

NEXT IAS

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(To be filled by candidate)

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MAIN TEST SERIES 2023 (ANUVBHAV GS-II)

GENERAL INSTRUCTIONS

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SUBJECT/PAPER
GENERAL STUDIES

Invigilator's Sign. :

(For filling by Examiners only)

Evaluator Code :

Q.No	Pg No.	Maximum Marks	Marks	Total
1. (a)	1			
1. (b)	3			
2. (a)	5			
2. (b)	7			
3. (a)	9			
3. (b)	11			
4. (a)	13			
4. (b)	15			
4. (c)	17			
5. (a)	19			
5. (b)	21			
6. (a)	23			
6. (b)	25			
7.	27			
8.	32			
9.	37			
10.	42			
11.	47			
12.	52			
Grand Total				

Signature

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

Supreme Court in a bid to deliver complete justice (Ar 142) has started using international law as basis of justice delivery

International law as treaty

Here, if India hadn't signed a treaty, SC would absorb executive of all responsibilities.

Ex- If migration treaty not signed, no need to let them remain in our nation.

Recent shift to humanitarian cases

② Economic right - In Vodafone case, court upheld that retrospectively taxes can't be applied.

② fugitive economic offenders - In case of Vijaya Mallya, SC took international law as benchmark to bring this fugitive back.

③ Use of global commons - dictated on international treaties like UNCLoS, MARCOS

④ In case of migrants, principle of allowing them habitable place was vouched for by SC.

⑤ Not to take negative influence - like recent declaration of declaring abortion illegal

Thus, SC has worked a global world view to ensure that citizens get complete justice based on constitutional principles.

2. संवैधानिक प्रावधानों में समानता के बावजूद वाक एवं अभिव्यक्ति की स्वतंत्रता पर संयुक्त राज्य अमेरिका और भारत का अपना विशिष्ट न्यायशास्त्र है। विश्लेषण कीजिए।
The United States and India have their own distinctive jurisprudence on freedom of speech and expression despite the similarities in constitutional provisions. Analyse. (150 शब्दों में उत्तर दीजिए) 10 अंक
(Answer in 150 words) 10 marks

US, world's oldest democracy and India, world's largest democracy have areas of convergence and divergence in implementing Freedom of speech and expression.

Similarities in constitutional provisions

- (1) Freedom of speech and expression ensured
- (2) Independent Judiciary to deliver those laws
- (3) Constitution as source of privileges
- (4) Rule of law upheld
- (5) Free process of law established
- (6) Ensure courts deliver complete justice.

Despite the similarities, there are points of Divergence

INDIA	US
① Conservative Ex - burning of flag not allowed	① Liberal burning of flag allowed
② Sedition (Ar 124A) still there	② Not here
③ Contempt of court ^{if anything} → against judges	③ allowed to criticise judges on individual level
④ jury system absent	④ Jury decides cases
⑤ single law to deliver justice	⑤ Different state and central law
⑥ Advisory jurisdiction	⑥ Not here

Thus, both nations have points of convergence and divergence based on local needs and historical facts.

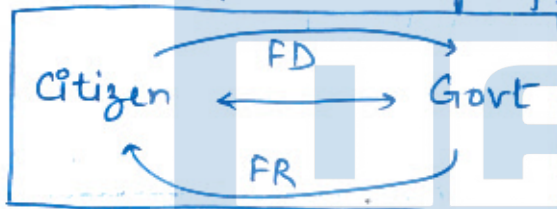
3. मौलिक कर्तव्य एक अनुस्मारक हैं कि नागरिकता मात्र एक निष्क्रिय प्रस्थिति नहीं है, बल्कि एक सक्रिय संलग्नता है। चर्चा कीजिए। इनके विधिक प्रवर्तन में कौन-कौन सी चुनौतियाँ हैं? (150 शब्दों में उत्तर दीजिए) 10 अंक
 Fundamental Duties are a reminder that citizenship is not merely a passive status but an active engagement. Discuss. What are the challenges in their legal enforcement? (Answer in 150 words) 10 marks

Fundamental Duties are the "Kartavya" that should be followed by citizens, mentioned in Ar 51-A, by 42nd Constitutional amendment on recommendation of Swaran Singh Committee

Fundamental duties → active citizens

(1) Governance a two way street:

In Javed vs State of Haryana case, SC held that fundamental rights should be seen on premise of fundamental duties



(2) Responsible citizens : to

- (a) protect Environment (b) Safe use of monuments
- (c) enforce brotherhood (d) respect women

(3) Also enhance citizen's rights

Ex: Right to clean Environment (MC Mehta case) requires other citizens to enforce it.

