

NEXT IAS

NEXTIAS (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 : KUSHU MOJWANI

Roll No. :

Registration Number : Date of Examination :

Exam Centre : Old Rajinder Nagar

Bhopal

Online

Test - 6

Code : TC076

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

1. "अंतरराज्यीय सीमा विवाद, यदि शीघ्र और निष्पक्षतः नहीं सुलझाए गए, तो स्थायी विवादित मुद्दों में परिवर्तित हो सकते हैं जो विकास में बाधक बनते हैं और टकराव या संघर्ष उत्पन्न करते हैं"। अंतरराज्यीय विवादों को हल करने के लिए संवैधानिक और विधिक ढाँचे पर प्रकाश डालते हुए, स्पष्ट कीजिए कि स्वतंत्र भारत अंतरराज्यीय सीमा विवादों को सुलझाने में क्यों विफल रहा है। (150 शब्दों में उत्तर दीजिए) 10 अंक
- "Interstate border disputes, if not promptly and impartially settled, can transform into persistent issues that impede development and generate friction". Highlighting the constitutional and legal framework to resolve interstate disputes, explain why Independent India has failed to resolve inter-state border disputes. (Answer in 150 words) 10 marks

Indian federalism is based on the principle of cooperative federalism, and it is constitutional duty of Union and States to resolve differences amicably.

Constitutional and legal framework for
Inter state disputes

(I) : Constitutional:

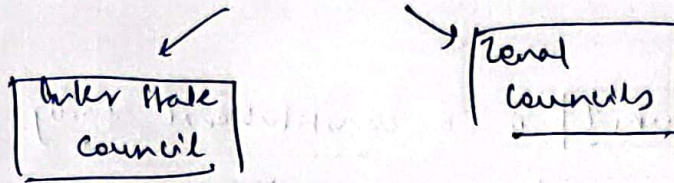
1. Article 3 : Power to Union Govt to [amend boundaries]
2. Article 263 : [Inter State Council]
↓
Platform for cordial relationships, to resolve issues.
3. [Article 131] : SC's original jurisdiction over centre - state disputes
4. Article 262 : River disputes - outside jurisdiction of SC, etc.

(II) : Legal:

1. Zonal Councils Act 1956, etc
2. Interstate River Disputes Act, River Boards Act, etc

However, these frameworks have not been successful wrt border disputes as:

1. Infrequent meeting / business of



2. Policy legacy / Historical reasons

- ↳ linguistic reorganisation was "easier said than done"
- ↳ has led to lingering issues such as Belagavi (MH+KN border) etc.
- ↳ lack of clarity over demarcation of area in North East
- (eg) extent of Lushai Hills district ↓ Mizoram - Assam border dispute

3. Shifting cultivation, nomadic tribes.

- ↓ demand for new area
- (eg) Nagdim, Kukiland demands

4. High public emotion involved

↓ difficult to resolve amitably.

- (eg) water disputes (Kaveri: TN - TN)

↳ Lack of political will

political parties putting undue focus on unresolved borders.

- (eg) Belagavi / Belgaon

↳ However, if coordination is there, issues can be resolved: as evident from resolution of Tharichand - WB (2016) border dispute in Zonal Council and Inter State Council.

2.

ऊर्ध्वाधर (केंद्र-राज्य) और क्षैतिज (अंतर-राज्य) अंतर-सरकारी सहयोग और समन्वय को बढ़ावा देने में अंतर-राज्य परिषद की भूमिका का परीक्षण कीजिए।

(150 शब्दों में उत्तर दीजिए) 10 अंक

Examine the role of the Inter-state Council in promoting vertical (Centre-State) and horizontal (Inter-State) Intergovernmental cooperation and coordination. (Answer in 150 words) 10 marks

Inter-state Council is a constitutional body under Article 263, with the following objectives:

1. Establish cordial relationships horizontally and vertically
2. Resolve interstate issues and conflicts through agreements
3. Create a strong support system
4. Provide a platform to all states and UTs for debate and discussion

Role of ISC in promoting vertical coop. and coord.

1. clarity with respect to scope of Article 256
 - ⊥
 - ⊙ extent of admin powers of centre and state
2. Coordination in implementation of centrally sponsored schemes

Case Study:

ISC-2016 (11th meeting)

Implementation plan for financial inclusion

↙
Jan Dhan Yojana

↘
Banking touchpoint in stem roads.

3. Cooperation and modernization of police

↳ discussed in ISC-2016 (11th meeting)

↳ CCNTS

↳ inter operable
criminal
justice systems

↳ info
exchange

4. Resolution of disputes

(eg) coal dispute over royalty on processed coal

↳ coal mining states v/s centre

(eg) Jharkhand

↳ resolved in ISC-2017 (12th meeting)

5. Consideration of Punchhi commission recommendations

Role in horizontal collab and coop:

1. Resolution of border disputes

(eg) Jharkhand - WB border dispute
resolved via ISC-2016 and 2017 meetings

2. Resolution of cross-state electricity supply

(eg) one nation one grid,
and green energy corridor

3. Inter-state trade and commerce4. Inter state river disputes: platform for discussions

(eg) in Cauvery river dispute

5. Sharing and exchange of best practices6. Support system

Way forward: 1. only 12 meetings since independence
of which 5 were in 1999-2003

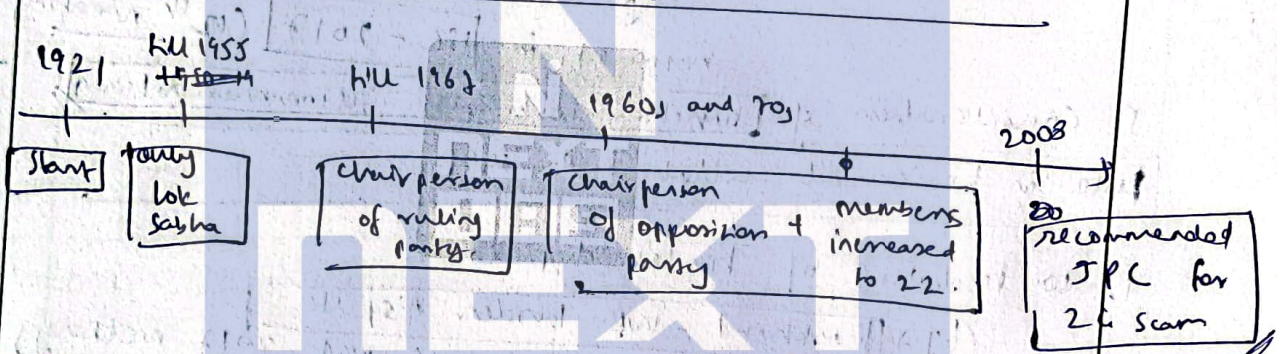
2. more ISC meetings, like during the tenure of
PM Vajpayee ~~sent~~ (only time ISCs were used effectively)

3. लोक लेखा समिति (PAC) के प्रमुख कार्यों पर चर्चा कीजिए। सार्वजनिक धन के सच्चे संरक्षक के रूप में इसकी प्रभावशीलता को बढ़ाने के लिए लोक लेखा समिति (पीएसी) में सुधार के लिए क्या कदम उठाए जाने चाहिए?
(150 शब्दों में उत्तर दीजिए) 10 अंक

Discuss the key function of the Public Accounts Committee (PAC). What steps should be taken to revamp the Public Accounts Committee (PAC) in order to enhance its effectiveness as a true guardian of public funds?
(Answer in 150 words) 10 marks

Public Accounts Committee (PAC) is considered the most important parliamentary committee, on account of its duty to keep oversight over fiscal expenditure by the executive

It has evolved through the years



Key functions of PAC:

1. Parliamentary oversight of money granted to the executive
i.e. "legislative scrutiny of budgetary functions"
2. Examination of CAC reports
CAC acts as "friend, philosopher and guide" to PAC
(eg: 2G spectrum case)
3. Examining accounts of diff depts.
(eg) whether expenditures are under the right heads
4. Looking into issues of over-utilization / under-utilization of money granted in demand for grants.

5. diverter misuse/abuse, if any
 (eg) commonwealth games scam,
Marich housing society scam

6. make recommendations for fiscal prudence

Reforms needed :

1. Currently - role of PAC is ex-post facto
 ↓
 in a more dynamic environment which is rapidly changing
 ↓
need real time oversight
 (eg) on a quarterly basis
2. longer tenure (currently 1 year)
 ↓
 to allow members to develop expertise
3. permanent research and secretarial support
4. greater jurisdiction
 (eg) over PPP (infrastructure projects)
 as currently, Rs 5 lakh crore of money
 is stuck in infra projects due to delays
 ↓
Duty of Parliament to look into it

Way forward

1. Fiscal Council - 360° oversight of budget -
 recommended by NRC Lijph

- OR 2. Parliament Budget Office - as in USA, etc //

4. राष्ट्रीय आर्थिक विकास के चालक के रूप में नगरीकरण की अहम भूमिका को स्वीकार करते हुए, पंद्रहवें वित्त आयोग ने शहरी स्थानीय निकायों (ULBs) के लिए प्रमुख सुधारों का सुझाव दिया है। भारत में यूएलबी को बढ़ावा देने और पुनर्जीवित करने के लिए पंद्रहवें वित्त आयोग द्वारा दी गई सिफारिशों का मूल्यांकन कीजिए।

(150 शब्दों में उत्तर दीजिए) 10 अंक

Recognizing the pivotal role of urbanization as a driver of national economic growth, the Fifteenth Finance Commission has suggested major reforms for Urban Local Bodies. Evaluate the recommendations put forward by the Fifteenth Finance Commission in promoting and revitalizing ULBs in India.

