳ Keshavanand Bharati Case.
- ③. Duties of state to protect various rights. For Art. 21A — Right to education
 ↳ (Mohini Jain Case)
- ④. Test of Proportionality used in case of

obstruction of fundamental rights.
↳ Anuradha Basin Case.

⑤. Affirmative Action needed to undo
historical injustice.
↳ (Art. 15, Art. 16)

⑥. Laws to be made to enforce Fundamental
rights. (Ex) Protection of Civil Rights Act, 1955
(Art. 17)

Desirability of reasonable restrictions on
Fundamental rights

①. To protect rights of all.
↳ (Ex) under 19(2) → Right to
protest on restriction of public convenience

②. To protect liberty of society.
↳ (Ex) Right to trade in hazardous
substances like drugs prohibited.

③. To inculcate a sense of civic duty.
↳ (Ex) Respecting others' interest.
(Art. 19(1)(f)).

④. To protect unity and integrity of
state. → (Ex) under 19(2).

- ⑤. To maintain faith in public institutions.
↳ restrictions due to contempt of Court.
- ⑥. To tackle issues like hate speech.
↳ @ Naidwar case.
- ⑦. To ~~pro~~ curb - anti-national elements.
↳ @ Supreme Court upheld FARA to curb illicit funding of NRAs.
- ⑧. Limited resources of state.
↳ SC said that right to higher education is not fundamental right.

Fundamental rights are the bedrock of a strong democracy and has to be implemented in letter & spirit ~~to~~ to promote socio-economic democracy.

Q.14

'एस.आर. बोम्माई 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.

Supreme Court in SL Bommai vs Union of India emphasised upon federalism as part of Basic structure doctrine thereby putting constitutional limitations upon the role of Governor and the Centre.

Significance of Judgement

- ①. Curb misuse of President's Rule (Art. 356)
 - ↳ laid several conditions for ~~use~~ proper & improper use of Art-356.
- ②. Constitutional limitations on appointment of Governor.
 - ↳ shouldn't be arbitrary although no grounds are mentioned.
- ③. Protecting the autonomy of State
 - Court → ⚡ Judicial Review of President's Rule.

④. said that State Assembly shouldn't be dissolved w/o trust vote.

⑤. Induce Cooperative Federalism -
↳ stress on Inter-state Council
(Art. 263).

Impact of Judgment on federal structure

①. Curb on discretionary powers of Governor
↳ Art. 163(1).

②. Made advice of State COM for Governor binding.

③. Crave way to other judgements
⇓
strengthening of federalism in India.

eg: Shamsher Singh judgement → Governor's satisfaction not personal but the satisfaction of COM.

④. Check on unbridled authority of Centre
↳ misuse of President's Rule.

⑤. Check on removing governors in an arbitrary manner.

⑥ - made recommendations of AST Council
(Art-279)

non-binding
↓

preserving the voice of state
governments.

⑦. Conventions

→ Consultation with
CM on appointment
of Governor

→ Governor should be
an outsider.

Federalism in India is sui-
generis which has to be strengthened
using recommendations of Sarkaria &
Lunchhi Commission.

- Q.15 प्रभावी विकेंद्रीकरण की कुंजी 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.

Decentralisation of Governance in India was effected by 73rd and 74th Constitution -al Amendment Acts giving way to XIth & XIIth Schedules mentioning functions of PRIs & municipalities.

