

NEXT IAS

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(To be filled by candidate)

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Roll No. :
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Test - 2

Code : TC072

MTS IGP Batch 2023

GENERAL INSTRUCTIONS

This Question-cum Answer (QCA) Booklet contains 56 pages. Immediately on receipt of the booklet, please check that this QCA booklet does not have any misprint or torn or missing pages or items, etc. If so, get it replaced by a fresh QCA booklet.

Candidates must read the instructions on this page and the following pages carefully before attempting the paper.

Candidates should attempt the questions strictly in accordance with the instructions specified in the question paper and in the space prescribed under each question in the booklet. Any answer written outside the space allotted may not be given credit.

Question paper will be provided separately and can be taken by the candidates after conclusion of the exam.

SUBJECT/PAPER
GENERAL STUDIES

Invigilator's Sign. :

(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



NEXT IAS

Pg 1

Candidates must
write on this page

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.

In the pursuit of Article 327 and 328 of Indian constitution, Parliament enacted Representation of People's Act 1951 to regulate and conduct election for world's largest democracy

if convicted for any offence for 2 years + more

if dismissed from government services for corruption etc

disqualification provisions under section - 8

if failed to lodge election expenses within time frame

if engaged in corrupt practices

if practicing, promoting social evils like sati, untouchability

Lily Thomas vs Union of India case struck down the section 8(4): dealing with conviction of offence for more than 2 years leading to ambiguities

Need to resolve ambiguities

1) To protect law makers from unnecessary litigation

- 2) ambiguity provides ground for political misuse (eg) Lakshdeep MP case
- 3) to ensure principle of Natural Justice to members of parliament → adequately hearing the arguments
- 4) protect dignity of members as well as office they occupy
- (eg) Rahul Gandhi case highlighted the ambiguity in provisions and associated issues

Measures needed

- 1) Amendment to RIA Act-1951: to address ambiguity
- 2) Uniform standards of Application across judiciary
- 3) Greater political awareness among political parties, members
- 4) Strengthening & empowering Election Commission

However, the rights and immunities, of members of parliament, ambiguities in provisions needs to be reformed by keeping in mind the greater electoral issues such as criminalization of politics

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 is like a mean to achieve goals of constitution i.e. end.

"Constitutionalism refers to practices, doctrines, procedure, system that keeps the power and authority of state within the boundary created by supreme law of land."

Constitution as a skeleton

- 1) provides for rules and regulations
- 2) highlight functioning of various institutions
- 3) explain responsibilities of organs
- 4) ensures rights, duties of citizens etc

Constitutionalism is the soul of democracy

- 1) Limit arbitrariness in Government functioning (a) Government's power restricted by fundamental rights

- 2) Protect rights of citizens : Constitutionalism requires Government to ensure rights of citizens

(a) MHRC Act 1993

- 3) Supremacy of constitution : No individual, organ, institution above constitution is ensured by constitutionalism
- 4) ensures separation of power
- 5) Prevent arbitrariness in action of institution
- 6) Supreme court, necessary judgement of self prevention of abuses etc
- 7) Provides for moral development of society
- 8) Constitutionalism → SABARIMALA verdict; also decriminalization of section 377 etc

Challenges to principle of constitutionalism

- ① Lack of awareness among citizens
- ② Non-adherence to separation of power
- ③ Flexibility of Indian constitution
- ④ Committed bureaucracy
- ⑤ Large scale corruption etc

These challenges need to be addressed through multi-stakeholder approach & institutionalize principle of constitutionalism to achieve the ideal of Equality, Liberty, Justice & enshrined in our constitution.

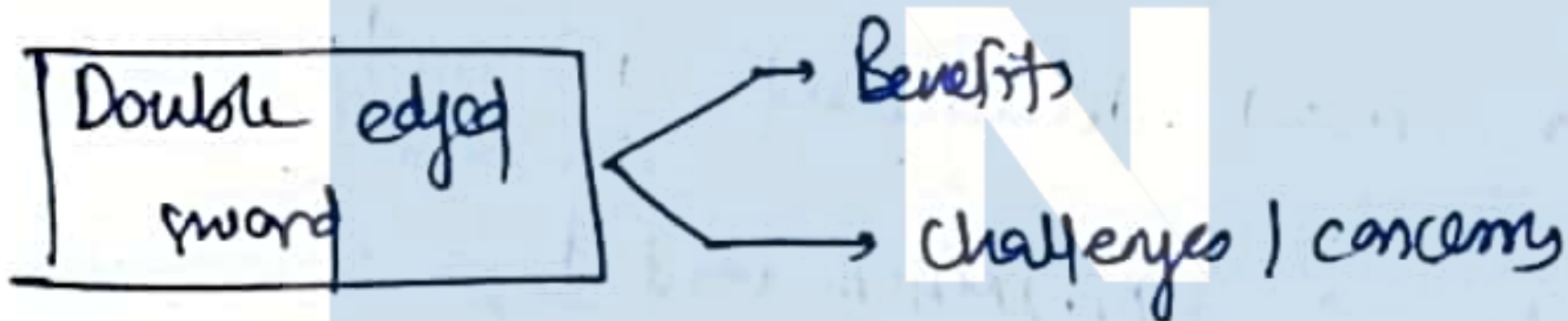
Q.3 'चुनावी बॉण्ड एक दोधारी तलवार है, जो दानकर्ताओं को अनामिता प्रदान करता है जबकि राजनीतिक वित्तपोषण में पारदर्शिता के बारे में चिंताएँ बढ़ाता है।' चुनावी बॉण्ड ने किस सीमा तक चुनावी वित्तपोषण में अपारदर्शिता को वैध बना दिया है?

(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 non interest-bearing financial instrument- used as means by political donors to donate / fund political parties in India."



Benefits of Electoral bonds

- 1) reduce role of black money in electoral funding
- 2) protect political victimisation of donors by providing anonymity.
- 3) Bank Act as intermediary hence promotes transparency to some extent
- 4) reduce role of money power in election

However, in ADR and Common Cause vs UOI, Supreme court has questioned the opacity within electoral bond scheme.