(Answer in 150 words) 10 marks

The 15th Finance Commission (15th FC) has granted [Rs 1.5 lakh cr] to ULBs. (Urban Local Bodies), an [increase of] [78%] from 14th FC. [highest ever since 74th Amendment]

Alongside this high devolution, 15th FC has also given major reforms:

Reform suggested

Evaluation wrt promoting ULBs.

1. mandatory upload of [UNAUDITED] as well as [AUDITED] accounts.

→ will lead to more transparency

→ will allow effective scrutiny by CAG, public, etc

→ prevent scams, corruption

2. Notification and updation of [FLOOR RATE] on property tax

→ remove loophole in property tax collection

due to [politician - mafia - real estate nexus]

→ [Economic survey] has observed that ULBs in India collect [only 5-20%] of [potential property tax] due to nexus //

3. Increase property tax collection annually (to be continuously eligible for grants)

→ will enhance fiscal capacity of ULBs.

→ property tax : GDP in India ~ 0.5%.

(whereas in ~ 2-3% in Brazil, USA, etc.)

(G): Nagpur municipality was recently refused grants for not increasing property tax collection

→ per capita expenditure on urban infra ~ Rs 17 in India

vs ~ 116 in China

4. Classification into million plus and less than million population cities

→ will improve quality of life

→ for million plus:

100% tied grants

(only solid waste management, air pollution and water supply)

→ empowerment of population in slums.

→ clean air, water → less disease burden

→ for less than million:

60% tied grants

(same conditions)

(etc)

5. Rs 38000 cr. performance-linked grants

→ will improve competition among ULBs.

6. Documentary records online

→ easy to raise funds via municipal bonds //

Further: way forward

1. Land pooling - Ahmedabad model

2. Pravasi oriented development - Budget, 2022

2. Vertical expansion.

4. Granular Street Mapping (GS)

5. Model Tenancy Act to reduce disputes //

5. मौलिक अधिकारों की तुलना में संसदीय विशेषाधिकारों के तहत प्रदान की गई वाक् और अभिव्यक्ति की स्वतंत्रता के दायरे में प्रमुख अंतरों पर प्रकाश डालिए। संसदीय विशेषाधिकार और मौलिक अधिकारों के बीच संतुलन बनाए रखना क्यों आवश्यक है? (150 शब्दों में उत्तर दीजिए) 10 अंक
 Highlight the key differences in the scope of Freedom of speech and expression as provided under Parliamentary privileges vis a vis Fundamental rights. Why is it necessary to maintain a balance between parliamentary privilege and fundamental rights? (Answer in 150 words) 10 marks

Freedom of speech and expression and Parliamentary

privileges are both found in constitution, in

Article 19(1)(a) and Article 105 respectively
 (and 194)

Differences

<u>Ground of differences</u>	<u>Freedom of speech</u>	<u>Privileges</u>
1. <u>applicable on whom?</u>	<u>Citizens</u>	<u>Legislators (MPs/MLAs)</u>
2. <u>applicable where?</u>	<u>Everywhere in India</u>	<u>in 'legislature' only</u>
3. <u>Reasonable restrictions</u>	<u>in Article 19(2):</u> → <u>sovereignty, integrity, etc</u>	<u>no explicit restrictions</u> (ii) <u>UNCODIFIED</u>
4. <u>Purpose</u>	→ <u>Denying LIBERTY</u> → <u>allowing citizens to express themselves</u> → <u>media freedom</u>	→ <u>allow legislators to speak freely</u> → <u>protect lawmakers from interference in discharge of their DEMOCRATIC DUTY</u>
5. <u>Enforcing authority?</u>	<u>writs under Article 32/226</u>	<u>Parliament itself</u>

Necessary to maintain a balance between
the two:

1. Parliament's right to exclude citizens
from its proceedings / prevent people from
talking about it
↓
Violation of freedom of speech of citizens
2. Similarity for secret / "in camera" proceedings.
3. Uncodified nature
↓
against principles of rule of law.
↓
Hence judicial privileges have been codified
4. Misused for corruption
(eg) Narsimha Rao vs CBI case
↓
Hence: NCFWC recommended amendment to
Article 105 - to explicitly exclude
corruption from its ambit
5. Lack of judicial review
↓
Keshav Singh case → Judiciary should ideally
have the power of
judicial review

Way forward:

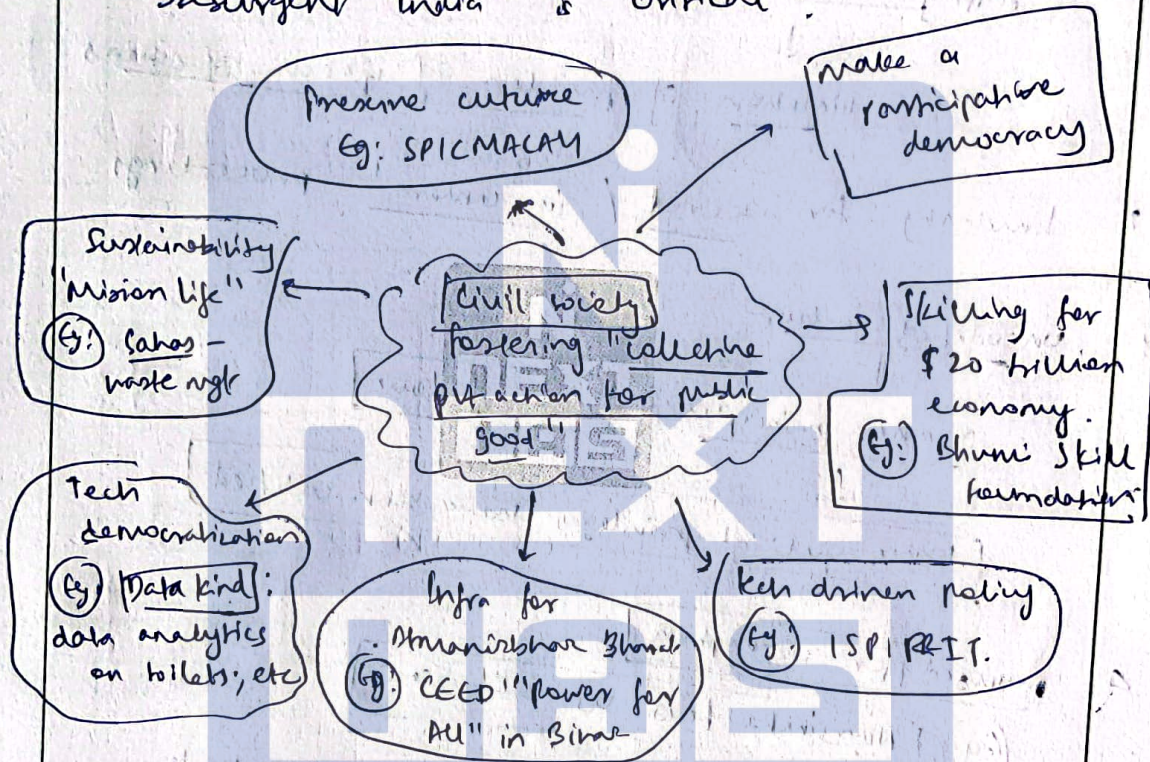
1. Rational use
2. Codification of parliamentary privileges.
3. Explicitly exclude corruption

6. नागरिक समाज संगठन, "सार्वजनिक कल्याण के लिए सामूहिक निजी कार्रवाई" को बढ़ावा देने में महत्वपूर्ण भूमिका निभाते हैं। स्थानीय संसाधन जुटाने (एलआरएम) और निगमित सामाजिक उत्तरदायित्व (सीएसआर) के माध्यम से कॉर्पोरेट (निगमों द्वारा) वित्तपोषण प्राप्त करने में उन्हें किन चुनौतियों का सामना करना पड़ता है? साथ ही सार्थक उपाय भी सुझाएँ।

(150 शब्दों में उत्तर दीजिए) 10 अंक

Civil society organizations, play a pivotal role in fostering "collective private action for the public good". What challenges do they face in local resource mobilization (LRM) and corporate funding through corporate social responsibility (CSR)? Also, suggest measures. (Answer in 150 words) 10 Marks

The role of civil society to create a "Resurgent India" is critical:



Challenges faced in resource mobilisation:

1. Regulatory challenge → frequently changing laws
 → reporting obligations.
 → Restrictions on foreign funding.
 (via FCRA Act 2010)

2. Public funding challenges:

no "social stock exchange"

3. lack of transparency and accountability in funding

↓
[audited accounts] not submitted, etc

4. CSR funding is increasingly being directed to

big agencies → few sectors such as education (74.5% indian CSR expenditure)

(ie) small CSOs and CSOs working in domains other than education are suffering

5. lack of professional management

↓
to manage funds well

6. Co-option by vested interests for money laundering

↓
[mistake in CSOs]

Measures

1. Tiered regulation - as recommended by [12th ARC]

(ie) - more regulation for larger CSOs

2. Encouraging larger CSOs to become [Section 8 companies] under [Companies Act 2013]

↓
[more transparency] → [tax benefits] ↓ [audit will be regular]

3. operationalization of [Social Stock Exchange]