Impediments faced by local Governance

2nd ARC mentioned 3 impediments

↳ Funds, Functions, Finances Functionaries

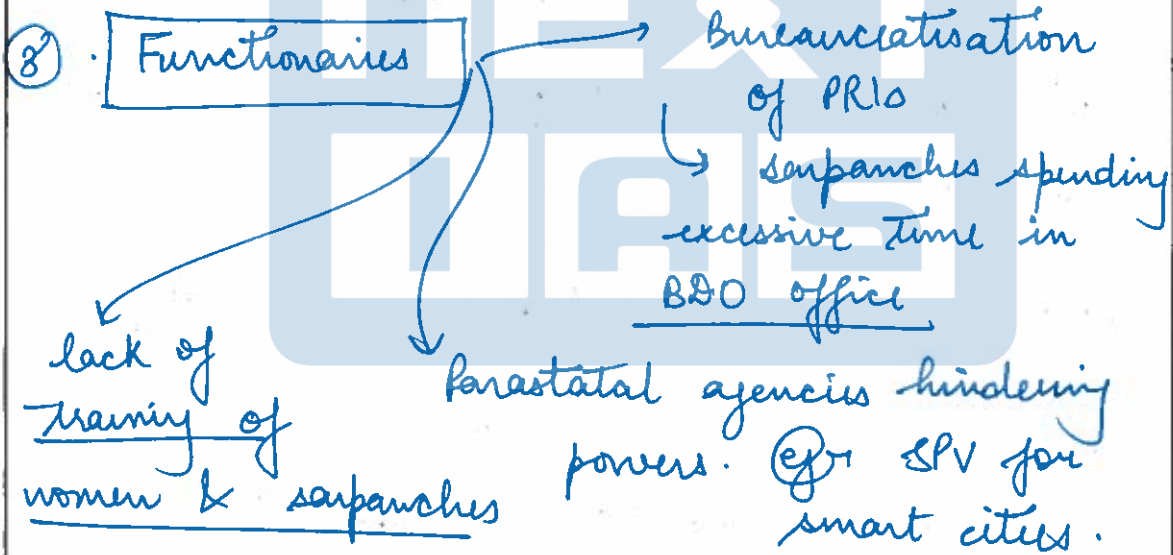
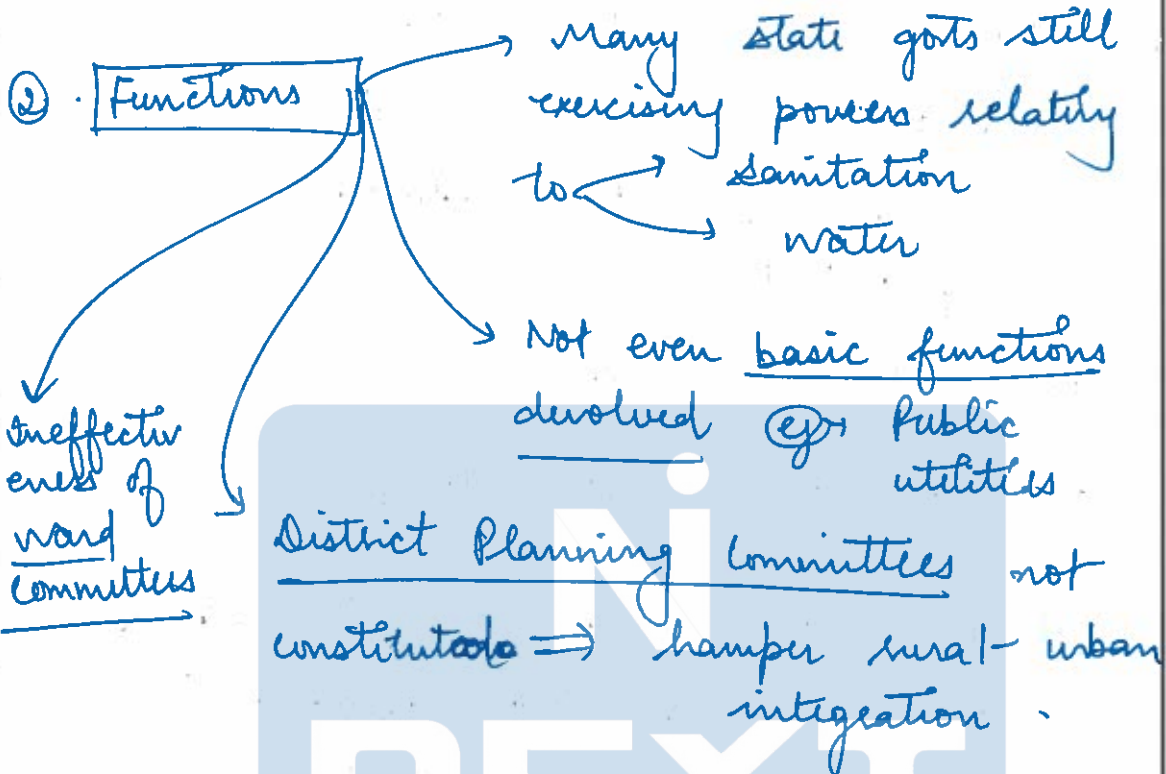
①. Funds → No devolution of untied funds by state Govts.

→ Irregular Constitution of State Finance Commissions by various states.

→ No powers to generate their own finances

→ lack of will of PRIs to generate levy taxes.

→ Municipal Bonds still not strengthened



→ lack of awareness of their duties & functions.

→ lack of supporting staff & personnel.

Measures Required

- ①. Imitating Role Models like Kerala
↳ Big Bang Reforms → devolving powers of waste management, production & employment.
- ②. Power to levy taxes
- ③. Powers of DM. (eg) Odisha.
- ④. Continuing roles as given during Covid.
↳ (eg) role of nodal agencies in testing, tracking, tracing.
- ⑤. Training & skill development of personnel.
- ⑥. Functioning of District Planning Committee
- ⑦. Proper auditing of accounts
↳ accountability to grassroots.

