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NEXT IAS

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(To be filled by candidate)

Name of Candidate : NISHCHAL JAIN

NEXT IAS Roll No.: MT23SLTON009. Date of Examination : 03.09.2023.

Exam Centre : Old Rajinder Nagar ☑ Bhopal ☐ Online ☐

Test Code : TC056

Time Taken : 3:20 hrs.

Program : FLT ☐ FLT+ ☐ SLT ☑ SLT+ ☐

MAIN TEST SERIES 2023
(TEST-10)

GENERAL INSTRUCTIONS

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.....

SUBJECT/PAPER
GENERAL STUDIES

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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

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MACRO COMMENTS

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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

The Universal Declaration on Human Rights (UDHR) as adopted in 1948 has always been an guiding light for countries on the issues of human rights.

International laws and treaties as source of laws.

1) Vishaka-Sta declaration and recognition of right to health under, Bandhua Mukti Morcha case.

2) Puttaswamy judgement recognising right to privacy
↳ Bill Munsk declaration.

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3). They reflects the changing nature of global narratives

eg. Navtej singh Johar case recognised rights of homosexuals.

4). Recognising human rights with respect to changing technology

eg. Anuradha Bhasin - right to internet on the lines of Berlin convention on cyberworld.

5). Global environmental concerns by UNFCCC invoked by SC to declare right to clean environment under M C. Mehta case.

Thus it is necessary to align our definition of rights as per changing global demands of ~~hum~~ dignified human life.

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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

Indian constitution recognises freedom of speech and expression under Article 19(1)(a) of Part-III, whereas US also mentions this in its constitution.

Similarity in Constitutional provisions

1) Both of them recognises it as fundamental rights.

2) Both have reasonable restrictions on the grounds ~~such~~ as threat to unity and integrity of country
↳ Article 19(2) in India.

3) Both ~~rights~~ countries have made this right justiciable in court of law.

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4) Rights are present against the excesses of state.

Distinction jurisprudence

1) Indian Constitution have wide range of restriction making the right partially available.

eg> restriction in case of defamation

2) While US has near-absolute freedom of speech and expression ~~are~~ due to libertarian nature of constitution.

↳ as encorporated in Philadelphia convention.

Thus India-US though have similar intention to protect liberty but have different approaches.

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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

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Part IV A of the constitution provides for Fundamental duties as incorporated through 42nd Constitutional amendment and inspired from Soviet Constitution,

Citizenship – not merely passive status

→ duty to protect integrity of country

→ Promote fraternity in country

But active engagement

→ Rights and duties are correlative

→ ~~see~~ way to contribute for nation building

→ Provides map to make our country better and take it forward.

duty to eradicate social evils (eg Sati)

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Challenges in Legal enforcement.

1) Vague nature of duties — duty to cherish noble ideals of freedom fighters

2) Against wishes of founding fathers
   ↳ added through amendment

3) Subordinated to Fundamental Rights (FR)
   ↳ added after DPSP and not FR.

4) Lack of resources and authority with people to enforce it.

5) Already complementary with FRs and DPSPs.

Still Few are enforced.
- Flag code of India
- Right to Education
- State prohibition act.

Inspiration of following duties should come from within rather than due to fear of state

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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

* Central Administrative Tribunal (CAT) is tribunal set up by President deriving powers from Administrative Tribunal Act, 1985 and Article 323A of Part XIV A.

Mandate

- To resolve service related disputes of government servants namely All India Services, Central Group 'A', 'B', 'C' and 'D' service.
- non-military posts (eg. cook, dhobi) in ~~military forces~~ defence forces.
- Power of civil court
  - ↳ summon any evidences / document
  - ↳ power to impose penalties.

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- To act on the bases of principle of natural justice (PNJ) and thus not bound by the Code of Procedure.