(4) Promotes social decency and solidarity
Ex - Respect for women is bound to create
mutual trust

(5) social contract of citizen - to abide
by rules of the state.

(6) Source of law - Justice Verma committee
highlighted laws made out of duties
Ex - Flag code etc.

Challenges in legal enforcement

- difficult to ensure accountability
- vaguely worded ⇒ create litigation
"honour ideals of freedom
struggle" → subject to interpretation
- mis increase case pendency
(already 5 crore cases pending)
- prone to misuse.
- burden on citizens

Thus, as stated by B.R. Ambedkar
that DPSP's should be accompanied
with duties, not just as pious
declaration, but with deeper effects.

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

Art 323 A established Central Administrative Tribunal on Swaran Singh committee's recommendation to look into service matters

CAT → quasi-judicial body
 → reduces case load on judiciary
 → helps in solving docket explosion in judiciary
 → has subject specific experts -

Mandate of CAT :-

- (1) Service Matters of Civil Servants and All India Servants are looked after
- (2) Adherence to Service rules - Code of Conduct for AIS is followed.
- (3) Principle of Natural Justice is the key to ensure discussions related to promotion, transfers are discussed.

(4) Evident Act is given less importance to while hearing cases of suspension etc.

Issues of tussle with High Courts

∴ Initially, appellate jurisdiction from CAT was given to SC, thereby bypassing HC (Ar 226 was overlooked).

In L. Chandra Kumar case, the court decided that in lieu of Ar 226 and Ar 142 ("complete justice"), appeals from CAT would lie to HC.

Issues → leads to long judicial years of unresolved case

→ tribunalisation of justice

→ enhanced pendency of cases.

Thus, SC has largely solved jurisdictional tussle between CAT and HC, but still

matters of subjects of both remain unresolved and overlapping.

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

Art 14 of the Indian constitution provides for Equality Before law and Equal Protection of law, but that is only the tip of the iceberg

Equality in Constitution

- Art 14, 15 Equality, no discrimination
- Art 29, 30 Cultural Equality
- Art 25-28 religious
- Art 332, 334 upliftment SC, ST

Incorporating ideals of Substantive Equality

- (1) NM Thomas case - Court gave explicit directions of adhering to the principles of Substantive Equality.
- (2) Constitutional Morality - In Rameshwar Prasad case SC held that constitutionalism abhors absolutism and would work in favour of citizens.

(3) Differential access - Through cases like Maneka Gandhi (50% ceiling), Lok Prahari case (upholding EWS reservation) SC ensured substantive justice.

(4) Reducing "locus standi principle" - PIL have now become a source of enforcing substantive Equality.

Ex - Hussainara Khatun case, 40,000 undertrials were set free in Bihar.

(5) Ensuring distributive Justice

Ex - In Pradeep Jain case, law on "son of the soil" principles were declared unconstitutional.

(6) Right to Environment - part of equality (M.C. Mehta case) - as it leads to differential liabilities on rich and poor.

(7) Progressive ideals - decriminalizing section 377 (Navtej Johar case), Nishakha guidelines have ensured substantive justice.

Thus, Substantive Equality is the north star of constitutional morality (Justice Chandrachud)

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 महत्वाकांक्षा 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 by definition are those associations which influence policy making without aspiring to join power. But lately things have changed

Similarity in Pressure groups and Political parties → both raise demands
 → ensure effective policy making
 → try to ensure various groups demands are taken to policy corridors
 influence candidates

Pressure groups trying to become Political Parties, as -:

- (1) Want of Power - JP movement led to formation of Janta party
- (2) Enhanced Mobilisation - India against corruption led to Sam Admi Party formation.