Local Governance Institutions are tools of grassroots democracy & thus have to be given teeth as per recommendations of 15th Finance Commission.

- Q.16 सामूहिक विशेषज्ञता और नेटवर्क (संजाल) का लाभ उठाने के लिए बहु-हितधारक साझेदारी महत्वपूर्ण 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.

Sustainable Development Goals of UN are envisaged to make development inclusive and eco-friendly by adopting a bottom up approach for last-mile delivery.

Need of multi-stakeholder partnerships

① Partnership b/w various levels of govt. → for last-mile development

eg. using PRIs.

② PPP to develop infrastructure

↳ eg. sustainable cities & communities (SDG-11)

③ engaging CSOs & interest groups

↳ for education activities & effective implementation

eg. Swachh Bharat mission.

- ④. Promoting Community Participation
↳ e.g. Paani Samitis in Jal Jeevan mission.
- ⑤. Skill development e.g. NEL 2020
as per needs of 21st Century.
- ⑥. International Collaboration for exchange
of best practices. e.g. Europe's Digital Rights & Clean energy initiatives.

Need of localised Implementation

- ①. Ineffectiveness of one-size fits all approach. e.g. Diversity of agro-climatic zones in India.
- ②. Handholding approach for backward regions. e.g. Aspirational blocks Programme.
- ③. Participation of stakeholders
↳ e.g. social audit.
- ④. Customised solutions.
↳ e.g. coastal states → MISHTI
↳ drought prone → rain water harvesting

⑤. Promote accountability at local level.

⑥. localisation of global problems
↓
local solutions $\Rightarrow$ effective.

Measures needed to achieve SDGs

①. localisation of powers relating to
sanitation, watershed management, etc.

②. Strengthening of PPPs
↳ faster contract enforcement.

③. Engaging global community
↳ @ global NGOs like TRAFFIC.

④. Inducing Competitive Federalism
↳ @ CPMI Index of NITI Aayog.

⑤. Working on reports like MDP 2023
↳ NITI Aayog.

only stakeholder approach promoting
Jan Bhagidari can help achieve the
17 SDGs having more than 150 targets.

- 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.

Supreme Court came out with Vishakha guidelines which led to implementation of POSH act to promote female LFPR and makes public spaces gender friendly.

Framework of POSH

- ①. Obligation of employer
 - ↳ Constitution of Internal Complaints Committee (ICC)
- ②. Punishment for offenders
 - ↳ Fines
 - ↳ Firing
- ③. Designing gender sensitive work spaces.

Limited success in raising awareness about sexual harassment

- ①. women still being sexually harassed
 - ↳ e.g. #MeToo Movement.
- ②. Awareness not prevalent among employers of MSMEs.

③. violation of act very frequent.
↳ NO constitution of internal complaints committee.

④. Major corporate ~~debt~~ directors go scot-free → crony capitalism.

Factors hindering its outreach to women employed in unorganised sector

①. Difficult to track
↳ ex) women employed as domestic workers in household.

②. Invisible nature.
↳ ex) woes of women in Maharashtra's sugarcane fields.

③. lack of awareness among women employees
↳ poor literacy.

④. mostly women in unorganised sector
↳ below poverty line.

⑤. Difficult to devise redressal mechanisms
like ICC in agriculture sector
↳ huge chunk of informal sector

Strategies for Comprehensive Protection of women in unorganised sector

- ①. Definition of workers included in labour codes. eg crig workers.
- ②. Education & awareness campaigns in rural areas. eg Waked Natak.
- ③. Penalties for employers.
- ④. Engaging with NDCs & Reserve Groups
 eg SEWA by Chhatt.
- ⑤. Technological initiatives like myGov App.
 ↳ helplines & :
- ⑥. Long-term solution
 ↳ Formalisation of informal sector through
 ↳ GST ↳ Banking ↳ Aadhar
 ↳ digitisation ↳ KYC

Sexual Harassment at workplace

acts as a major hindrance to Female FLFPR & thus, have to be eliminated.

- 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.

Neo-liberal reforms initiated in 1991 in form of LPR reforms have given rise to Laissez-Faire economy giving way to participation of private sector in all areas.

Transformation of welfare state & civil services

- ①. Withdrawal of state from many areas.
↳ e.g. railways, education, etc.
- ②. Engaging private sector. e.g. PPP in infrastructure
- ③. Obliging with WTO rules.
↳ e.g. Patent rules (TRIPS).
- ④. Expansion of informal sector
- ⑤. MNCs expanding w/o paying taxes
↳ e.g. e-commerce entities like Google, etc.
- ⑥. Use of e-governance → e.g. CRM Portal
↳ Ucrans.