SC verdict in resolving jurisdiction tussle between CAT and High Courts (HCs)

- Act of 1985 stated that appeal against CAT decision would lie in Supreme Court. Hence it aimed to bypass HCs.
- L. Chandra Kumar Case (1997) — SC nullified this clause and pronounced that all appeals against tribunals would lie in High Court of respective states. as judicial review is past of basic structure of Constitution

Thus the conflict was resolved.

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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 14-18 of Part III of constitution recognises right of equality as the fundamental right of our citizens.

Formal equality : Taking narrow definition of equality as and ensuring equality before law.

↳ To reduce anyone's unfair privilege.

↳ It is negative concept

Substantive equality : Broad notion of equality and upholding spirit of right to equality by providing equal protection to all.

↳ It is positive concept.

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Context of India

1) Article 14 ensure equality before law as well as equal protection of law.

2) To ensure substantive equality, SC allowed reasonable restriction on Article 14 on the grounds of 'intelligable differential and substantial distinction'.

3). Navtej Singh Johar case (2018): Equality to homosexuals.

4) NALSA judgement (2014): Equality to transgenders recognised.

5) Article 17 (Abolition of untouchability) recognises social equality for all.

Indian notion believes in ensuring substantive equality which is evident from various judicial pronouncements.

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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 are formal / informal groups having common aspirations and desire to influence the political agendas and policies of the state.

Pressure groups + Political parties → democratising political processes

- Voice of the voiceless — eg Bhim Army.
- Pushing agenda in institutional manner — eg BKU
- Making democracy participatory and consensus oriented.

Aspirations of pressure groups to transform into political parties — factors

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1). Pressure groups taking stands for or against poletical parties.

2) Act as a support engine for poletical parties eg Sena Dal Congress

Factors pushing for it

1) Democratised political process.
   ↳ empowered everyone to take stands and for organisation

2) Rising caste and regional consciousness
   eg. NISHAD Party.

3) Countering rival powers.

4). Decentralised democracy – Panchayati Raj gave scope to form small parties and win elections.

Sanctity of political process should be ultimate objective given the influx of various parties into system.

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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

Recently govt. allowed various foreign educational institutions to set up their campus in Indian territory with objective of global collaboration and enhancing our quality of educational institutions.

Prevailing quality challenges in Indian educational institutions

1) Lack of proper infrastructure
   - Research labs and instruments
   - Sports arena
   - Logistics for institutions

2) Ill-trained teacher and poor Teacher-pupil ratio -

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3). Funding issue — lack of disbursement by govt.

4) Industry academia gap.

5). Lack of integration with cutting-edge technology.

Foreign edu. institutions – transformative steps

YES

1) Global best practices

2) Interaction with international community in ~~education~~ graduation itself

3) Integration with technological advancements

4). Increase in fellowships and research scholars.

Concerns → providing conducive environment to the
→ brain drain.

However our focus should always be on our institutions also eg. IITs, IIMs etc.

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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

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Recent pandemic exposed the lacunae in public health system of India and called for urgent essential interventions to check the limitations.

Limitations of public health system

1) Availability
   - beds: 53/lakh.
   - doctors 85/lakh.
2) Accessibility
   - lack of inclusive public health infrastructure (eg for PwDs.
   - lack of geriatric care.
3) Targeting
   - expense on preventive care is 6% while curative is 51%.
   - lack of insurance penetration
4) Quality → Poor quality washrooms and hygiene in hospitals

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Private sector role:

(I) For equitable healthcare

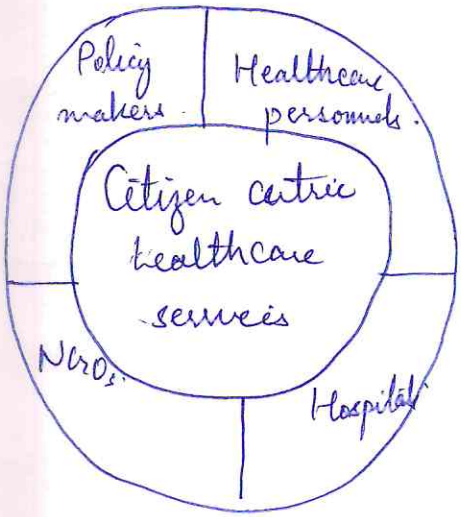
- High quality healthcare for women, Person with disabilities, old age etc
- Child care and nurturing.