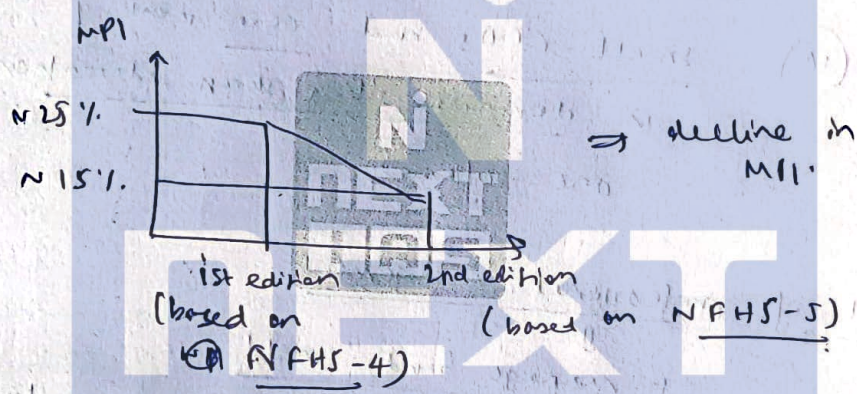
4. Credit rating → to [improve institutional funding]

Candidate write on this

7. गरीबी उन्मूलन की दिशा में पहला कदम कार्यक्रम के डिजाइन, कार्यान्वयन और निगरानी के लिए आवश्यक विश्वसनीय गरीबी मूल्यांकन करना है। इस संदर्भ में नीति आयोग के राष्ट्रीय बहुआयामी गरीबी सूचकांक की पद्धति और महत्त्व पर चर्चा कीजिए।
 (150 शब्दों में उत्तर दीजिए) 10 अंक

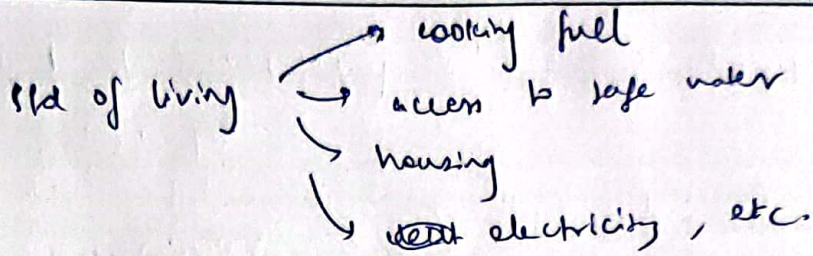
The first step to eradicating poverty is reliable poverty assessment for program design, implementation, and monitoring. In this context discuss the methodology and significance of NITI Aayog's National Multidimensional Poverty Index.
 (Answer in 150 words) 10 Marks

NITI Aayog and **UNDP** recently released India's own **2nd edition** of **Multi Dimensional Poverty** - designed in partnership with **OPHI** (Oxford Poverty and Health Initiative)



Methodology

1. **3 equally weighted dimensions**
 - Health
 - Education
 - Standard of Living
2. **12 sub dimensions**
 - Health:
 - nutrition
 - maternal mortality
 - child mortality
 - Education
 - school attendance
 - years of schooling

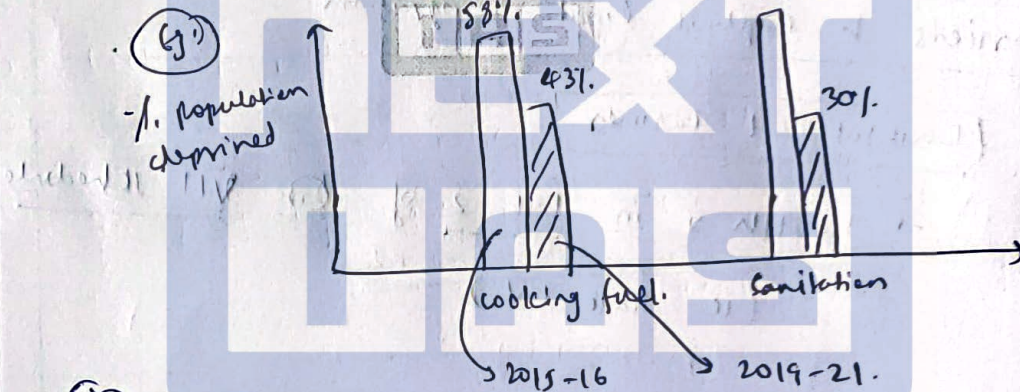


3. Data based on NFHS-5 (in latest report).

Significance:

1. Data driven policy making
2. Evaluation of govt schemes (eg: Sarva Shiksha Abhiyan)

3. Identification of weak spots



(ie) while there has been huge improvement in access to cooking fuel and sanitation

still a long way to go

4. Better targeting of beneficiaries

(eg) NITI MPI highlights State level progress

(this) way forward:

1. integrate NITI MPI with SDG Indicators
2. Annual release

8. भारत के संदर्भ में, संवैधानिक प्रावधानों, कानूनी पूर्व-उदाहरणों और अंतर्राष्ट्रीय प्रतिबद्धताओं की उपस्थिति के बावजूद, जो स्वास्थ्य के अधिकार के लिए एक मजबूत आधार स्थापित करते हैं, इस अधिकार की स्पष्ट कानूनी मान्यता का अभाव क्यों रहा है? (150 शब्दों में उत्तर दीजिए) 10 अंक
- In the context of India, despite the presence of constitutional provisions, legal precedents, and international commitments that establish a robust foundation for a right to health, why has there been a lack of explicit legal recognition of this right? (Answer in 150 words) 10 Marks

"Right to health" was declared as a part of right to life under Article 21 by Supreme Court in Bandhua Mukti Morcha case 1988.

(CAU, for it to be enforceable, it has to be codified)

Barriers to explicit legal recognition

1. Constitutional barrier

→ health is in list 2 of Part VIII schedule (ie state list).

2. Fiscal barrier:

→ inadequate fiscal capacity of union and states

→ expenditure on health by govt's combined

~ 2.8% of GDP

(WHO recommended ~ 5% of GDP)

3. Infra barrier:

→ many backward districts don't have infra to implement a "right to health"

(eg) lack of speciality hospitals

(eg) shortage of health care staff, etc

4. poor past experience with 'Right to Education' :

→ After implementation of RTE,
learning outcomes have SEVERELY
deteriorated

(as evident from Pratham ASER report)

→ some experts fear - institutionalization of
"right to health" would similarly deteriorate
health outcomes

5. Doctors against "right to health"

(eg) Protests in Rajasthan against
Right to Health Bill

Way forward:

↳ Step by step approach

Step 1: Right to health insurance - tax by
economic survey

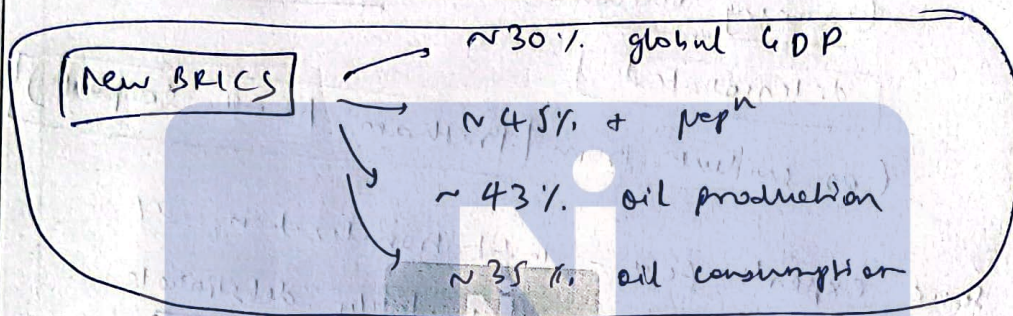
Step 2: upgrading all PHCs to
HWs + 1 medical college in each district

Step 3: PHCs recommended doctor population
ratio (1:1000)

Step 4: holistic approach to health, including
geriatric care and lifestyle aids

9. ब्रिक्स राष्ट्रों की सामूहिक शक्ति असंख्य मुद्दों पर सार्थक सहयोग की अनुमति देती है, हालाँकि, द्विपक्षीय संबंधों के प्रक्षेप पथ को प्रभावित करने की मंच की क्षमता सीमित है। क्या आप सहमत हैं? (150 शब्दों में उत्तर दीजिए) 10 अंक
The collective strength of BRICS nations allows for meaningful cooperation on myriad issues, however, the platform's ability to influence the trajectory of bilateral relationships remains limited. Do you agree? (Answer in 150 words) 10 Marks

In the recently concluded BRICS summit meeting in South Africa, BRICS expanded to include 6 new nations



Collective strength allowing meaningful coop on myriad issues

(i) : Economic:

1. AIIB - New Dev Bank
(Multilateral Banking Institution)
↓
(Loans for infra and dev)

2. BRICS payment gateway - proposed

3. BRICS rating agency - in progress

(ii) : Resource related

1. New BRICS : largest producers and consumers of crude on same platform

2. (ii) - possibility to settle transactions in currency other than USD.



De-dollarization of the world

(iii) : Social development : leap on SDG goals

(iv) : environment :
 → leap on CBDR
 → concerns of developing nations in 1 voice.

(v) : Security : dialogue on counter-terrorism

limited ability to influence bilateral trajectory

I don't agree

in South Africa:

→ After India - China summit meeting (Modi - Xi meeting)

partial withdrawal from 2 stand-off points

in Eastern Ladakh

→ bilateral dialogue opportunity on 1 dialogue

→ joint resolution of common challenges
 (vi) climate change, terrorism.