Opacity in electoral funding due to Electoral Bonds

- 1) Asymmetry in opacity: funding info not available to donor, citizens but can be available to government in power through SBC
- 2) Goes against benefit of political victimization of donor due to asymmetry in opacity
- 3) Amendments to Companies Act 2013:
 - > Promoting shell companies (requirement of 3 years clause removed)
 - > allegations of money capitalism
- 4) Amendment to Representation of People Act: Political parties do not need to submit funding to ECI
- 5) Amendment to FCRA: allowed foreign funding
 - > creating condition of Quid Pro Quo

Way forward

- 1) Legal measures: ECI or CAG should audit political parties accounts through a law
- 2) Bringing political parties under RTI
- 3) Indrajit Gupta Committee recommendations:
state funding of election

There is need to reform Electoral bond scheme to address these allegations, concerns and ensure free, fair elections in India

- 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.

Article 44 of Indian constitution provides for creation and implementation of Uniform Civil Code

Uniform Civil Code deals with the matters of marriage, adoption, inheritance, divorce etc. Since all these matters in patriarchal society like ours, it is seen to be affecting rights of women leading to question of gender equality [Article 14]

Challenges in reconciling UCC with gender equality

- ① socio-cultural : UCC is seen as encroachment on the domain of religion, religious practices
- ② Supreme Court's verdict in ~~SARAFI~~ reviewed
- ③ Disharmony within society : UCC might lead to polarization in the society and might affect social fabric
- ④ opposition of various groups to UCC
- ⑤ Issues with Diversity and Tribal population : UCC goes against the spirit of diversity

It also affect various tribal cultural practices

(e) Parliamentary committee suggested keeping tribes out of UCC

(4) Implementation challenge : especially in personal & private domain like family is challenging

(e) Practice of Dowry, Child marriage etc continuing despite legally banned

(5) Resistance from communities

Measures needed

1) towards women : focus on women empowerment and development-

2) towards society : Addressing patriarchy through Awareness generation; IEC campaign

3) Greater political consensus between parties

4) whole of the society and whole of the Government approach

5) step by step approach towards reform

As stated by supreme court in

Sarla Mudgal case - that desirability of UCC

can be hardly questioned. But for its greater success government first need to create appropriate social atmosphere.

Q.5

'राज्यपाल का कार्यालय न तो आलंकारिक है और न ही अप्रासंगिक है, यह महन 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 office of Governor, to act as intermediary between centre and state and promote principles of federalism in the country.

Governor's role → Contribution to the governance of State & reinforce federalism

1) Legislative role :

- under Article 199 → Grant Assent to the bills of legislative assembly
- Article 213 → promulgation of ordinance by Governor

2) Executive role :

- Article 167: Prescribes rules for executive functioning; enquire into matters of governance and administration

3) Judicial role :

- Pardoning powers of Governor
- Disqualification of members under Article 191 with consultation of Election Commission

- 4) discretionary powers : Like appointment of C.M., during Hung Assembly etc.

Limited contribution of Governor to Governance of state and principles of federalism.

- 1) Governor only nominal Head of state
- 2) Bound by aid and advice of council of ministers
- 3) Limited powers with respect to Governance of state
- 4) Lack of security of tenure : it is at the sweet will of centre

Other issues with office of Governor are:

- 1) Delay in assent to the bills - Telangana case
- 2) Dismissing ministers without aid & advice - Tamil Nadu case
- 3) Interference in day to day administration - West Bengal case
- 4) Impartial functioning during Hung Assembly

Measures needed

- 1) S.R. Bommai judgement implemented in spirit
- 2) Sarkaria & Punchi Commission recommendations to strengthen office of Governor by removing discretion

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।

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 Law has been demanded in states like Meghalaya, Rajasthan, & recently. Social Accountability is enforced through tools such as Social Audits; Grievance redressal etc.

Social Audit Law → Good Governance

- 1) Transparency: by promoting information sharing in public
- 2) Accountability: reduces discretion of officers
- 3) Responsibility: enhances responsibility of officers, administration etc for duties & work.
- 4) Efficient and effective delivery of services
- 5) Reduces corruption: citizens themselves evaluate the implementation of projects

eg) social audit under MGNREGA

social audit under PMAY

social accountability → boost citizen participation in decision making

- 1. Provides for participatory democracy
(eg) PESA Act
- 2. Promotes information sharing - thus improves decision making (eg) Environmental Impact Assessment through Public Hearing
- 3. Empowerment of citizen due to citizen centric framework of social accountability law

Challenges

- 1) Lack of political will
- 2) Capacity of local government bodies
- 3) Bureaucratic resistance for power sharing
- 4) Corruption at the lower levels of Government
- 5) ~~lack~~ poor awareness, citizen engagement and involvement of civil society

Measures needed

- 1) Implement 2nd ARC recommendations with regard to social auditing; grievance redressal
- 2) Greater political awareness, strengthening of local bodies

- 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.

The TIFHS-5 data highlighted that 35% of our children are stunted while 19% are wasted, these are way behind SDG-3 goals.

It calls for convergence of 'nutrition specific' and nutrition sensitive intervention.

Nutrition specific interventions are specific towards certain nutrition like Golden Rice - addressing vitamin A deficiency

Nutrition sensitive interventions are broad measures taken to address the causes behind malnutrition like addressing poverty, food insecurity etc

Need for convergence of Nutrition specific & nutrition sensitive intervention

1) fusion of short term needs & long term needs $\Rightarrow$ Holistically address the issue of malnourishment

2) to reduce out of pocket expenditure :

Better immunity through convergence reduces health expenditure

- ③ Better outcomes like children's learning outcome, enhanced labour productivity is possible
- ④ tackle issue of "Hidden Hunger" effectively
- ⑤ Helps in utilising the potential of demographic dividend
- ⑥ convergence also focuses on women empowerment, hence it will have multiplier effect on society, economy, health etc

Challenges in Convergence

- 1) multiple departments, multiple scheme working in silos
- 2) fiscal constraints : Debt to GDP Ratio more than 80%
- 3) Bureaucratic issues in bringing fusion
- 4) capacity of local bodies ; civil society ; ASHA workers etc

Steps taken

- 1) PosHAN 2.0 : convergence of nutrition specific schemes
- 2) Mission 1 lakh by 2024 : SHG & women empowerment
- 3) PDS reforms : fortified food distribution through ration shops

Addressing malnutrition should be top most priority to utilise the demographic dividend & economic growth

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.

The recent budget reduction for FY 23-24 MGNREGA has brought the issue unto limelight.

MGNREGA provides for guaranteed 100 days of employment for Rural Households during a financial year. It is hailed as lynchpin of poverty alleviation.