Factors encouraging this transformation

- (1) More chances of mobility - Use of social media increases popular support.
Ex- Haryana CM promoting Big Boss winner Eshwari Yadav.
 - (2) Change required - Arvind Kejriwal entered into active politics as he thought he will have to change system.
 - (3) Democratised Democracy - Dynasty politics have become a thing of the past.
 - (4) Resource mobilisation Ex- farmer mobilisations gave us leaders like Chaudhary Charan Singh and Tikait.
 - (5) Ideology - Presence of ideology makes it easier to enter politics.
Ex- Swara Bhaskar entering SP.
 - (6) Band of supporters - makes it ideal to transform into a party.
- Thus, this recent shift highlights how democracy has decentralised in India ensuring active participation.

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

India spends 2.5% of GDP on education sector and ASER reports suggests large scale "Learning Poverty" in India, highlighting the need for foreign education entry.

Ensuring global competitiveness of higher education

- (1) Good practices can be imitated
- (2) Ensure entry of funds into India's education system.
- (3) Bring in diverse set of courses
Ex- Howard's courses on Machine Learning, AI, IoT etc.
- (4) Grasp the changing times
Ex- Credit system to study courses from both Medical and Engineering
- (5) Bridge the divide between theory and practical

Issues with these

- ① Might create greater divides. Rich would be able to send their kids, poor won't.
- ② Lack of clarity on content - might lead to anti-India subjects.
- ③ IP rights issue - who will gain in case of an innovation.
- ④ Issue with access - whether these be urban oriented or cater to rural areas as well.

Way forward → pull good teachers from these institutes as "guest lectures"
 → "Institute of eminence" will help bridge the gap
 → Involve SWAYAM scheme to get good online lectures.

We need to ensure Gandhi's Talisman of Nai Talim and learning by doing while introducing measures in education.

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

(150 शब्दों में उत्तर दीजिए) 10 अंक

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

(Answer in 150 words) 10 marks

Public Health system of India is overflooded and understaffed, requiring the need to involve private sector in it.

Limitations of Public-health system

- | | |
|--------------------|--|
| Personnel shortage | → only 1 doctor / 1456 population (WHO 1/1000) |
| | → 1 nurse / 500 people (WHO 1/450) |
- ↳ overemphasis on Tertiary care, neglecting primary care
 - ↳ 60% out of pocket expenditure for the poor
 - ↳ 0.89 beds available / Lakh population (WHO: 1/lakh)
 - ↳ 57% women anaemic, 37% stunted kids

Private sector bridging the above gap

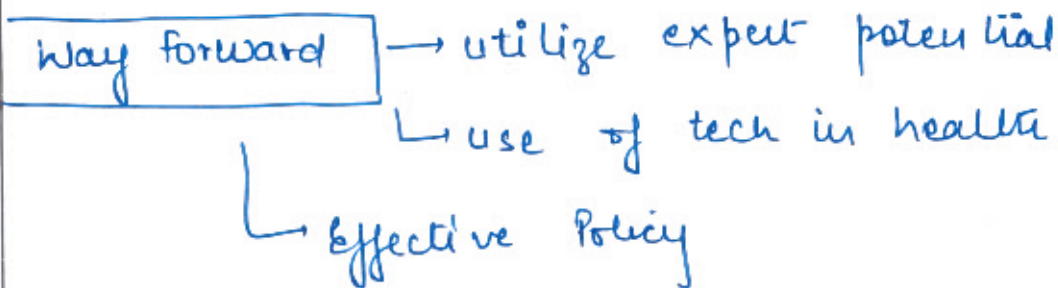
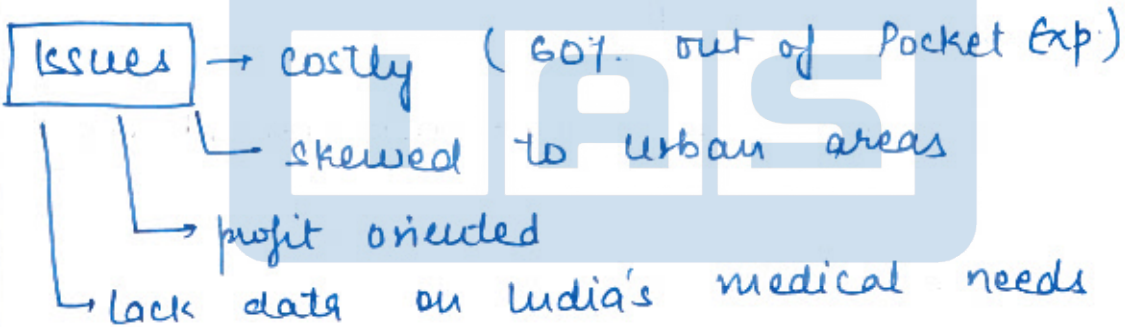
- ① Infrastructure sharing - Beds, machines etc can be collaboratively shared between public and private sector