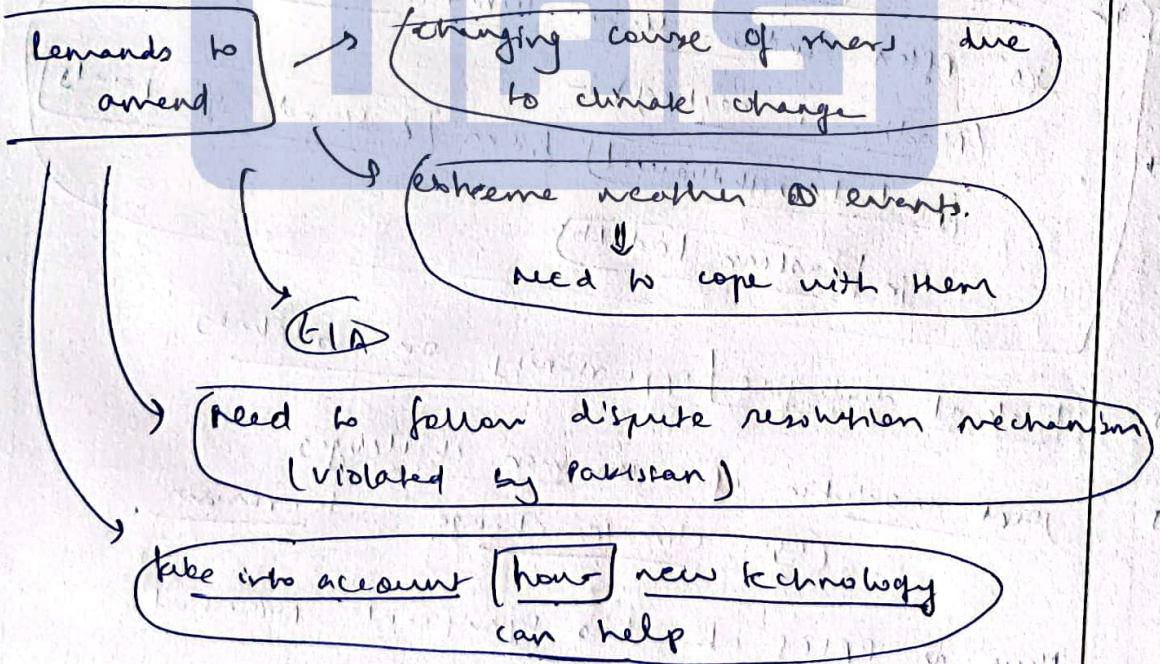
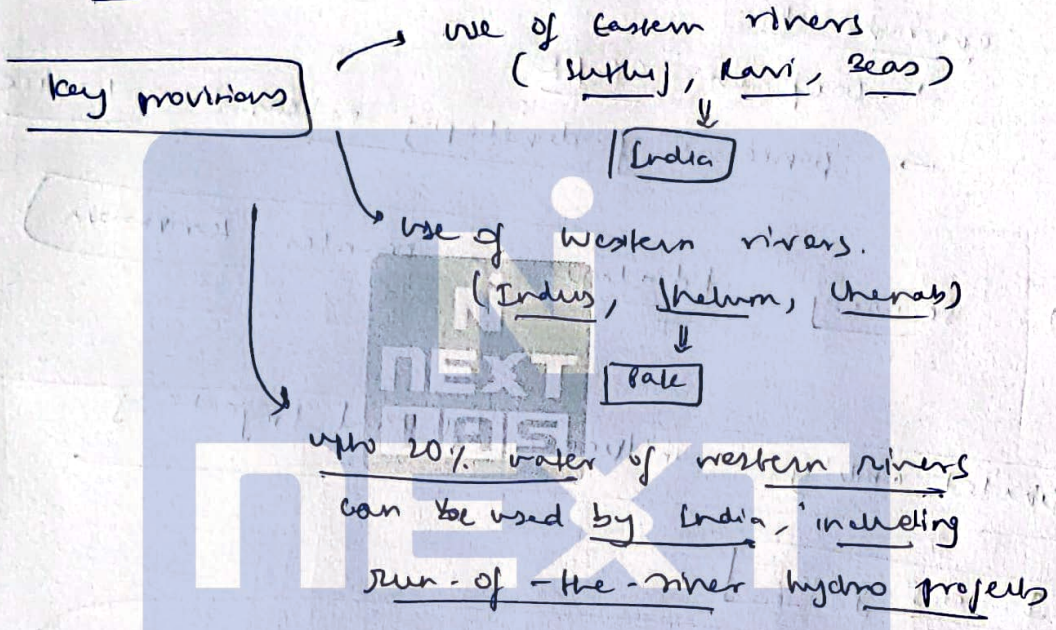
Thus, BRICS also has significant potential to impact bilateral trajectory //

Candidate write on this

10. सिंधु जल संधि में संशोधन की हालिया माँगों के आलोक में, भारत और पाकिस्तान के बीच जल-वंटवारा व्यवस्था पर पड़ने वाले इसके संभावित प्रभावों की चर्चा कीजिए।
 (150 शब्दों में उत्तर दीजिए) 10 अंक

In light of the recent demands to amend the Indus Waters Treaty, discuss the possible implications it could have on the water-sharing mechanism between India and Pakistan.
 (Answer in 150 words) 10 Marks

Indus water Treaty (IWT) was signed between India and Pak in 1960 (mediated by World Bank)



Implications :

1. No unilateral violation of dispute resolution mechanism
2. Better ability to cope with extreme weather events.
 (eg) dam in India
 ↓
can prevent floods in Pakistan
3. Better ability to cope with decline in soil fertility
 ↓
Both in Punjab, India and Punjab, Pakistan
4. Better ability to deal with concerns of small and marginal farmers
 ↓
on both sides of border
5. Prevent Chinese expansionism / water imperialism

Thus, in light of changes since 1960, IWT must be amended, to meet the needs of present generation

11. संसदीय संप्रभुता और न्यायिक सर्वोच्चता के सिद्धांत ने भारत और संयुक्त राज्य अमेरिका के संवैधानिक ढाँचे को आकार देने में अत्यधिक महत्वपूर्ण प्रभाव डाला है। प्रासंगिक न्यायिक निर्णयन्य विधियों का हवाला देते हुए इन देशों में संविधान को प्रभावित करने में न्यायपालिका की भूमिका पर चर्चा कीजिए। क्या भारत में न्यायिक समीक्षा का दायरा व्यापक है?

(250 शब्दों में उत्तर दीजिए) 15 अंक

The doctrine of Parliamentary sovereignty and judicial supremacy has exerted considerable influence in shaping the constitutional frameworks of India and the USA. Citing relevant case laws discuss the role of the judiciary in influencing the constitutions in these countries. Is the scope of judicial review wider in India?
(Answer in 250 words) 15 marks

In India, there is no strict separation of powers, and hence, the doctrine of parliamentary sovereignty and judicial supremacy co-exist in India, w/o separation of functions.

(i) Separation of powers (in India) = Separation of functions + Checks and balances

whereas in USA, there is an explicit doctrine of judicial supremacy. However, in USA too, parliamentary sovereignty and judicial supremacy clash eg: Obamacare, Rose v Wade, as they do in India [eg: NJAC, etc.]

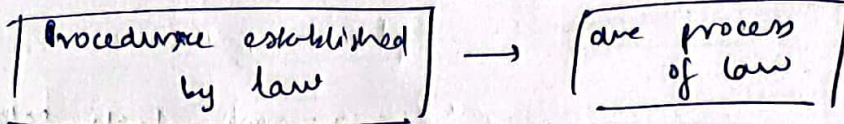
Role of judiciary in influencing constitution of India

- Basic structure doctrine - Kesavananda Bharati case
 - limits to amending power of parliament
 - (i) limits to "parliamentary sovereignty"
- Mithernva Mills case :

- supremacy of judicial independence
- upholding power of judicial review

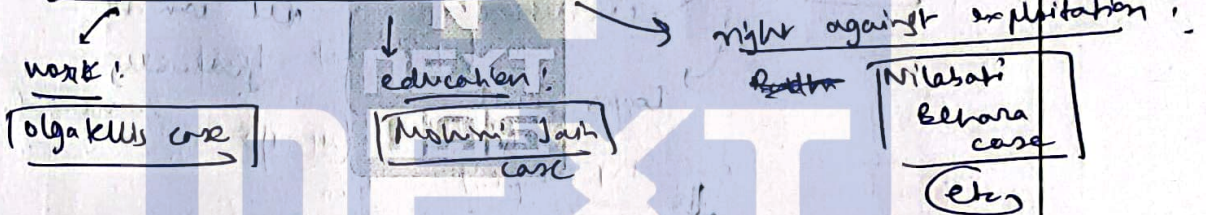
"Everything in India is under judicial review"

3. Mandla Gandhi case: foundation for expansion of Article 21

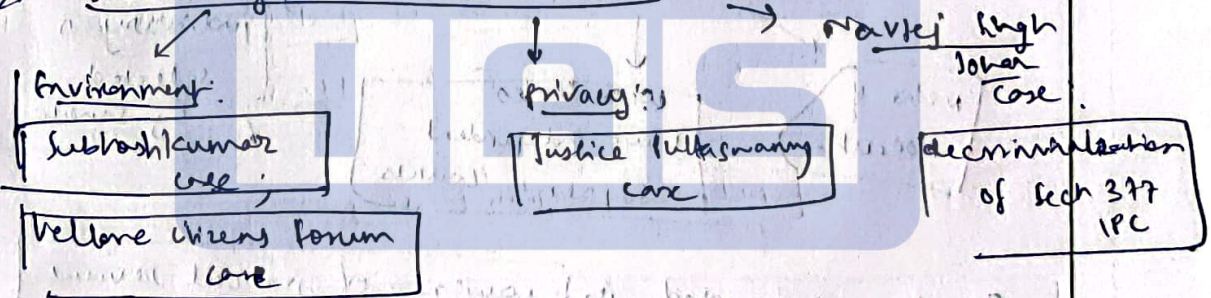


4. SR Bommai judgement → role in influencing federalism, scope of Article 356, etc

5. "first generation" human rights



2. "second generation" rights cases



Role of USA judiciary

1. Marbury v Madison: (1803)

- foundation of judicial review
- "due process of law"