Recent development → highlighting victim of fiscal apathy

- 1) Reduction in budget of MGNREGA → just 60000 cr has been kept which is lesser than actual spending in FY 2022
- 2) Delay in release of funds → from centre to state
- 3) MGNREGA wages : not linked with basic minimum wages due to fiscal apathy
- 4) Optimization of payment to streamline finances without focusing much on financial literacy and financial infrastructure

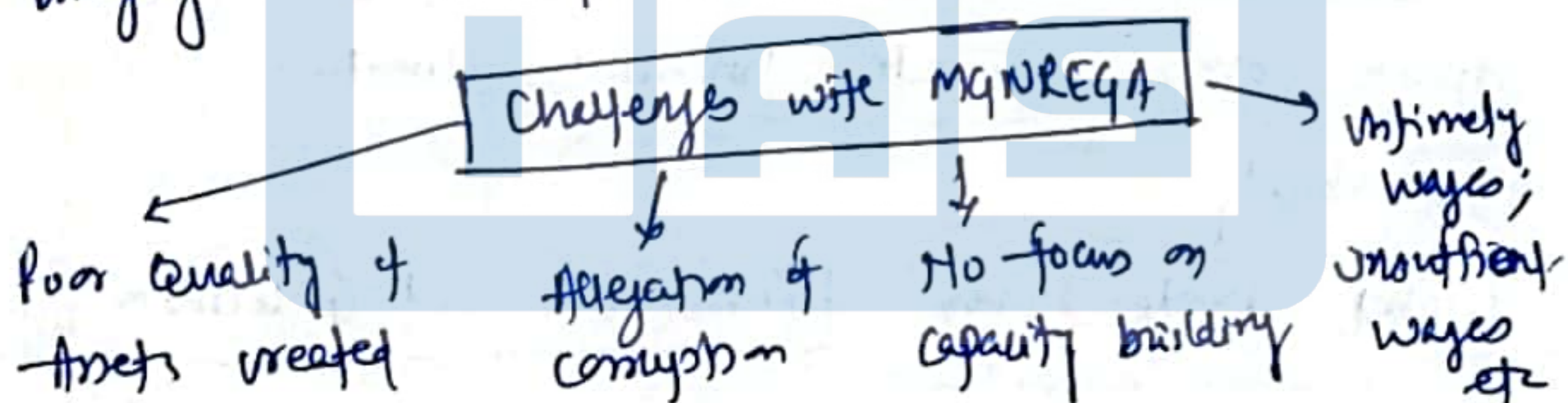
5) numbers of beneficiaries under MGNREGA back to pre-covid levels but finances for the scheme witnessing decrease

However, the allegations of fiscal apathy have been overshadowed due to

1) convergence of MGNREGA with schemes like PMAY (G) → ₹ 59000 cr allocated for PMAY (G)

2) continuous support to MGNREGA been maintained despite increase in demand

3) state support : like Rajasthan which is bringing urban equivalent of MGNREGA



Measures needed

1) increasing no. of days work from 100 to 150 as suggested by Parliamentary committee

2) MGNREGA should also focus on skilling to boost labour productivity

Reforms in MGNREGA are essential to achieve SDG goals on Poverty, Hunger, Health etc

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.

Recently, foreign minister highlighted the objective of India's foreign policy as - "tool for managing differences while managing and fostering convergences."

Present geopolitical churn, which reflects global divide is seen through:

- 1) Russia Ukraine war → New cold war
- 2) USA china trade war
- 3) weaponisation of currency, energy, etc
- 4) division over climate financing, climatic responsibility
- 5) Global divide over deglobalisation and Globalism
- 6) Agreement on Agriculture (C WTO, WTO reforms etc

How These geopolitical churn can pave the way for rise of India to the global high table through -

- ① Adhering to strategy of multiple alignment

- ② Diplomatic balancing with divided blocs
- ⑧ Russia's oil deal ; USA's technology deal
- ③ promote demand for multilateralism, UN reforms etc.
- ④ Utilize opportunity through efforts like extending support to Global south ; Pacific Island countries etc.
- ⑤ Diplomatic engagement with divided blocs to reflect India's position on the matter

Challenges to India's rise to Global High table

- ① Limited capabilities & resources
- ② Assertive diplomacy of China
- ③ Rigidity of UNSC, power blocs
- ④ Instability in India's neighbourhood etc.

Steps taken → ensuring rise to Global High table

- ① first respondent in HADR ② Operation Dost during Turkey earthquake
- ② Vaccine diplomacy
- ③ G-20 presidency ; SCO presidency
- ④ calling for peace in Russia Ukraine war through dialogue & diplomacy

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।

"Berlin can be India's gateway to the European Union." Elaborate with respect to Germany's significance in India's relationship with the EU.

(150 शब्दों में उत्तर दीजिए) 10 अंक

(Answer in 150 words) 10 marks.

"India Germany relationship is founded on principle of cooperation, collaboration, strategic autonomy." - foreign affairs minister S. Jaishankar

Berlin can act as gateway to European Union for New Delhi amid global currents such as Brexit, Russia-Ukraine crisis etc

Germany's significance with respect to India's relationship with the EU

- 1) Economic significance $\Rightarrow$ one of the largest trading partners with EU [$\sim$ \$20 bn trade]; FDI of Germany amounting to \$10 bn
- 2) Political significance $\Rightarrow$ Both Berlin & New Delhi share similar political values like democracy, rule of law, concern for human rights etc.
- 3) Cultural significance $\Rightarrow$ pop. popularity of Bollywood; interest in Sanskrit & Indology; Diaspora

- 4) Technological significance : sharing of green & clean technology, Agreement over AI, cloud computing etc
- 5) strategic significance : Both Berlin & New Delhi are strategically closer over UHSR reforms, multilateralism, fight against terror etc

Issues within India-Germany relations

- 1) Potential of bilateral trade not explored -
No talks on FTA ; ECTA etc
- 2) Chinese Dilemma : dependency of Germany on India on Chinese economy
- 3) Interference in domestic affairs : India's stand on Russia Ukraine was criticised by Germany, EU.
- 4) criticism of IPR policy of India, issues with market access etc

However, India and Germany needs to work out these divergences and foster a stable strategic partnership which will not only benefit India and Germany but also to EU and world at large.

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.

The 52nd Constitution Amendment Act inserted Schedule 10 to the constitution and amended Article 102 & 191 to deal with issue of defection, "Mansaram Mansaram" tendency in Indian politics.