② Focus on preventive care, geriatric care, paediatric care can be ensured by private sector

③ Invert the triangle : in terms of infra and spending



④ Ensure focus on Neglected diseases and also Non-Communicable Diseases (India is world's diabetes capital and 7/10 patients die due to NCD's).



Thus, a Sambaddh India, first requires a Swasthya India to achieve SDG 3.

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

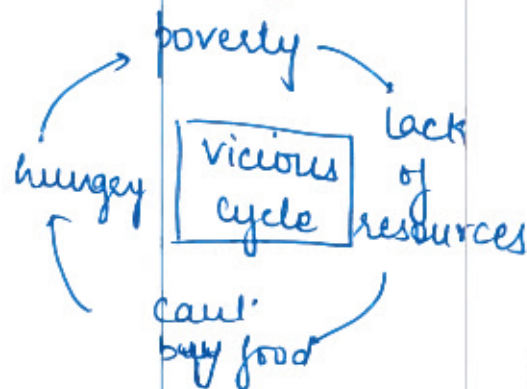
India ranked 107 / 121 in Global hunger index and 22% of our population lies below poverty as per Tendulkar Committee

Urgent need for global cooperation to eradicate poverty and hunger

(1) Across boundary problem - War in Yemen etc lead to instances of absolute poverty and hunger deaths.

(2) Handholding by World Food Program as its help has shown positive help. This is urgent as poverty and hunger survive in a vicious cycle

(3) Rising levels global uncertainties and climate change will enhance them (1°C temp rise reduces farmers income by 15%)



International Cooperation addressing poverty and hunger

- (1) Collaborative Efforts - Effective collaboration with African nations can reduce poverty instances there.
- (2) Research led - Food fortification can be an effective way of reducing levels of hunger.
- (3) Universal Basic Income - to those who reside in absolute poverty. Ex- Bangladesh model.
- (4) Data Driven policy making to deliver tailor made solutions. Ex- Sickle cell Anaemia in tribes of India
- (5) Raised funding can ensure better delivery.

Thus, World Food Program along with World Bank collaboration can ensure that no one sleeps hungry and SDG 1 and 2 are realised.

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 Organization (WTO) has been recently in the middle of many controversies owing to its role as a partial body.

Changing global dynamics

- ① Rise of New power centres like India and Brazil.
- ② Old superpowers are declining like France and Britain.
- ③ Lack of democratic global institutions often lead to alternative institutions coming up.
Ex - Contingency Reserve Arrangement
- ④ Need to address divergent views
Ex - African nations too want their demands to be met

New reforms required

- ① Institutionalise WTO's appellate mechanism (currently USA not allowing it)
- ② Enhance participation of different nations
- ③ Collaborate with diverse interest groups
- ④ Base year of Amber subsidies must be changed.
- ⑤ Agreement on Agriculture must be formalised
- ⑥ Green subsidies should understand developmental stage of a nation.
- ⑦ Bali and Doha deals should see the light of the day
- ⑧ Need to understand new complexities
Thus, to ensure effective and stable global trade, it is imperative to reform global body like WTO.

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 changed Art 239AA to give special status to administration of Delhi owing its strategic locations

69th CAA leading to Delhi's dual governance dilemma

Post of Lieutenant Governor to help Delhi administration, to work based on aid and advice of Delhi's elected government

3 state subjects viz land, police and administrative services were brought under LG's purview.