2. Miranda v State of Arizona

- Miranda warning: "I read the 5th"
- rights of defendants //

3. 3rd amendment cases:

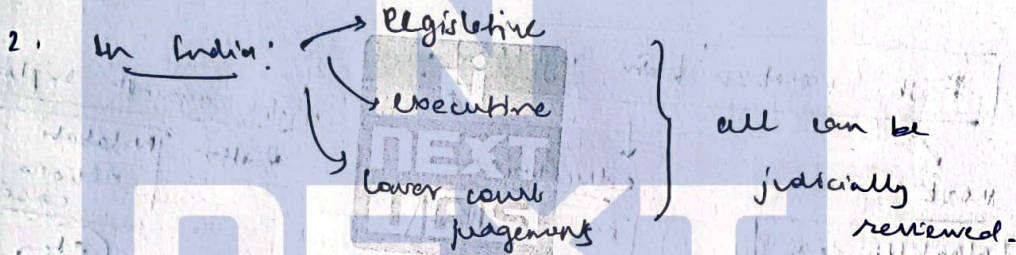
→ freedom on social media.

4. 2nd amendment cases: "right to bear arms" etc.

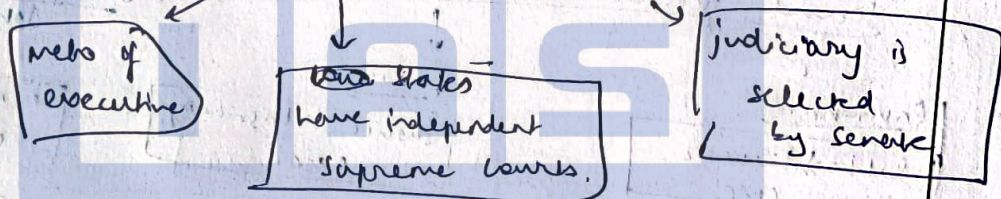
scope for judicial review wider in India

Yes

1. India [only democracy] where judiciary ~~checks~~ selects itself



scope is less wider in USA as



3. SC has expanded its powers of judicial review

(eg) enquiring into facts for using Article 356

(eg) Kesavananda Bharati case: judicial review of Speaker's decision in Anti-subversion cases

Thus, judiciary in India must exercise [judicial] [restraint], to ensure separation of powers is maintained.

12. निम्न प्रतिनिधित्व सुनिश्चित करने और एक मत, एक मूल्य के सिद्धांत को बनाए रखने के लिए सीटों का परिसीमन आवश्यक है। निर्वाचन क्षेत्रों में अप्रतिनिधित्व से उत्पन्न हुई चुनौतियों पर प्रकाश डालते हुए संघीय तनाव पैदा करने में जनसंख्या-आधारित परिसीमन के प्रभावों का विश्लेषण कीजिए। (250 शब्दों में उत्तर दीजिए) 15 अंक
- Delimitation of seats is essential to ensure fair representation and uphold the principles of one vote, one value. Highlighting the challenges posed by misrepresentation in constituencies analyze the ramifications of population-based delimitation in creating federal tension. (Answer in 250 words) 15 marks

Delimitation is the process of setting the boundaries of territorial constituencies. - to ensure one person - one vote - one value.

Delimitation in India is carried out by a high powered delimitation commission (Article 82), after the Parliament enacts an act to take effect after each census.

However, the process of national level changes is currently frozen to as per 1971 census, according to 74th Amendment.

Challenges posed by misrepresentation:

1. Against principles of democracy:

"one vote - one value"

2. Under representation of weaker sections which may not have reservations.

(eg), religious minorities, OBC population, etc.

less share in representatives as % of their population.

3. "veho" to minorities in certain cases

(g) allegations of "veho" to minority population in Assam and West Bengal.

4. Dilution of civic responsibility

↓
if people are under-represented

↓
less likely to hold representatives accountable.

5. Compromise to good governance:

⊙ low high representative : population ratio.

↓
lesser efficiency

↓
disconnect between legislators and public

↓
lack of citizen participation

↓
Good governance is compromised.

Implications of population based delimitation in creating federal tension:

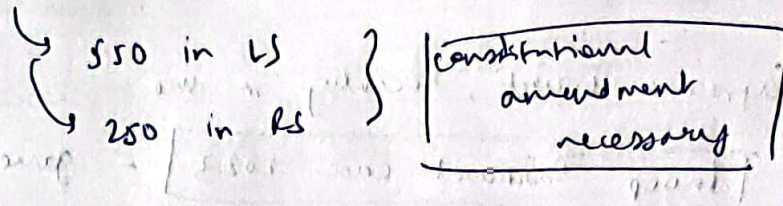
1. Madras High Court in

Tenkasi Assembly case:

→ States cannot be penalized for implementing family planning policies

→ Tamil Nadu should receive compensation of 5600 cr for the reduction in its lok sabha seats from 41 to 39.

2. Constitutional restriction on number of seats



3. implications on fiscal federalism

↓
concerns over finance commissions

↓
not taking demographic performance into account

4. Concerns w.r.t. Rajya Sabha

↓
of domination by more populous states (in RS)

↓
federalism diluted

5. Use of inter-state disputes

↓
threat to unity of the nation

thus, delimitation exercise must be innovatively

done, to balance "one-vote, one-value"

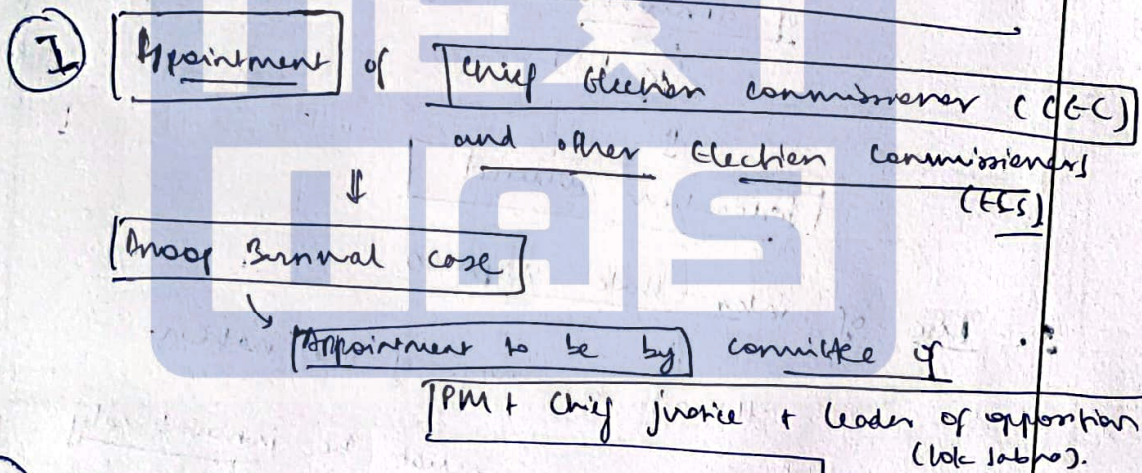
and also not penalize states who have

focused on population control.

13. देश में स्वतंत्र और निष्पक्ष चुनाव कराने की निर्वाचन आयोग की संवैधानिक जिम्मेदारी के निर्वहन में उसके हाथों को मजबूत करने में भारत के सर्वोच्च न्यायालय की भूमिका पर चर्चा कीजिए। (250 शब्दों में उत्तर दीजिए) 15 अंक
 Discuss the role of the Supreme Court of India in strengthening the hands of the Election Commission in the discharge of its constitutional responsibility of conducting free and fair elections in the country. (Answer in 250 words) 15 marks

Supreme Court, recently in the Inoop Barnwal case 2023 - gave guidelines for selection of CEC and ECs to uphold the independence of ECI.

In this context, SC has historically played a significant role in strengthening Election Commission of India.



II Related to right of citizens to know

1. ADR v/s Union of India 2002

party candidate must disclose

- criminal cases
- personal assets

↓

If he/she doesn't, Election Commission may disqualify

2. None recently : [2019] :

[Public Interest Foundation v/s Union of India] :

→ SC ordered parties to [prominently publish] criminal cases against contestants

→ Asked [ECI] : to [create a framework] to [disseminate info] about the criminals as much as possible.

(III) : related to [Criminalization] :

1. [Ujjain case] (2013) :

→ [brought down] [Section 8(4)] of [RPA 1951]

(which gave the disqualified criminals a right to appeal and get their disqualification suspended)

2. Public Interest Foundation case [2014] :

→ trials of criminal politicians to be finished in [1 year]

(IV) : related to powers of [Returning officer] :

↓
[Resurgence India] case, 2013

↓
power to [reject nomination] if incomplete

(V) : Issue related to Citizens Voting

→ PUCL vs Union of India case 2013

NOIA

→ VVPATs : for verification

(VI) : related to freebies

→ "freebies distort voters choice"

→ S. Balaji case - directed ECI to look into the issue

↓
ECI added new point in Model Code of Conduct

(VII) : related to Electoral Expenditure

Deshale Chavan case

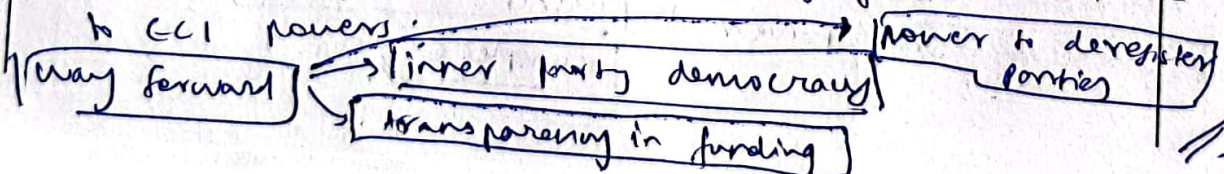
↓
~~Power~~ Power to ECI to scrutinize expenditure by candidates, and disqualify them (if RPA 1951 is not followed)

(VIII) : related to Voter mobilisation

Dharam Singh case - soliciting votes on grounds of caste / religion is illegal under Section 123

↓
ECI ECI must disqualify such candidates

Thus, SC judgements have made significant additions to ECI powers.