Benefits of Anti Defection Law

- 1. Provided for Government stability
- 2. Promoted party discipline
- 3. Addressed political corruption & HORSE TRADING
- 4. Provides for political merger, realignment etc

Impacted relation between political parties and individual legislators

- 1. strict adherence to party whip
- 2. Affected freedom of speech & expression of individual legislators
- 3. Promoted party discipline, party loyalty
- 4. Accountability towards party more than Accountability towards voters, constituency etc

Recently the Maharashtra Political crisis case in supreme court, brought the anti defection law into limelight.

Unintended consequences of ADL on functioning of democracy

- 1) Limited the legislators freedom of speech and expression : due to clause of whip
- 2) Exemptions to mergers : like 2/3rd of members of political party can merge with other → promoting mass defection
 - (e.g.) Shivsena case
- 3) Do not deal with split within political parties
 - (e.g.) MCP case
- 4) Questions raised over office of Governor :
 - (e.g.) Subhash Desai vs Principle secretary to Governor of Maharashtra
- 5) Not able to prevent defection despite law
 - (e.g.) Maharashtra case; Madhya Pradesh case; Goa case
- 6) Raised questions over office of speaker and chairman
 - (e.g.) Pitha Hothan case; Melam Rabor case

7) deteriorated trust among voters due to defections and splits etc

Thus in order to address the unintended consequence there is need for following measures

Measures needed

1) MURWE recommendation:

⇒ Disqualification powers should be given to President / Governor

2) Dinush Goswami committee

⇒ AML should be applicable only on matters of vote of confidence, no-confidence

⇒ exemption given to party mergers needs to be removed

3) Amendment to AML to deal with splits
in addition to mergers

4) Hakim Ali committee recommendation : to address ambiguities of provisions of AML.

Defections are blot on our democracy therefore they should be dealt effectively to ensure efficient, ethical & effective functioning of parliament and assemblies.

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 through the judicial innovation in KESHAVANANDA BHARATHI is the key case.

It puts limitation on parliament's power of amending constitution under Article 268 by describing certain provisions as essential - basic features. example Judicial review, welfare state etc. However, recently the doctrine has been criticised.

Basic structure doctrine → making judiciary powerful

1) Undefined doctrine : Basic structure is neither defined by constitution nor by supreme court. Thus gives power to judiciary.

② striking down of NJAC

2) Goes against separation of power : in the name of Basic structure supreme court can interfere in other domain.

3) Judicial Activism in the name of Basic structure doctrine → as argued by criticism.

- 4) concentration of power in judiciary
- 5) Goes against principle of parliamentary sovereignty
- 6) Basic structure doctrine limits the scope for parliamentary reforms (eg) Parliamentary system itself made as Basic feature by supreme court in Kesavananda Bharati case

However elastic nature of Basic

structure doctrine is essential -

- ① To maintain balance between judicial independence and parliamentary sovereignty
- ② To promote constitution as living document without altering its essential features
- ③ S.R. Bommai case → secularism as basic structure doctrine
- ④ Elastic nature of Basic structure is essential to protect the constitution from unwarranted change
- ⑤ Raj Narain vs India Land case → Judicial review as basic structure of constitution
- ⑥ ensures principle of change & continuity

Other benefits of Basic structure doctrine

- 1. ensures checks & balances
- 2. strike harmony between rigidity & flexibility of Indian constitution
- 3. Protecting federal principle
- 4. Providing right balance between fundamental rights and DPSPs [Mineral Mills case]

Measures needed

1. Clearly defining basic structure
2. Codification of basic structure & evolution
3. Judicial restraint during application of doctrine to avoid misuse

Basic structure doctrine has helped in bringing many positive changes. However the need of the hour is to address the concerns associated with the doctrine to make it "Heart star" of Indian constitution.

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 under Part-III of Indian constitution for ensuring moral, political, intellectual development of citizens

- Fundamental Rights under Part-III
- Right to Equality : Art 14-18
 - Right to freedom, liberty : Art 19-22
 - Right against exploitation : Art 23-24
 - Right to Religion : Art 25-28
 - Right to minorities : Art 29-30
 - Right to Remedies : Art 32.

Features of fundamental rights

- they are qualified not absolute
- important for development of political democracy
- Negative towards state : put restriction
- Reasonable restriction

Desirability of reasonable restrictions on various fundamental rights

① social desirability

- (a) to prevent social disorder : example
freedom of speech & expression restricted on many

- public order (eg) hate speeches
(b) protect dignity of women, vulnerable sections
etc (eg) Shakti Vahini case

② Political desirability

- prevent government established by law from
unreasonable criticism (eg) sedition provisions restricting
freedom of speech - Kedarnath singh case

- effective foreign relations, foreign policy
(eg) restriction on the basis or ground of friendly
relations with state

③ Judicial desirability

- restriction of fundamental right to prevent
contempt of court

- ensure just. in judiciary, govt in rule
of law

④ Protecting Tribal interest

- (eg) restriction on right to movement and
right to residence on the ground of tribal
interest

⑤ Protecting interest of women

- (eg) right to Religion restricted on the basis
of public morality; Health etc
→ SABARIMALA CASE

- ⑥ ensuring secularism → basic feature of Indian constitution
- ⑦ Right to religion restricted on ground of constitutional morality
- ⑧ Protecting Health of society
 - ① Right to movement of prostitution, AIDS patient restricted on ground of Health
 - ② Protect Individual's identity, status etc
 - ③ Right to free speech restricted on ground of defamation
 - ④ Prevent vulgar activities, anti national elements
 - ⑤ Right to form associations restricted on ground of public order, sovereignty of state etc

These reasonable restrictions are essential as well as desirable. However excessive restriction undermines liberal democracy of India. Thus care should be taken on correct application of restriction adhering to principle of constitutionalism.

- 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 महत्व 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.

In S.R. Bommai v Union of India case Supreme court declared, Indian federalism as basic structure of Indian constitution

"Federalism refers to system of government in which the same territory is governed by two or more tiers of government."