There remained constant dilemma whether LG has to work on CoM's advice or if s/he can take equivocal decisions to use veto powers.

Impact on cooperative federalism

- (1) Over-riding state list of seventh schedule \rightarrow leading to clashes
- (2) Providing relative autonomy to Delhi's LG leading to "tussle for supremacy" between CM and LG.
- (3) Negates the mandate of a democratically elected government.
- (4) leads to arm-twisting by central government, especially when different parties rule at centre and state.
- (5) leads to delayed policy making.
Ex - recent Delhi Govt's steps were backtracked by LG.
- (6) Centralising tendency - Recent ordinance to make National Central Civil Service Authority to decide "services" distribution.

Reasons for Centralising tendencies

- (1) Indian cooperative federalism has centralising bias (Ranjit Jangra Case)
- (2) Necessary as it is state capital
- (3) Lack of statehood, UTs come under central government.
- (4) SC judgements have sometimes ruled in their favour.
- (5) Necessary for security of state and sovereignty and integrity of India.

Way forward

→ make clear guidelines

→ use Punchi Commission

recommendations to ensure better cooperation.

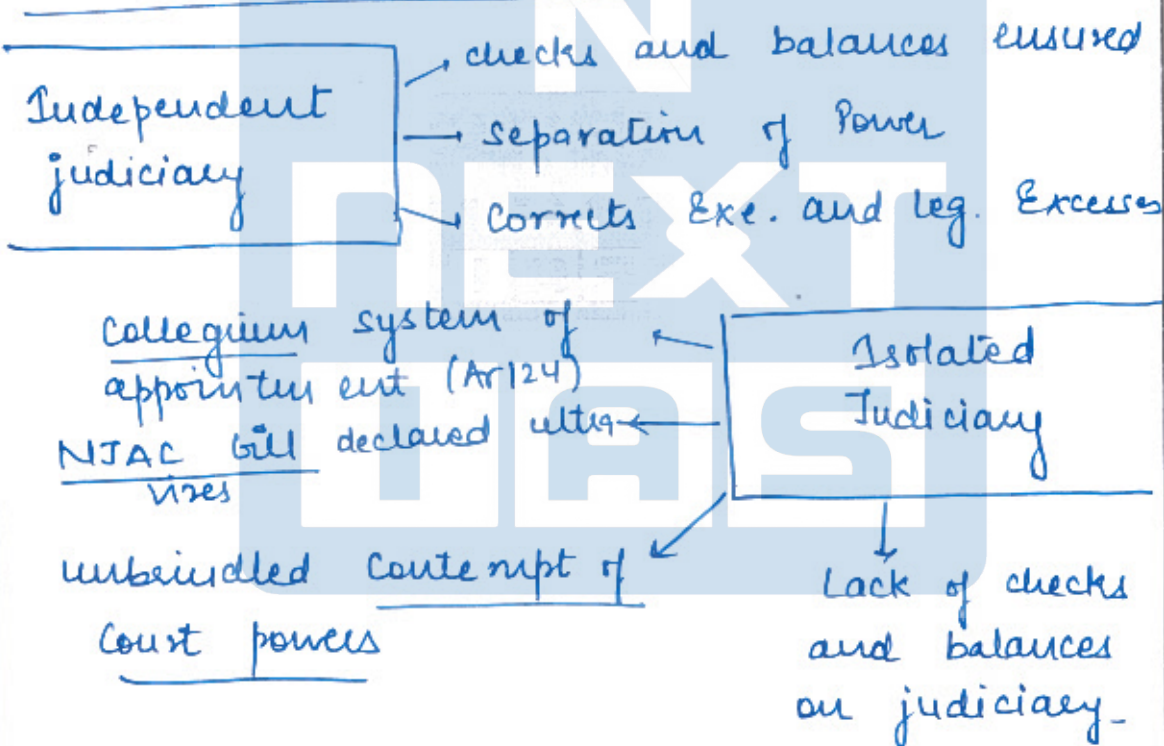
Thus, as pointed out by Moris Jones India is a "bargaining federalism" and Delhi will have to constantly ask for its share

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

While an independent judiciary leads to effective federalism, questions of our judiciary being isolated has been seen as a challenge for a long time



Issues in appointment of higher judiciary

(1) Collegium system remains opaque. SC itself in Swapnil Kumar case said that sunlight is the best

disinfectant.