14. 'संसद की घटती भूमिका शक्तियों के पृथक्करण के मूल सिद्धांत को कमजोर करती है, क्योंकि यह कार्यकारी शाखा पर नियंत्रण रखने और सत्ता का संतुलित प्रयोग सुनिश्चित करने की विधायिका की क्षमता को कम कर देता है।' विवेचना कीजिए। (250 शब्दों में उत्तर दीजिए) 15 अंक

'The declining role of Parliament undermines the fundamental principle of separation of powers, as it diminishes the legislature's ability to serve as a check on the executive branch and ensure a balanced exercise of power.' Discuss. (Answer in 250 words) 15 marks

According to C. Rajagopalachari - "Parliament is governance by discussion, not governance by disruption"

Declining role of Parliament

How it undermines legislature

1. Inrequent disruptions

- (eg) placards display,
- (eg) storming the well, etc.

→ discussions can't take place

→ less opportunity to question the executive

2. less than 40-45% bills referred to Parliamentary committees since 2004.

→ incomplete scrutiny of legislations

→ executive has to do function of legislature

separation of powers undermined

frequent amendments needed

(eg) 6 amendments to ZBC in 7 years

Candidate write on this

3. number of sitting
days declined
from ~120
(h) ~60

→ legislators can't raise
issues concerning
citizens.

→ violation of democratic
ethos

4. Average discussion
length reduced
in Lok Sabha ~ 2 hours
in Lok Sabha ~ 2 hours
(per bill)

→ poor scrutiny of
laws

→ protests outside parliament
(eg) farm law bills
acts
(now repealed)

5. whip and
anti-defection law
↓
private members of
opposition party bound
by whip.

→ legislature not
able to hold
executive accountable

→ freedom of speech
compromised.

6. Criminalization of
politics.

~ 45% criminals in
13th Lok Sabha

Criminals not
able to hold
executive accountable

7. Private member
bills:

discussed only 4 times
in 13th Lok Sabha

→ less opportunity for
legislature to represent
views before
executive.

8. Committee on petitions
↓
meets periodically

→ parliament unable to address petitions by ordinary citizens

9. Less attendance

→ faith of public in institution reduces

10. Low women representation

→ poor understanding of women's issues

Thus: declining role of parliament has compromised on not only ~~the~~ separation of powers! (part of basic structure), but also of faith for the institution amongst citizens.

Way forward

1. 120 day sitting - recommended by NCRWC
 2. Compulsory referral of bills to parliamentary committees
↓
who should act on them in TIME BOUND manner
(eg.) 3 months
 3. weekly discussion of member bills
 4. Utilization of 30 min / 2 hour discussion
- These steps will make parliament "governance by discussion"

15. भारत में लिंग-संवेदनशील कानूनों पर विमर्श को आकार देने में राष्ट्रीय महिला आयोग द्वारा निभाई गई महत्वपूर्ण भूमिका पर चर्चा करें। राष्ट्रीय महिला आयोग को संवैधानिक संस्था बनाने से उसका प्राधिकार किस हद तक सुदृढ़ होगा? (250 शब्दों में उत्तर दीजिए) 15 अंक
- Discuss the crucial role played by the National Commission of Women in shaping the discourse on gender-sensitive laws in India. To what extent the elevation of the National Commission for Women to a constitutional body would reinforce its authority? (Answer in 250 words) 15 marks

National Commission of Women (NCW), was

set up by the NCW Act 1990 (in 1992),

ie, it is a Statutory body.

Crucial role played by NCW in shaping the discourse on gender-sensitive laws in India.

1. Regular and periodic ^{review} inspection of laws.

(Eg) IPC 1860, PLPNDT 1974; Dowry Prohibition 1961, etc

↓
Based on efforts and review by NCW,

in the recently introduced bill on

Bharatiya Nyaya Sanhita (IPC revision)

↓
Crimes against women is the first chapter.

2. Evidence based analysis of laws

→ based on regular inspection of jails, custodial homes and psychiatric institutions.

3. Understanding how laws work on the

ground level.

↓
NCW looks into ~15,000 cases annually.

4. Learning from direct experience
 ↓
 NCRW works with civil society, etc
 in pursuit of its goals
5. Highlighting constraints in the criminal justice
system:
 NCRW can act as litigant in the cases it
 pursues
 ↓
 this gives it first hand view of how
functioning of criminal justice system
 leads to DELAY in women getting justice.
6. Awareness about laws (eg) PCR NDT Act 1994
7. Highlight non-compliance of laws.
 (eg) NCRW has highlighted LCCs (Local complaint
 committees) and ELCs not constituted under
POSH Act 2013

Elevation of NCRW to constitutional body
 would help in following ways:

1. Give it greater say in investigations
 (eg) NLSL, NCST, NCBC, etc.
2. Give it power to determine its own
procedure
 (eg) NLSL, NCST, NCBC, etc.

3. will allow NCM to not only investigate specific cases, but also overall "safeguards"

4. widen the ambit of gender responsive governance

(eg) to unorganized sector, etc

However, there are several disadvantages of constitutional status-

1. NCS, NCST and NCBC are not allowed to coordinate with NGOs, civil society, etc.

↓
if NCM gets constitutional status, its ability to coordinate may go away

2. Similarly, aforementioned orgs are not allowed to

take suo moto cases

do suo moto research

if NCM becomes constitutional body, these powers may also go away

(ie) overall operational flexibility will reduce

Thus, decision to convert NCM to a constitutional body has to be taken keeping in mind aforementioned pros and cons.

16. शिकायतों का संतोषजनक और समयबद्ध निवारण 'न्यूनतम सरकार, अधिकतम शासन' की आधारशिला है। इस संदर्भ में मौजूदा शिकायत निवारण तंत्र से जुड़ी चुनौतियों पर चर्चा कीजिए और इस प्रक्रिया को सुदृढ़ करने के लिए उपाय सुझाएँ।
(250 शब्दों में उत्तर दीजिए) 15 अंक
'Satisfactory and timely redressal of grievances is the cornerstone of 'minimum government, maximum governance.' In this context discuss the challenges associated with current grievance redress mechanisms and suggest measures to strengthen the process.
(Answer in 250 words) 15 Marks

It is said that "Justice delayed is justice denied"

World Bank has repeatedly pointed out how

lack of resolution of grievances in India is

key factor for poor ease of doing business in India.

(Ex) it takes 120 days to resolve commercial grievances in Singapore

vs 1400+ days in India

Current grievance redressal mechanisms.

Challenges

(I) = Judiciary:

subordinate courts



High court



Supreme court

→ ~ 5 cr pending cases

→ ~ 4 years to resolve civil cases

→ ~ 5 years to resolve criminal cases

→ adversarial

→ expensive: litigation unaffordable for poor..

→ causes mental stress and agony

(11) : ADR
(Alternative
Dispute
Resolution)

(Eg) Arbitration,
Conciliation,
Mediation,
etc

1. often, decision of ADR is
challenged in courts

↓

adds to delay.

2. lack of awareness amongst
citizens

3. lack of trained personnel
for arbitration / mediation

↓

people trust ADR less

(12) : Tribunals:

(Eg) LAT,
NAT,
NELT,
etc

1. Under staffed

(Eg) vacancies in NCLT.

2. Pendency in tribunals:

(Eg) ~ 1 lakh pending cases in NCLT,

0 ~ 9 lakh cr worth of tax
disputes before various
tax authorities

(IT Appellate Tribunal, etc)

3. "Tribunalization of justice"

4. concern about independence
of members.