However, the federalism under constitution of India has provided for Union's control authority to assume control of a state's administration as:

Union's authority to assume control of state's administration

→ 1. Through office of Governor

→ Article 200 : reserving bill for presidential consideration

→ Article 356 : President rule imposition

→ Article 86 : guideline of centre to be followed by state

→ 2. discretionary powers of Governor

→ 3. All India ~~services~~ services : Ultimate control with centre

→ 4. Article 249, 253, 262 etc

S.R. Bommai judgement

- 1) Appointment of Governor : with consultation of CM
- 2) over use of Article 356 : only on the ground of constitutional machinery breakdown, & not administrative machinery breakdown
- 3) check on confidence of Government : on the floor of the house
- 4) President rule → subject to judicial review
- 5) discretionary power of Governor → during hung assembly ~~dealt~~ dealt effectively
- 6) secularism ; federalism as basic structure

Significance of S.R. Bommai Judgement

- 1) Prevented arbitrary imposition of President rule
- 2) ensured impartial functioning of office of Governor
- 3) Addressed discretion and misuse of provisions of constitution
- 4) ensured separation of power between Centre & state
- 5) restored supremacy of constitution

Impact of S.R. Bommai Judgement cementing federal structure

- 1) Provided for cooperative federalism : imposition only on constitutional failure not administrative failure
- 2) reduced day to day politicization using office of Governor

Issues that still affect federal structure

- 1) Legal : Passing of resolution by state government against Parliamentary Law (e.g.) CAA
- 2) Executive : Central Deputation of officers
- 3) Financial : GST compensation; increase in cen + surcharge
- 4) Office of Governor : arbitrary removal; partisan role (e.g.) Maharashtra case

Way forward

- implementation of Sarkaria & Ambedkar Commission recommendation
- establishing permanent Interstate Council under Article 263
- MCRWC : Appointment committee for Governor on the lines of collegium

Federal issues need to be resolved in the spirit of S.R. Bommai Judgement

Q.15

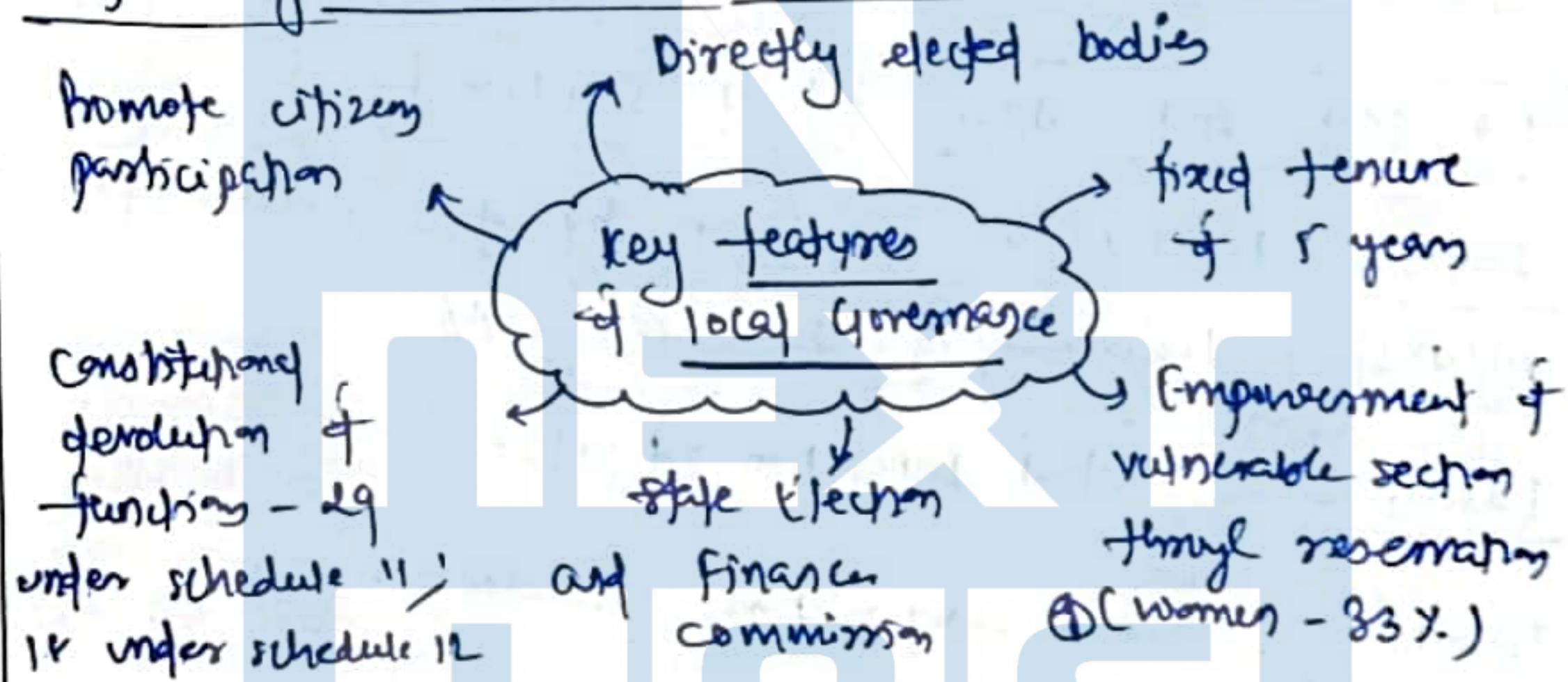
प्रभावी विकेंद्रीकरण की कुंजी यह है कि राजनीतिक विकेंद्रीकरण को वित्त और प्रकार्यात्मक विकेंद्रीकरण का अनुगमन करना चाहिए। भारत में स्थानीय शासन के समक्ष आने वाली बाधाओं के संदर्भ में चर्चा कीजिए।

(250 शब्दों में उत्तर दीजिए) 15 अंक

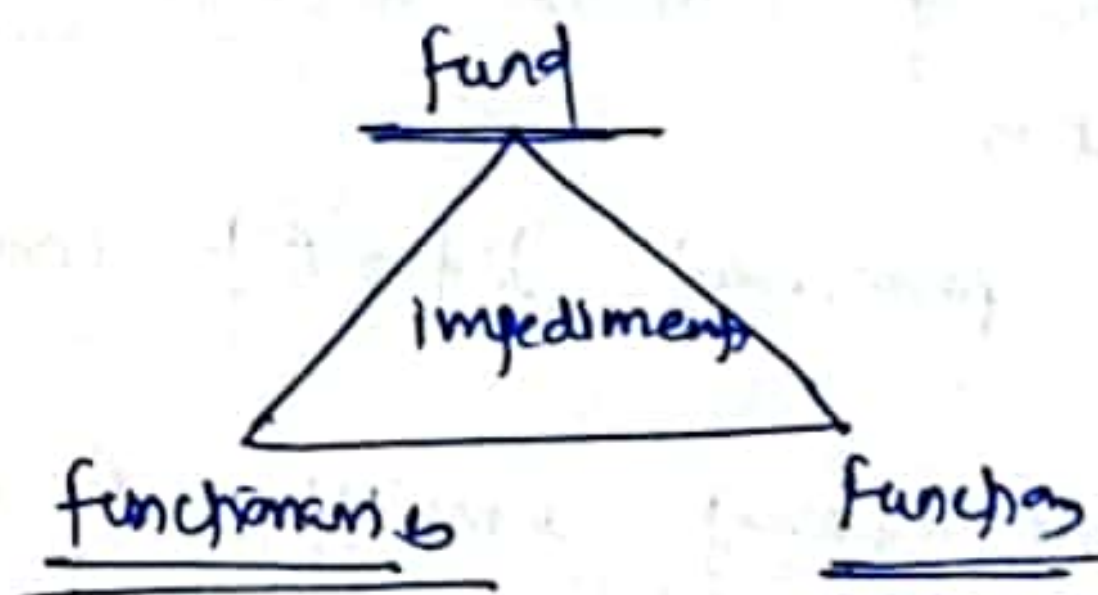
The key to effective decentralization is, 'political decentralization should follow finance and functional decentralization'. Discuss in the context of impediments faced by local governance in India.