(II). For accessible healthcare.

- Capital investment in healthcare products.
- raising insurance density and penetration in India.

Concerns:
- → Profit purpose, expensive medicine rather than generic medicine.
- → High OoP expenditure in India 47%.

Collaboration of all stakeholders can ensure citizen-centric healthcare services



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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

Recent COVID-19 crisis has pushed 130 Crore people into poverty as stated by UNDP Multidimensional Poverty Index.

Urgent need for global cooperation

1) Rising inequalities
   - Net worth of Meta is more than GDP of 125 countries.

2). Pandemic induced food crisis and poverty

3) Poverty leading to malnutrition ie hidden hunger.

4) Tackling anaemia and other diseases

5) Poverty induced clashed and civil wars → Coups in African countries

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International efforts can impact efforts to address poverty and hunger.

1) Food and Agriculture Organisation (FAO) can lead the efforts.

2) Regional cooperation among countries
↳ India sending supplies to Afghanistan

3) Developed world can finance the efforts to eradicate poverty and hunger.

4) NGOs could be roped in for distribution of essential commodities to people.

5) UNEP can lead the efforts to tackle climate induced poverty.

Collective efforts can help to achieve SDG-1 and SDG-2 by 2030.

SDG-1 ↓ No poverty

SDG-2 ↓ Zero hunger.

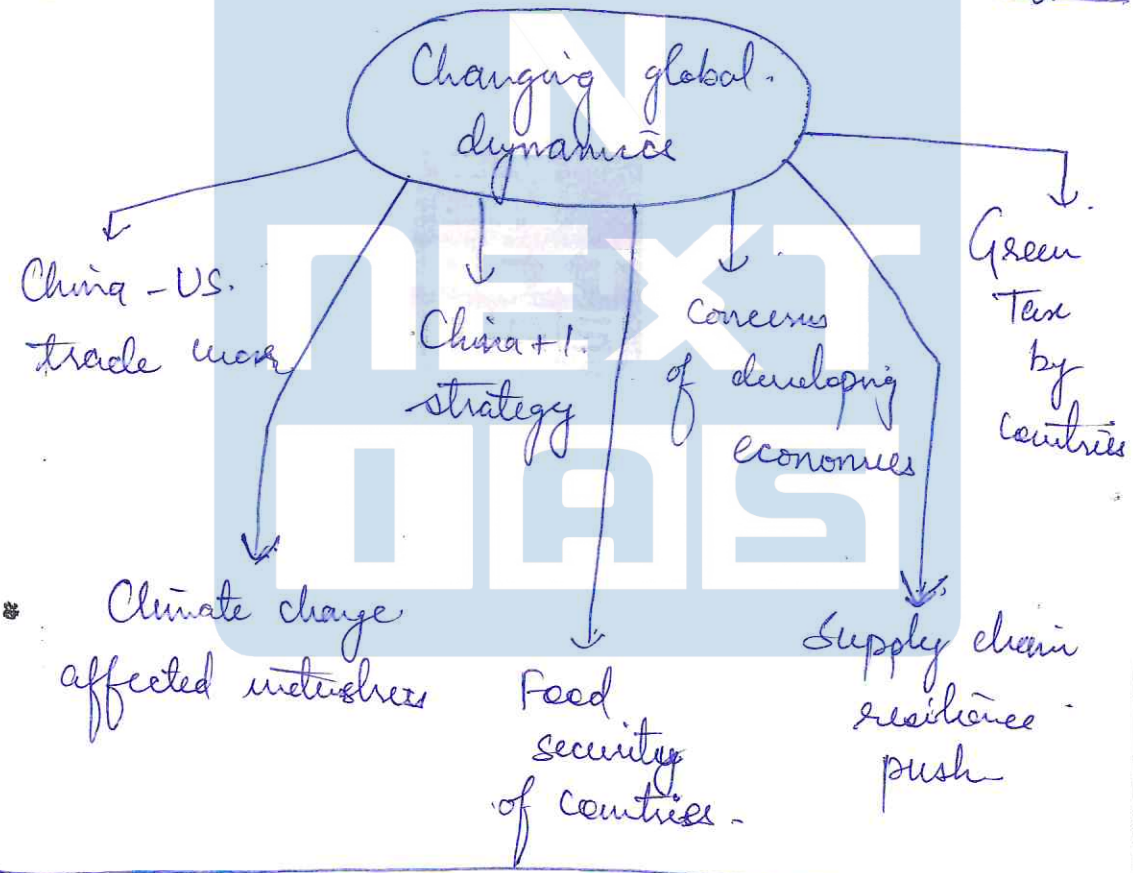
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10. बदलती वैश्विक गतिशीलता को ध्यान में रखते हुए विश्व व्यापार संगठन (WTO) में प्रभावी और सार्थक सुधार किए जाने की तत्काल आवश्यकता है, ताकि आधुनिक व्यापार की जटिलताओं को दूर करने में WTO की प्रासंगिकता और क्षमताओं का उपयोग किया जा सके। चर्चा कीजिए। (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) is the successor institution of GATT (General Agreement on Trade and Tariffs)