- (2) Uncle Judge Syndrome - All judges come from a handful of families (highlighted in 2nd ARC).
- (3) Lack of Diversity - only 12.5% HC and 13% SC judges are women, leading to serious blot on judiciary.
- (4) Cases of Mistrust - When Justice H.R. Khanna wasn't made CJI due to his ADM Jabalpur Case, it casted serious doubts on integrity of other judges.
- (5) Minutes of Meetings of collegium are not made public.
- (6) Insensitive judgements like Tyng Rakhi on sexual harasser cast serious doubts on selection process.
- (7) Deviants like Justice Karan, raises demand for requirement of rechecking selection process.

Alternatives to current system

- (1) Release Minutes of the meeting of collegium.
- (2) Apply RTI rules on judges.
- (3) Make judges accountable for 5 score pendency in cases.
- (4) Lokpal should have power over judges
- (5) NJAC can be remodelled and brought up again.
- (6) Memoranda of Procedure to be made enforceable
- (7) live streaming of judgements
- (8) Prevent use of archaic terms like "Your lordship", "My lord": It is a democracy, no one should use such terms
- (9) Contempt of court should be codified

Thus, Judiciary is the lighthouse of Indian democracy and its effective functioning is of utmost importance.

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

Ar 299B mandates constitution of NCST to look into the demands of ST and ensure their independence

Mandate of NCST

- ↳ to look into cases of human rights violation
- ↳ act as a civil court while summoning evidence
- ↳ prepare and analyse reports on status of STs.
- ↳ ensure traditional farming like Jhum etc to flourish
- ↳ ensure justice delivery to STs

Issues with NCST

- (A) Advisory role
- (1) can't punish perpetrators
 - (2) can't announce an award for

- compensation, only recommend it
- (3) heavily dependent on Ministry of Tribal Affairs for funds and functionaries
- (4) Advise future course of action, can't implement them
- (5) No power to demand Action Taken Report (ATR)

(B) Monitoring Role

- (6) Can't take direct action, only monitor status of ST's.
- (7) No role in punishment, only monitor the situation

Impediments in working of NCST

- (1) lack of funds, function and functionary.
- (2) Its role was never envisaged as an action taking body.
- (3) Doesn't have the means to carry out an investigation.

- (4) Duty of SC, HC and Subordinate courts to give justice.
- (5) Executive body mostly.
- (6) Judiciary unwilling to give it teeth

Suggested Reforms

- (1) Encourage active role of the body by giving it powers
- (2) suo-motu cognizance should be allowed to it.
- (3) Training of NCSJ individuals to deal with judicial questions
- (4) Recommendations of Bhuria Committee to be used in letter and spirit.
- (5) Governor's Report → Allow them to take action.

Thus, to ensure substantive justice it is imperative that we give NCSJ the requisite teeth.

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

Ar 199 and Ar 200 mentions the proviso where governor can reserve a state bill for President's consideration and has been highly debated.

Cases of reservation of central assent for state bill

- (1) Restricts freedom of trade between states
- (2) In any way curtail powers of HC
- (3) when governor deems it fit

This provision is controversial because

- (1) Gubernatorial Procrastination : Governor uses sheer discretion to send the bill to President.

Ex - NEET Bill and Kerala's Lokayukta Bill

- (2) Source of tussle between elected government and Governor, as it often leads to inordinate delay
- (3) stalls democratic process
- (4) Lack of suspensive veto - President can't, not give assent to it even after it reaches to him twice
- (5) Affects separation of Power - Executive stalls legislative process
- (6) Issues with governor's discretion - s/he is often seen as centre's agent and leads to mistrust.
- (7) leads to state becoming puppets in the hands of the centre
- (8) specially misused when there are different parties at Centre and in state.

Punchi Committee recommendations

- ① Governor to give reason for sending a Bill to President
- ② It should be constitutionally specified as to which bills s/he can delegate (no discretion)
- ③ A time limit for President to come to conclusion - accept or reject it
- ④ Permanent Inter state Council under Ar 263 to resolve such challenges
- ⑤ Governor's term should be fixed and s/he should be a neutral person.