(Answer in 250 words) 15 marks.

73rd & 74th constitutional Amendment provided for system of local governance in India under Article 243, schedule 11 and 12 respectively.



Despite constitutional mandate for political decentralization, there exist various impediments in the functioning of local governance in India.



1) Challenges / Impediment $\rightarrow$ fund / finance

- $\rightarrow$ i) devolution of taxation items, duties etc not adequate : 99% of revenue from state & centre
- $\rightarrow$ ii) dependency of local governance on grants of state or centre $\Rightarrow$ reduced autonomy
- $\rightarrow$ iii) unable to raise own revenue
- $\rightarrow$ iv) No or low penetration of Municipal Bond market
- $\rightarrow$ v) issues with property tax

2) Challenges / Impediments with functions

- $\rightarrow$ i) Lack of state will : to devolve more functions
- $\rightarrow$ ii) creation of parallel bodies @ Haryana Rural Development Agency
- $\rightarrow$ iii) Lack of support from Bureaucracy ; MPs ; MLAs to share power
- $\rightarrow$ iv) functions without funds $\Rightarrow$ poor delivery of services

3) Challenges with regard to functionaries

- $\rightarrow$ i) inadequate staff : vacancies ranging from 20% to 60% across states
- $\rightarrow$ ii) lacks training, technology

- iii) awareness about powers among functionaries like sarpanch
- iv) issues of sarpanchpati; Nexus between local leaders and bureaucracy etc

Steps taken

- 1) Rashtriya Gram Swaraj Abhiyaan → focusing on capacity building of local bodies
- 2) e-Gram Swaraj : using e-Governance to augment functioning of local bodies
- 3) 15th Finance Commission : Greater devolution of fund (@ 1.55 lakh cr)

Measures needed

- 1) Greater will of State Government : to devolve power; creation of new and funds
- 2) Property reforms as suggested by 15th Finance Commission
- 3) Capacity building and bureaucratic makeover to address functionaries issues etc

Democratic decentralization will play key role in achieving objective of Amrit keel, goals of Panchayat & Panchayat by ensuring sabka saath, sabka vikas, sabka vikas & sabka progress

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.

As per recently released SDG India Index by NITI Aayog, we are still far behind in achieving SDGs especially of poverty, hunger, Gender equality etc

Multistakeholder partnership refers to bringing whole of the Government & whole of the society approach together to achieve objectives and goals.

It involves participation of not only centre, state, local bodies but also civil society; NGOs; pressure groups, Academics, industries etc

Benefits of multistakeholder partnership → SDG

1) Helps in Augmentation of resources (eg) funding with NGOs - ₹20000 cr Annually

2) Helps in addressing resource crunch (eg) civil society volunteers.

3) Effective delivery of services as per local needs (eg) Arshay Patil foundation - Addressing hunger SDG-2 etc

Benefits of localized implementation → towards SDG

- 1) One size does not fit all approach
- 2) Helps in using locally available resources for local issues (eg) Buldhane pattern
- 3) Boost citizen participation & engagement
 - (eg) People's Plan model of Kerala
- 4) Effective monitoring & evaluation of SDGs
 - (eg) 100% water tap connection in Gujarat — fulfilling SDG-6 etc

Here the multistakeholder partnerships & localized implementation have benefits and potential to accelerate the achievement of SDGs in India which needs to be promoted

How it can be fostered

- ① strengthening spirit of cooperative, competitive & asymmetric federalism
- ② effective implementation of National Policy on Voluntary Sector 2008 - Enable, empower & encourage NGOs, civil society etc
- ③ Capacity building & infrastructure strengthening of local bodies

- ④ Leveraging potential of SHGs through right policy initiatives like Mission 1 lakh by 2024 $\Rightarrow$ SDG-5 - Gender equality
- ⑤ Creating awareness and education among citizens at local / ground level regarding SHGs
- ⑥ Bringing convergence of schemes, finances, efforts of multiple stakeholders etc

Challenges

- 1. Social : patriarchy; caste based discrimination, illiteracy etc
- 2. Political : centre state issues; politicization of process
- 3. Economical : issues with finance; responsibility etc
- 4. NGOs, civil society : facing challenges due to FCRA Amendment; human resource issues etc
- 5. Local Bodies : fund, function, functionaries challenges etc

These challenges need to be overcome through continuous efforts, trust, cooperation. It has the potential to not only accelerate the achievements of SDG but also to make India a Developed country by 2047

- 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 Sexual Harassment of Women [POSH] Act was enacted to implement the directive of Supreme Court given under Vishakha & others vs State of Rajasthan case.

Despite 10 years of its implementation the POSH Act has resulted in limited success.

Reasons / factors behind limited success & effective outreach to women employed in unorganised sector

- ① Lack of awareness about POSH Act & provisions
- ② social reason: culture of adjustment; fear of reporting the crime
- ③ cultural reason: patriarchal mindset
- ④ Administrative reason: ineffective implementation of law, bureaucratic apathy
- ⑤ Legal judicial: judicial delays; ineffective action; legal loopholes

- ⑥ Political reasons : lack of political will ;
politics of blame game etc
- ⑦ Corporate reasons : Non establishment of
Internal complaints committee by the companies
- ⑧ Characteristics of unorganized sector : Non
registered employees ; Low skilled workers who
fear job loss etc
- ⑨ delay in Internal complaints committee due
to poor records, investigation etc

Strategies needed to bridge this gap

- ① end to end registration of companies &
employees in unorganized sector
- ② e-Shram portal
- ③ effective implementation of labour laws -
4 new codes which address various challenges
& promote formalisation
- ④ effective implementation of RoHS Act :
bureaucratic training, capacity building
- ⑤ Raising awareness about provisions of
RoHS Act through civil society, NGOs etc

- ⑤ strengthening Internal Complaints Committee
through widescale representation
- ⑥ Technological measures like SHE-BOX
- ⑦ Protecting identity of the victim +
ensuring justice through fast track courts
- ⑧ Punish corporates who do not adhere to
form Act
- ⑨ Preventing misuse through gender sensitisation
- or
- ⑩ Community Awareness to address patriarchal
mindset.