Prompt and meaningful reforms required

1) Shedding developed country bias

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2). Strong provisions against dumping of products.

3). Warnings to countries with terrorist linkages and imposing sanctions along with FATF.

4). Developing countries concerns should be kept in mind.

↳ resistance of countries against India's subsidies on sugarcane.

5) ~~Ref~~ Redefine Ambes, Blue and Green Box.

6) Rationalise Phytosanitary measures by developed world.

7) Decision on CBAM (Carbon Border ~~Ta~~ Tax) of Adjustment Mechanism of European Union).

All such measures would help WTO to win back the trust of Global South.

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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 Constitutional Amendment, 1991 added subsequent articles after 239A to define the governance structure for Delhi. It was complemented by GNCTD (Government of NCT of Delhi) Act of 1991.

* 69th amendment leading to dual governance dilemma

1) Definition of government : It places the LG (Lieutenant Governor) above the elected government and in some provision

2). Chief minister and council of minister - are given oath by LG on behalf of President.

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↳ Thus Council of ministers are appointed by President himself.

3). LGs is the agent of centre and supposed to act on aid and advise of council of ministers (CoM).

4) However, LGs is also given wide ranging discretionary power such as withholding any bills of Delhi legislative Assembly are reserve it for the consideration of president.

5) LGs can withhold orders of government

Impact on cooperative federalism

1) Undermining the authority of elected representative.

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2) Revenge politics by Centre and Union territory.

3). CM and CoM has lesser power in terms of transfer / appointments of govt. servants.

4). Against 'team India' approach as envisaged by Prime Minister.

5). Centre rejecting files of Delhi govt against spirit of federalism.
eg Delhi CM Singapore Visit file.

Way Forward.

"Centre and UT of Delhi, although share relationship of 'assymetric federalism', need to come together on fair grounds for welfare of people of Delhi : "SC in GoI vs. Delhi NCT case.

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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

Article 124 of the constitution deals with appointment of judges of Supreme Court by President in consultation with judges as he deems necessary.

Independent judiciary
- security of tenure
- grounds for removal mentioned in constitution
- Salaries / Pensions charged upon Consolidate fund of India
- Power to appoint own staffs
- Ban on practice after retirement.

Insulated judiciary
- lack of accountability
- only CJI office under RTI (Subhash Agrawal case)
- opaqueness of appointment system

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Issues associated with appointment of judges (collegium system).