(13) : inbuilt
grievance
redressal
in govt schemes

(Eg) district and state level
food commissions to complaint
about grievances related to NFSA

1. lack of awareness amongst beneficiaries

2. Red tapism, bureaucratic inertia

(Y) : grievance redressal -

[Statutory modes]

(G) : ICC and LCC under POSH Act

1. not implemented in letter and spirit

2. [scope restricted] ; [jurisdiction restricted]

(G) : ICC is not applicable to reorganized sector

may to mechanisms to address

(I) : Judiciary : → fill vacancies [Cr 18000 / ~23000] ~~was~~ Judges at subordinate courts)

→ use technology (G) : interoperable criminal justice system; Judicial Data Grid; Courts Mission, etc

→ separate staff for [Judicial Administration] (G) : as in USA, Canada, UK, etc

(II) : ADR : → create awareness

→ trained professionals

→ POPULARIZE AND REGULARIZE [Lok PDRATS]

(G) : in 2022 : Lok Adalat resolved [1 crore cases in 1 DAY]

[World Record]

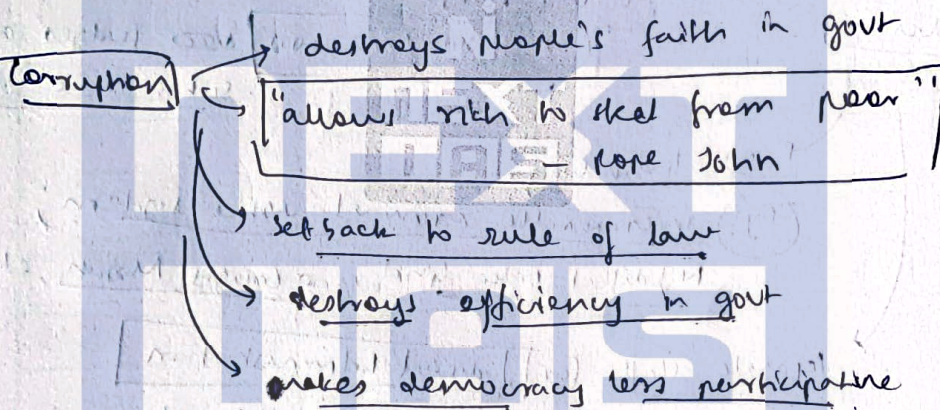
(III) : Tribunals : [National Tribunal Commission] - as recommended in [L Chandra Kumar case]

(IV) : [Citizens Charter] to improve executive grievance redressal (G) : Model Borechnyat charter //

17. भ्रष्टाचार शासन के ताने-बाने को जर्जर कर देता है, जिससे लोकतांत्रिक संस्थाओं में जनता का विश्वास कम हो जाता है। भ्रष्टाचार विरोधी शासन या व्यवस्था की प्रभावशीलता को बढ़ाने के लिए सूचना का अधिकार (आरटीआई) अधिनियम, विसलब्लोअर संरक्षण अधिनियम (डब्ल्यूबीपीए), और लोकपाल और लोकायुक्त अधिनियम, 2013 के बीच समन्वय स्थापित करने के सामर्थ्य का परीक्षण कीजिए। (250 शब्दों में उत्तर दीजिए) 15 अंक

'Corruption corrodes the fabric of governance, eroding the public's faith in democratic institutions.' Examine the potential for harmonizing the Right to Information (RTI) Act, the Whistleblower Protection Act (WBPA), and the Lokpal & Lokayukta Act, 2013, to enhance the effectiveness of the anticorruption regime. (Answer in 250 words) 15 Marks

Recently, the ex-President of Malawi has described corruption as "an attack on human rights" and US President Joe Biden as "a cancer that eats society".



In this context, harmonizing ^{not only} RTI Act, WBPA Act and Lokpal and Lokayukta Act 2013, but also Prevention of Corruption Act, 1988 and Official Secrets Act 1923.

This will enhance effectiveness of anti-corruption regime as

1. Create a 360 degree deterrence of corruption.

2. The same act will clearly lay out

What info can't be disclosed (OSA 1923)

everything else MUST BE AUTOMATICALLY DISCLOSED (RTI)

Penalty for secrecy of non-secret information

Penalty for corruption

Protection of whistleblowers

and

Mechanism for investigation of corruption

3. (ie) it will create a culture of disclosure, shifting from a culture of secrecy.

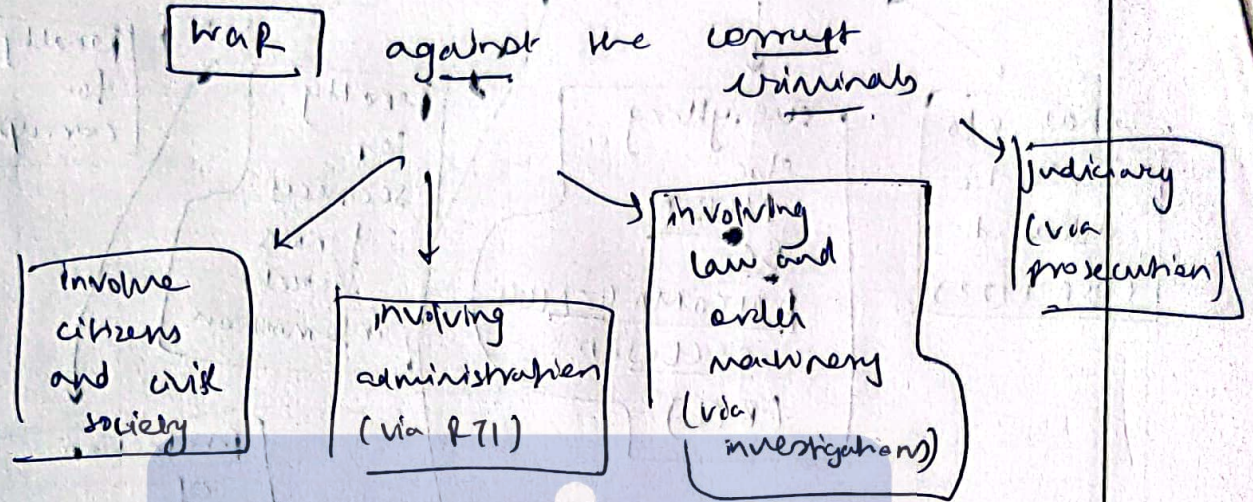
4. It will create a full comprehensive definition of corruption

and how to deal with the corrupt

5. Integration of lokpal Act 2013 would also ensure citizen oversight over lokpal complementing citizen oversight for information

(ie) force multiplier for citizen oversight

6. It will lead to a whole of society



7. It will prevent the criminals from

escaping law by using loopholes of the other law

(eg) RTI 2005 vs OSA 1923

(eg) delimiting of loophole from RTI

8. Most importantly

It will create societal unacceptability of corruption.

Recently at Aug 15th independence day speech,

PM described corruption as one of the 3 evils society needs to eliminate to become a developed nation by 2047.

Merge of all corruption related laws will help get there.

18. गरीबी का प्रभावी ढंग से मुकाबला करने के लिए हाशिए पर रहने वाले समुदायों के बीच कौशल विकास, उद्यमिता और आय सृजन के लिए एसएचजी का लाभ एक मंच के रूप में उठाने में शामिल चुनौतियों और लाभों का विश्लेषण कीजिए।
(250 शब्दों में उत्तर दीजिए) 15 अंक
- Analyze the potential challenges and benefits involved in leveraging SHGs as platforms for skill development, entrepreneurship, and income generation among marginalized communities to effectively counter poverty.
(Answer in 250 words) 15 Marks

According to latest data, there are around ~ 70 lakh SHGs in the country, with all membership of ~ 8 cr + women, working towards empowerment and financial inclusion, savings, social support system and soft credit to women.

Economic surveys have noted the success of SHGs in financial inclusion, and said that the next logical step is for SHGs to expand in other domains.

(A) Skill development

1. provide training, not just to the women, but entire village communities, via

medium of SHGs.

2. Synergy between (NRLM) and (Kanshal Vikas Yojana) (Skill India Mission)

B. (eg) skilling in handicrafts, marketing, branding, textiles, designing, etc.

4. (ie) creating SHGs as a COMMON SERVICES
RESOURCE POOL.

(Eg.) There may be multiple micro-enterprises
in a village
(local handicraft, local food processing, etc)

SHGs can provide COMMON
marketing and branding for all

the MEMBERs can focus on their work.

(ii) Entrepreneurship

1. SHGs } Savings
 } access to credit
 } access to support } → economic activity.

(Eg.) Kudumbashree SHG collective in Kerala.

selling products across the country via
ONDC.

2. Similarly, in food processing (Lijjat lapal)
is an inspiration to all.

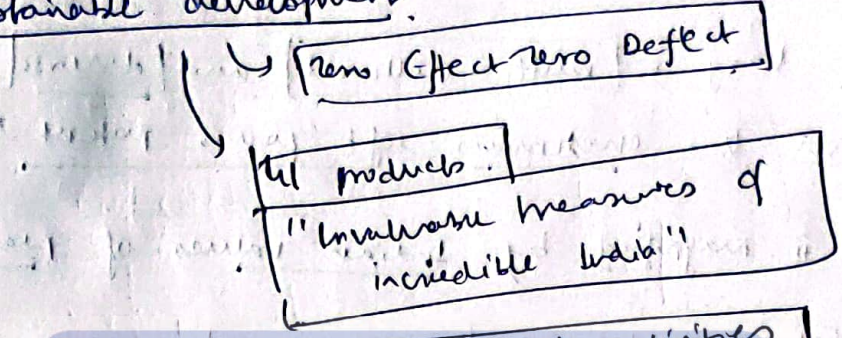
3. In western India, the Udyam Shree initiative
and in Andhra, the Dwarka initiative
is involved in incubation of SHG entrepreneurs.

(iii) Income generation

1. Value addition to local produce via
technological advancement

(eg.) Sivalva family by SHGs of Kasaragod and Kero ballam in kerale.