Effective implementation of Post Act
is essential to achieve goal of Gender
Equality [SDG-5] + enhance objective of
women led development.

- 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.

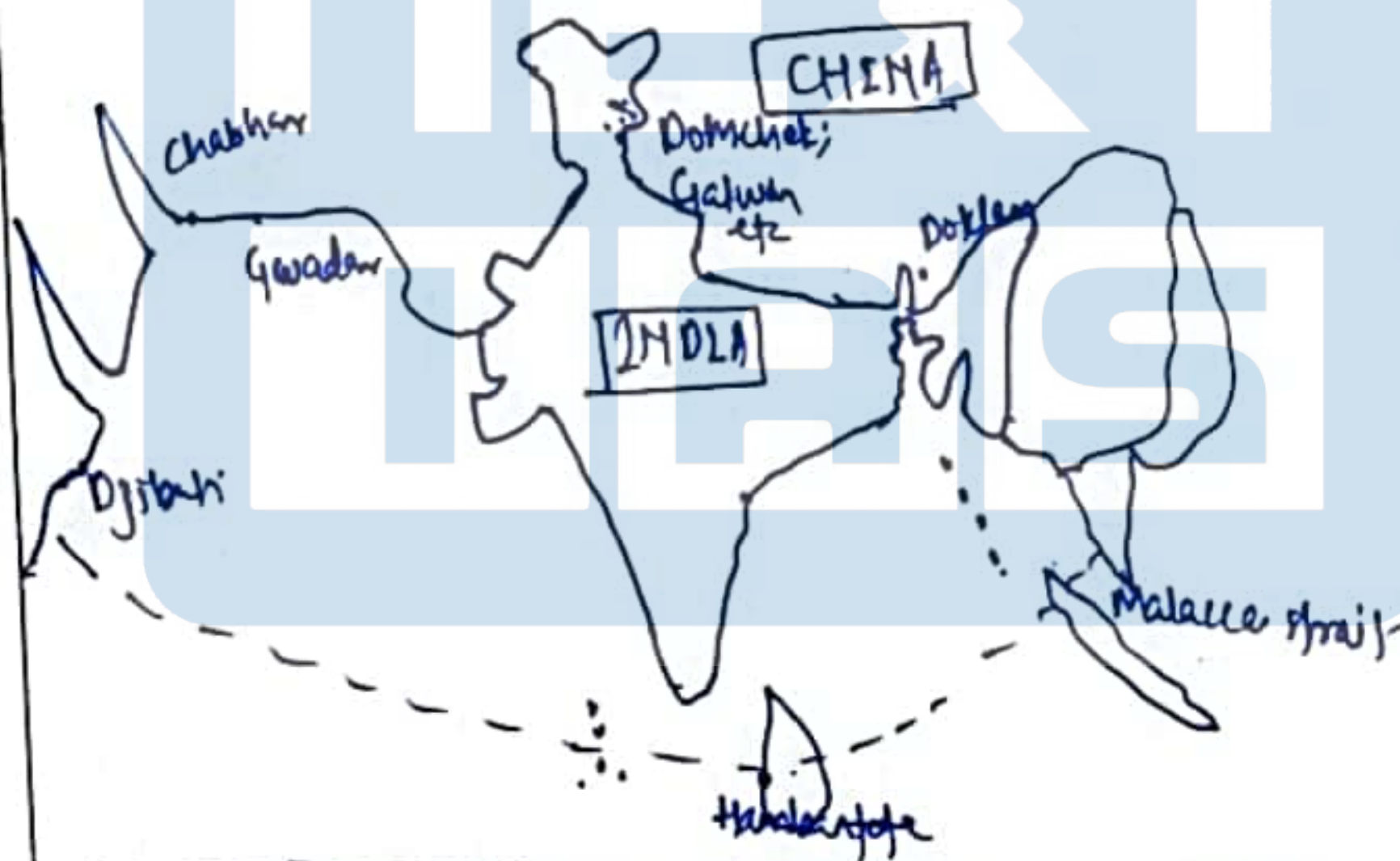


- Q.19 चीन भारत को अपने "एशियाई प्रतिद्वंद्वी" के रूप में देखता है जिसमें एशिया में उसके वर्चस्ववादी लक्ष्यों का मुकाबला करने की जन्मजात क्षमता है। भारत-चीन संबंधों में इन कठिनाइयों के बावजूद, अभिसरण के भी कई क्षेत्र हैं। चर्चा कीजिए।
(250 शब्दों में उत्तर दीजिए) 15 अंक

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 in present times undergoing through current of divergence as well as convergences.