Challenges faced in service delivery

- ①. Dilemma b/w promoting Company's
interest
↳ labour reforms saving worker's interest
- ②. Reducing the costs of various essential services - eg high out-of-pocket expenditure.
- ③. Promoting ease of doing business
↳ eg high contract enforcement costs.
- ④. Expansion & Dominance of MNCs over seeds. eg Monsanto case.
- ⑤. women & tribals acting as reserve army of labour.
- ⑥. Competition for Domestic Industries
↳ eg Disadvantages due to FTAs.
(Dumping by China).
- ⑦. Subsidies requirement at WTO.
↳ eg Challenge of farm subsidies given by India.

Adequate reforms needed

- ①. Balancing interests of consumers & companies.
eg. CSR
- ②. state's role in essential sectors.
eg. Right to Health Care Act → Rajasthan Govt.
- ③. High expenditure of Govt on social infra
↳ 6% of GDP on education
↳ 3% of GDP on health
- ④. Handholding approach for MSMEs
↳ eg. Champions Portal, PLI, etc.
- ⑤. Participation of community
↳ eg. e-gov model
- ⑥. Leveraging FTAs in our national interest.
- ⑦. Collaboration in emerging sectors.
eg. US-India cooperation in ICET.

Human-Centric Globalisation is
needed for benefit of the poorest
of the poor.

- 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.

India - China relations central to India's Foreign Policy in its crusts (Panchsheel) as well as its Troughs (Doklam stand-off, Galwan valley clashes).

Difficulties in India-China Relations

- ①. checkbook Diplomacy of China.
↳ e.g. BRI
- ②. Unilateral changing of Boundary.
↳ e.g. Galwan Clashes.
- ③. Undermining sovereignty of India
↳ e.g. CPEC corridor in Pakistan.
- ④. Giving patronage to authoritarian powers
↳ e.g. Myanmar.
- ⑤. Acting against India's interests.
↳ e.g. Blocking of Umarist Sajid Mir on FATF list.

- ⑥. Encroaching upon India's Territory .
↳ eg Chinese vessels in GOR.

Areas of Convergence

- ①. Huge potentials for economic trade.
↳ eg import of APs, solar panels from China.
- ②. Huge Chinese FDI in India . .
- ③. Potential of collaboration in efforts to tackle climate change.
- ④. Collaboration in emerging sectors
↳ eg semiconductor.
- ⑤. Leveraging multilateral platforms.
↳ eg SCO, BRICS.
- ⑥. Leveraging informal summits & confidence building measures
↳ eg Wuhan Summit, Mamballapuram spirit

Confidence Building Measures needed

- ①. Dialogue & Diplomacy
↳ for demilitarisation of Aksai Chin
- ②. Water Diplomacy
↳ for river water sharing
- ③. Engaging more during summits of SCO
BRICS.
- ④. Joint Investments in South
↳ Africa, Asia.
- ⑤. Joint efforts against radicalisation
↳ e.g. Saudi - Iran Peace Agreement.

India - China relations have shifted
from Inch to Miles

↳ Inch means India - China
↳ MILES means Millennium of
emerging synergies.

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 refers to the region comprising Indian ocean & Pacific ocean & is crucial for maintaining rules based order as per UNCLOS.

Tone of diverging interests & priorities

①. For India

→ To provide the role of Net security provider @ VISION
SAGAR

→ To leverage blue economy

→ For Humanitarian & Disaster Relief Measures. @ Post 2004 Tsunami.

②. For US

→ To counter BRI of China

@ Blue dot network.

→ To counter China.

→ To engage with India in asia

→ To promote militarisation of Indo-Pacific

@ → AUKUS.

- ③ For China
- String of Pearls Policy
 - Counter India & become super power
 - Promote hegemony.
 - eg → Chinese submarines & illegal occupation of south-china sea.

- ④ For Japan & Australia
- To promote rules based order
 - To counter Chinese aggression

Global Security Initiative will supersede QUAD

- Yes
- Converging interests of members
 - Centered against china.
 - Primacy to interests of ASEAN members
 - Promote infrastructure sustainable in nature

No → still in nascent stages
→ QUAD has progressed a lot
Q. Joint ex - MALABAR

Measures Needed

- enhancing representation of QUAD.
- Making it development-centric rather than China-centric.
- Formalisation of QUAD.
- arriving at a consensus among members.
- Including countries of Africa & Europe.
 - ↳ Q. France, Seychelles.

Indo-Pacific Region is a theatre of opportunity for India to implement its Neighbourhood Policy and become Vishwa Guni (Global leader) by promoting 21st CE as Asian Century.

Space for Rough Work