2. Sustainable development



3. Higher incomes from agri-allied activities

- (eg.) milk solids from milk
- (eg.) products of small ruminants
- (eg.) Emu bird rearing - high value product

challenges faced :

1. FAKE NEWS - that NPA among SHGs is high / SHGs don't return loans
- TRUTH - SHG NPA = 1.8% less than agri NPA, MSME NPA, retail NPA and corporate NPA

However, the fake news is limiting SHG access to credit by damaging SHG reputation

2. lack of access to raw materials
3. Poor bargaining power due to low scale
4. lack of self-confidence : "internalized patriarchy"

Going forward : SHGs should play greater role not only in income generation ; but also in overall rural dev and governance

19. 'भारत अपनी समृद्ध संस्कृति के लिए विध्व मानचित्र पर अद्वितीय स्थान रखता है।' इस संदर्भ में भारत की सॉफ्ट पावर कूटनीति के साधन के रूप में संस्कृति, प्रवासी और लोकतंत्र की भूमिका पर चर्चा कीजिए। भारत किस हद तक खुद को स्मार्ट पावर के रूप में स्थापित करने में सक्षम हो पाया है? (250 शब्दों में उत्तर दीजिए) 15 अंक
- 'India is uniquely positioned on the world map for its rich culture.' In this context discuss the role of culture, diaspora, and democracy as instruments of India's soft power diplomacy. To what extent India has been able to position itself as a 'smart power'? (Answer in 250 words) 15 Marks

India being a multi-cultural and diverse nation has enormous soft power potential, which is magnified by Indian values of peace, peaceful co-existence, democracy, etc.

Role of culture in diplomacy :

1. Highlight the benefit of Indian values

↓
develop attraction towards India

(eg) International yoga day

(eg) yoga in schools during libyan war in Ethiopia

2. cuisine : diverse cuisine gradually gaining acceptance globally

(eg) curries in Australia

3. Role of ICCR (Indian Council of Cultural Relations)

↓
organizing cultural exchanges, workshops, etc.

4. Art and literature and movies, etc

(eg) popularity of work by Tagore

5. future potential: education (internationalization),
digital media, etc

Role of diaspora

1. "bridge builders"

↓
in advancing India's interests

(eg) role in Indo-USA nuclear deal

2. "diaspora diplomacy"

(eg) 'Somasa caucus' in USA congress

3. Role in tech transfer, funding, etc

(eg) 4/10 Indian startups receive funding
from Silicon valley

4. providing niche services to foreign nations

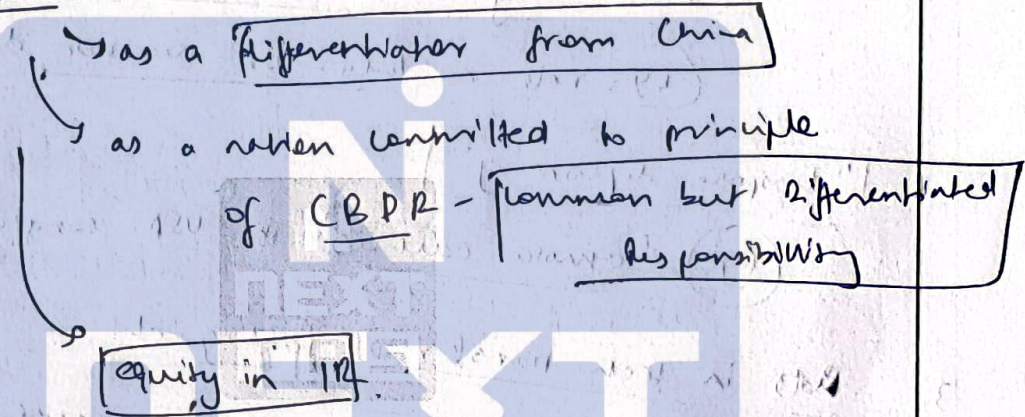
(eg) Raika camel rearing community from
Rajasthan in Middle east

Role of democracy

Historically, democracy has not played a major
role in global diplomacy. However, since
the end of cold war, it has increasingly
been in foreign policy discussion,

further, with rise of USA - China tensions, it is in news further.

India's values as the "mother of democracy" and commitment to "free and open Indo Pacific" will play a key role in foreign policy in years to come.



India as smart power - has it been successful?

Yes

No

1. leveraging culture such as yoga
2. leveraging diaspora to advance interests
3. Consistent messaging on peace
"Not an era of war"
4. Voices of global south

1. delivery deficit
2. outreach is very less as compared to China's Confucius network or France's Alliance Française etc
3. India not in top 30 in Portland soft power index
4. only 126 embassies

Way forward → build on culture and diaspora
 → expand presence - via embassies and ICCR
 → ensure there is no delivery deficit

Candidates must not write on this margin

20.

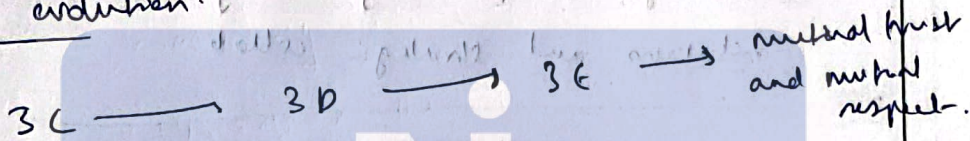
भारत और ऑस्ट्रेलिया के बीच साझा मूल्यों और जीवंत लोगों से लोगों के बीच संबंधों का साहचर्य दोनों देशों के बीच दीर्घकालिक व्यापार संबंधों और रणनीतिक सहयोग को बढ़ावा देने के लिए उपजाऊ जमीन तैयार करता है। विश्लेषण कीजिए।

(250 शब्दों में उत्तर दीजिए) 15 अंक

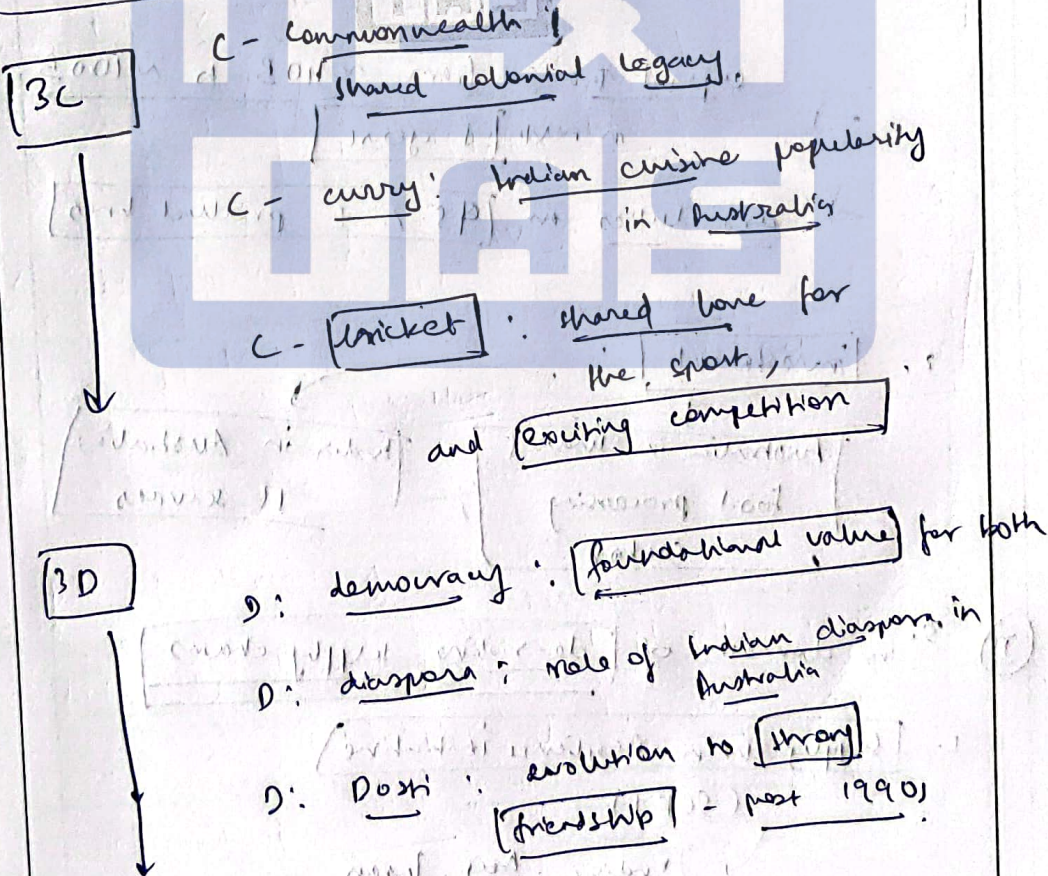
The synergy of shared values and vibrant people-to-people connections between India and Australia creates a fertile ground for fostering long-lasting trade relations and strategic collaboration between the two nations. Analyse.

(Answer in 250 words) 15 Marks

Honorable PM recently laid out the timeline of Indo-Australia relations, which represents their evolution.



Synergy of shared values and people to people ties



3 E

E - Energy: Cool imports from Australia

E - Economy: rising trade

E - education: Indian students in US

Actual trade, respect:

fertile ground for long-lasting trade relations and strategic collab

(I) in domain of economy:

1. recently signed ECTA

Economic cost and Trade Agreement

expand trade from ~40B to ~100B

in next 5 years

→ zero duties in 95% + product lines

2. investment

Australia in India's food processing sector

India in Australia's IT services

(II) 3. in domain of de-risking supply chains

1. Supply chain Resilience Initiative

(SCRI)

→ India, Aus, Japan

2. Joint efforts against for sustainable infra in developing countries

(II) : in technology

1. D-10 : group of 10 democracies for SG
2. GPAI : Global Partnership on AI
3. critical minerals, green energy, etc

↓

future areas

(IV) : international coop :

1. via Quad : for free and open Indo Pacific
2. via IPEF, ASEAN+6, G20, etc

(E) : Maritime security

1. Mutual Logistics Support Agreement
↓
for military interoperability
2. Joint exercises (eg) Malabar
3. cooperation against Chinese expansionism
in South China sea and Indo-Pacific

However, there are some challenges, such as racism against Indians in Australia.

India - Australia can be an important partnership to some global issues such as climate change, if challenges are resolved.