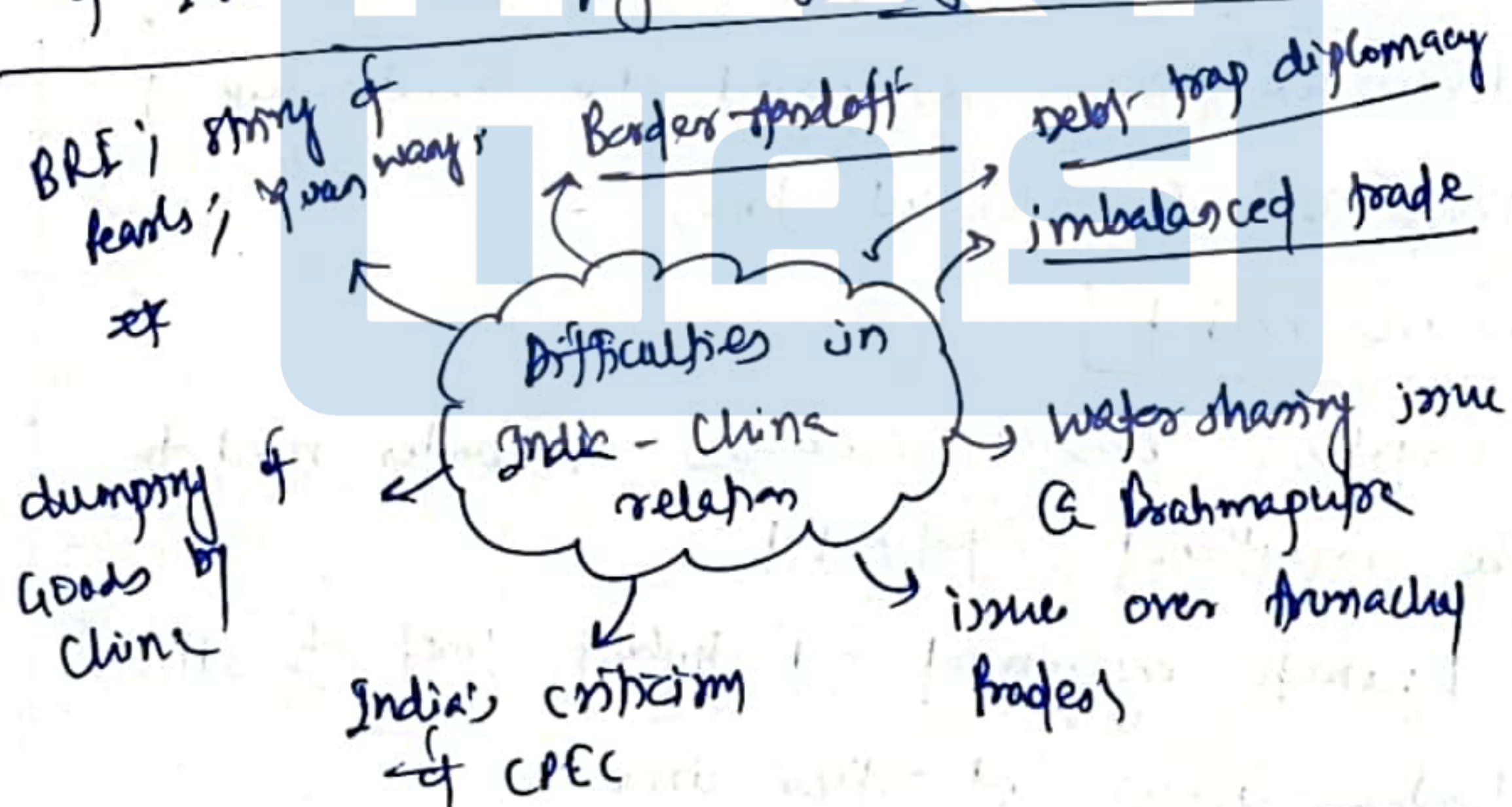
Continuity of 3 years ~~Galwan~~ standoff & recent 19th round of talk between the countries brought the relations into limelight



CHINA views India as its Asian Rival

- 1) Growing economy of India $\Rightarrow$ 3rd largest in terms of PPP
- 2) China + 1 approach adopted by Global Companies $\Rightarrow$ India as favourable testimony

- ③ India's position in the region: through Neighbourhood first policy; Act East Policy etc affecting Chinese presence
- ④ India's vision of Indo-Pacific: free, open, Indo Pacific goes against Chinese hegemonic interest
- ⑤ India as a Net security provider in the region
- ⑥ Growing ^{global} stature of India: G-20 presidency; SCO presidency; vaccine diplomacy etc
- ⑦ Demography, Democracy & Diaspora: potential of India challenging hegemony of China



Despite these difficulties there are also many areas of cooperation & convergence exist between India - China as follows.

Areas of convergence

- ① Believe in 21st century as Asian Century
- ② economic convergence: bilateral trade agreements
- ③ Agricultural cooperation: WTO over agricultural subsidies; free trade etc
- ④ WTO reform: core member of G-20
- ⑤ Environmental convergence: over issue of climate finance, principle of CBDR
- ⑥ institutional convergence BRICS; SCO etc

However, if is the relationship of divergence has overpowered the relationship of convergence in recent times.

Measures needed

- 1) Confidence building measures at border need to be strengthened, not backed
- 2) Diplomatic engagement at highest level to address border issues and other issues
- 3) follow PANCH SHEEL principles

India-China relations needs to be improved through 3 mutuals: mutual sovereignty; mutual interest, and mutual respect.

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 encompasses all the territories stretching from East coast of African continent to west coast of North & South America

Due to its varying geoeconomic, geostrategic, significance of Indo-Pacific, in the recent times it has emerged as zone of diverging interest & priorities

1) for India: the interest and priorities in Indo-Pacific lies to freedom of navigation; peaceful use of high seas; India's net security provider

2) for China: the interest and priorities involve creation of dominance through BRI, 9-dash line projection of economic, defense power

3) for USA: Indo-Pacific is central for USA to maintain its hegemony, countering China's rise in Indo-Pacific

Divergence in interest and priorities have resulted into different institutions & mechanism

NEXT IAS

Candidates must
write on this margin

To pursue its interest and priorities China came up with Global Security Initiative, while USA, India, Japan and Australia formed Quad.

Global security initiative will supersede QUAD

- 1) Deeper economic ties of China with Indo-Pacific region (a) China-Australia bilateral trade
- 2) strong military presence of China with defence influence (a) Agreement with SOLOMON ISLAND
- 3) stronger capacity of China with regard to developmental assistance (a) BRI; cheque book diplomacy
- 4) Growing apprehensions of USA's hegemony with force of them to support China to maintain strategic balance
- 5) Geographic position of China and relations with ASEAN, linkage with RCEP and dominance in regional and Global supply chain has the potential to supersede Quad.

However there are challenges & issues with China's priorities & interest-

Global security initiative will not supersede QUAD

- 1) Democratic credential of Quad members makes them more attractive than Global security initiative of China
- 2) Transparent functioning of QUAD
- 3) Chinese Debt trap diplomacy - Sri Lanka crisis, Pakistan crisis as a result
- 4) sustainable investment by QUAD through multilateralism (e.g.) IPEF; Build Back Better World; Blue Dot Network etc
- 5) QUAD as economic & security bloc not military as Anti China bloc as highlighted by India

Multiple alliances with different interests and priorities in strategic Indo-Pacific will have adverse consequences. Thus the need of the hour is to strengthen multilateralism and adhere to international laws to ensure sustainable, holistic, inclusive development of all to achieve objective of "Vasudha Kutumbakam" i.e. whole world is one family