1) Against Principle of Natural Justice
   ↳ judges appointing judges.

2) Lack of accountability of collegium system → not under RTI.
   ↳ against checks and balances.

3). Lack of quantifiable criteria for appointment of judges.

4). Non-inclusive appointments (only 4 women judge in SC out of 33, 11 till date).

5). Executive - judiciary tussle
   eg. centre rejecting recommendations of judiciary

6). Against constitutional mandate
   eg ↳ executive should be ~~an~~ responsible

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for appointment as envisaged in constitution.

Alternatives of current system

(1) National Judicial Appointments commission consisting of members from both judiciary and executive.

(2) Transparency in existing collegium system

(3) Agreement on MoP (Memorandum of Procedure sent by Law ministry to SC.) to build consensus.

As given by Justice DY Chandrachud, the three-pronged criteria for appointing judges should be followed.

Criteria
- Merit
- seniority
- Quality of judgements.

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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

Article 338A provides for National Commission for Scheduled Tribes (NCST) with mandate of safeguarding rights of Scheduled Tribes of in the country.

Role of NCST

1) Enquire into complaints by Tribal.

2) Power of civil court - Can summon any evidence / document from administration

3) Advising government on policy matters of concerning tribal.

4) Oversee the implementation of PESA, 1996.

5) Oversee the implementation of Forests Rights Act, 2006..

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Impediments in functioning of NCST despite constitutional status

(I) FUNDS

- Lack of financial resources to build adequate infrastructure
- Lack of finances for staff and undertake researches for welfare of tribals

(II) FUNCTIONS

- Lack of penalising powers.
- Lacking autonomy in decision making due to politically motivated appointment
- Non-compliance with periodic report submission to president

(III) FUNCTIONARIES

- High Vacancies in office of NCSTs.
- Lack of traning of NCST members.

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Reforms for smooth functioning of NCST

1) Infrastructure to undertake research work on tribal matters.

2) Provision for visits in areas where tribal rights are violated.

3) Should be given penalising powers in order to strict enforcement of ruling.

4) Autonomous investigative vertical under NCST.

5) Periodic submission of reports to President.

6) More inclusivity in NCST composition (eg. addition of women member).

Country cannot be taken forward without securing the rights of indegenous people

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14. राज्यपाल किन–किन परिस्थितियों में किसी राज्य के विधेयक को राष्ट्रपति के 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 empowers the governor of states to reserve bills passed by state legislatures for consideration of president.

Circumstances where governor can reserve bill for president

1) Bill endangering the position of High Court.

2) Bill imposing restriction on freedom of trade and commerce.

3) Bill which is ultra-vires in opinion of governor.

4) Bill contradicting any central legislation passed by parliament.

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This provision is Controversial as:

1) Restricts the autonomy of state legislature to enact any bill.

2) Give wide ranging discretionary powers to governor which is agst of centre

3). Governor can reserve bill of a state to serve political objectives of central govt.

4) Governor should act on aid and advise of Council of ministers (Article 163).

5) Against the spirit of federalism
eg NEET Bill withheld by Tamil Nadu governor.

However this provision is need
- safeguard integrity and unity of India
- Check unconstitution ~~stps~~ by state legislatures.

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Reforms suggested by Punchhi Commission

1) Defined criteria for reserving the bill for president -

2) Governor's opinion should be restricted on objective criteria -

3) Harmonious relations between state govt. and governor could be ensured if CM consulted while his/her appointment.

4) ~~delete~~ Power to reserve bill should be used sparingly only.

This power is given to ensure constitutional setup working smoothly in state and not to curtail any power of state legislature.

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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

The Ninth Schedule in constitution of India was added through first amendment act of 1951 to enact policy objectives in newly independent India (eg: land reforms, welfare of SC, STs.

It effectively nullified judgment of Champakam Dorairajan Case.

Ninth schedule as constitutional paradox.

1) To restrict recently framed constitution given Right to Property (Article 31)

2) To prevent certain laws from the purview of judicial review.

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3). Curtailing rights of citizens by 42nd constitutional amendment
↳ against constitutionalism of A.V. Dicey.

Relevance of ninth schedule in present times

YES

- Socio-economic objectives are yet to be achieved.
- Need to shield welfarist state policy with fair intention from unnecessary judicial scrutiny.

NO

- Right to Property already taken out of Part III and added as Article 300-A (44th Amendment, 1978).
- Ninth Schedule could be misused by govt to protect ultra-vires laws.
  eg> TN Reservation 69% protected by Ninth Schedule contrary of 50% Cap.

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put by Indra Sawney case.

IR Coelho resolved this paradox.

- It allowed scrutiny of all laws (state / central) by judiciary added after 24th April 1973 (Kesavanand Bharti case).
- Centre / States can no longer shield their laws under ninth schedule.
- 'Right to Property' although constitutionally mandated by Article 300-B, can't be enforced through Article 32. since it is no longer fundamental right.

Thus I.R. Coelho reiterated that judicial review is part of basic structure of the constitution.

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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

Right to Information act, 2005 provided for Central Information Commission (CIC) as the supreme authority and final appealate body under the Act.

Mandate → democracy + good governance

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1). Ensuring flow of information to the public → transparency

↳ 'Right to freedom of speech can't be exercised without information'

(SC in Kulkal vs. Jaipur Municipal Corp.)

2). Penalising Public Information officers in case of non-compliance (Section 20)

↳ accountability

3) Hearing appeals against order of State information Commission.

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↳ sound grievance redressal mechanism

4). Suo-motu disclosure of information (section 4(2)).
↳ Enterprising governance.

5) Annual Reports to Governments -
↳ accountability ensured.

6). Special provisions for vulnerable sections (Fees remission)
↳ inclusivity.

7) Following procedure mentioned under Art → Rule of law

Statutory status → limited effectiveness

- YES.

1) Non constitutional obligation towards citizens
↳ lack of compliance

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2) Govt. can change structure without constitutional amendment.

Ex. RTI (Amendment) Act, 2019. posed threat to independence of CIC as its service conditions could be determined by Central govt.

NO

1) Adequate safeguards under RTI Act.

2) lack of resources and not constitutional status acts as a barrier.

Way Forward -

- security of tenure to CIC.
- more use of section 4(2) of RTI Act.
- Periodic reports to authorities
- filling vacancies in CIC and SICs.

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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 (Prevention of Child Sexual Offence) act was enacted to protect child from violence (eg sexual violence) to ensure safe and healthy childhood as envisaged by Convention for Protection of Child Rights (CPCR).

Significance

- Definition of child : age under 18.
- Child Helpline Cell in every district directly under DM.
- Helpline numbers to children.
- Juvenile homes for child
- Non cognizable, non-bailable offense

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- Continuous counselling and mentoring of victim of sexual offences.

Lacunas in present act

1) Lack of proper rehabilitation plan for long term.

2) Not recognising mental health trauma for child after few years.

3) Lack of provision for their dignified integration in the society

4) Delayed Justice

Changes required in present act

1) Provision for healthy re-socialisation of child with the society.

2) De-stigmatisation of victimhood of a child.

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3) Provision for ensuring sustainable and dignified livelihood opportunities for child after ageing adulthood.

4) Special fast-track courts should be given timeline for trial as well as punishment stage.

5) Sensitization of Police force.

6) Provision for adequate support to victim family.

As recommended by Gurupadswamy Committee, a vibrant criminal justice system can reduce instance of child labour and sexual abuse.

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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

Integration of technology can make bureaucratic setup ~~set~~ SMART (Smart, Measurable, Accountable, Responsive, Transparent) which is need of the hours.

Technology → reshaping traditional contours of bureaucracy

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efficient :- Helps to trace the implementation of policy and gaps within the process.

- catalyst for quicker service delivery

eg> CoWIN Portal vaccine slot booking

Transparent :- Process opaqueness could be removed by suo-motu

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information sharing by bureaucracy

eg U. Sagayam shared his asset details on social media

Citizen-centric :- sound grievance redressal mechanism

eg Rajasthan Jan Sunwai Portal -

- addressing the demands of citizens -

Integration of technology helping in modernising civil services

1) Better monitoring

eg PRAGATI Portal (Proactive governance and active implementation).

2) Accountability

eg e-Samiksha portal used by Cabinet secretary -

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3). Corruption-free
eg ~~Single~~

4) Removing Red-Tapism.
eg Single window clearance system.

5). Citizen trust building
eg Faceless enquiry system.

6) CP-GRAMS portal for grievance redressal.

7) iGot Karmayogi portal — training

8) Information dissemination — Sandes, messaging app.

Above technologies could be drivers for modernising civil services but should be accompanied by training of ethics and good governance (Hota committee)

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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 which are sharing warmth in the relationship today were near hostile at one point of time during cold war era.

Eg US assisting Pakistan in 1965 and 1971 war.

↳. US imposing sanctions on India after Nuclear tests in 1998 (operation Shakti).

Relationship acquired depth in recent times

1) Economic sphere.

(a) US is India's largest trade partner that too with trade surplus.

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(b). Economic Cooperation in various sectors like GE Jet Engines.

(c) IT exports to USA.

2) Geopolitical

(a). Quadrilateral Dialogue Initiative (Quad).

(b) Tackling China is common interest

(c) Rising defence trade with USA.

(d) iCET (initiative for critical energy technology

3) Defence agreements
- GSOMIA.
- LEMOA
- COMCASA
- BECA

4) Cultural sphere.

(a) Huge Indian diaspora in US
Eg: Vivek Ramaswamy.

(b) Students and labourers.

5) Technology
- NISAR.
- Artemis accord.

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Navigating relationship with US during Ukraine crisis

1) India being a peace loving, dialogue oriented nation must stand for its own interest while maintaining that as no solution to a problem.

2) Meanwhile, its trade relations should not hampers with the west.

3) Being an strategically autonomous state, no power can dictate New Delhi to take a certain stand.

4) We should protect our economic and geopolitical interests in americas and take care of diaspora.

Thus we can deal the two issues in isolation without getting influenced by anyone.

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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 is association of South - East Asean Nations formed by Bangkok declaration, 1967 and over time they emerged as formidable economic and geopolitical power.

They are crucial componet for India's Look East Policy which aims to harness the potential of Eastern part of the world.

India - ASEAN partnership evolved since Look - East.

1) Free Trade agreement signed between India and ASEAN.

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2) Formation of BIMSTEC – a gateway to ~~ASEAN~~ ASEAN.

3) Kaladana Multimodal Highway and IMT trilateral project are crucial infrastructural breakthroughs.

4). Ganga – Mekong cooperation fostering under this relationship

5) Increasing trade with countries like Singapore, Indonesia etc.

Impediments in relationship

1) India's withdrawal from RCEP (Regional Comprehensive Economic partnership)

2) Rising trade deficit of India.

3) Malaysia's hostile relations with India and proximity with Pakistan.

4) Singapore used as a base for money laundering.

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India can leverage relations on

Rising economic strength

1) Cooperation for critical minerals.

2) Cooperation with Vietnam for textile sectors.

3) Palm oil trade with Indonesia.

4) Large amount of FDI from Singapore.

Geopolitical interests

1) China's unilateral actions in Indo-Pacific → Converging interest of India-ASEAN.

2) Role of India as net security provider in the region.

3) Indo-Pacific Economic framework.

4) Building resilient supply chain

5) Disaster resilient infrastructure Cooperation

India rightly promoted its policy from 'Look East' to 'Act East'.

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Space for Rough Work

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