Thus, above recommendations of Punchi Committee would ensure that constitutional morality and Cooperative federalism - twin pillars of democracy are upheld.

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

Ninth schedule was brought via First Constitutional Amendment to undertake land reforms effectively

Ninth schedule - constitutional paradox

It makes laws immune from Judicial Review and was aimed to forego fundamental rights of some, to uphold distributive Justice

with time many states and centres started brushing up controversial laws under the carpet leading to wide-spread demand of misuse of this legislative innovation

Ex- TN providing 67% reservation

(above the 50% set under Mandakya Gandhi case)

Relevance of 9th Schedule presently

- (1) To ensure distributive justice
- (2) Utilitarian principle. Ex - Large Dams which will provide electricity to many, will require displacement of some.
- (3) Gives extra space for legislative and executive to work
- (4) Reduces litigation by people accusing state of taking sides.

Not Relevant

- (1) Justice should not only be done, but seen to be done
- (2) may lead to autocratic tendencies
- (3) central and state governments can misuse these provisions
- (4) Human Right violations can occur due to such unbridled power.

IR Coelho case

- all laws added after 24 April 1976
(Keshavanand Bhatti case) will be
subject to Judicial Review based
on "basic structure doctrine".

Paradox Resolved - Yes

As a blanket immunity has no place
in a legislature, but

- ① Basic structure remains undefined
- ② Collusion of Judiciary and executive
can ignore Human Right violation.
- ③ Subject to whims and fancies
of L-E-J trinity.

Thus, a solution would be to
codify basic structure like
Germany did, to prevent its misuse

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

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

Central Information Commission is the flagbearer of the sunrise Act, Right to Information and ensures PIO's disburse information to public on time.

CIC — guardian of democracy + ensures good governance

- (1) Ensures transparency and accountability in governance.
- (2) Resolves cases in favour of democratic and constitutional principles.
- (3) Time bound service delivery is the mandate of RTI - CIC upholds it.
- (4) CIC can even waive off marginal fee of filling RTI, in case of a

poor person, knocking on its door for justice delivery.

(5) Acts as Grievance Redressal body above the IC's.

(6) Ensures RTI act is upheld in letter and spirit.

Mandate of CIC

(1) Look into cases of delay of information giving by PIO's.

(2) Close check on IC's and their judgements.

(3) Gives its opinion on who is a public authority under section 8(h) of RTI Act-

(4) Ensures timely reply of RTI by taking action against erring PIO's.

(5) Guardian of the RTI act and all the environment.

Issues with it - due to lack of constitutional status

① Its judgements aren't taken seriously.
Ex - It recommended that Political Parties should come under RTI - didn't happen.

② Huge pendency - 2.2 lakh cases are pending with CIC as per an RTI reply.

③ lack of technological upgradation
relies on outdated means of enquiry

④ lack investigation functions-

Thus, to ensure RTI is able to work in letter and spirit, there is need to give CIC all powers of a High Court.

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 सुझाएंगे?

(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 is a gender neutral act to save children from sexual offences and has strict provisions to uphold dignity of a child.

POCSO - provisions

- (1) Onus of proof lies on perpetrator
- (2) defines sexually inappropriate acts - viz - penetrative and non-penetrative
- (3) Any elder person who knew about the act is also liable to get punished
- (4) child friendly courts to investigate the cases are mandated
- (5) Fast track courts with little damage to child's psyche are mandated
- (6) It is Gender-neutral

Significance in ensuring safety

- (1) Need of the hour due to rising cases of paedophiles.
- (2) Access to child porn, has enhanced such cases \Rightarrow stringent act prevents such acts.
- (3) have led to large scale convictions.
- (4) Ensures deterrence from commencing such horrendous crimes.
- (5) Gender neutrality - prevents sexual abuse boys and LGBTQ+ kids as well.
- (6) Ous of proof not on child - leads to proper growth of child without much trauma.
- (7) Any confidants knowing about it is also punished.

But recent cases of misuse have

arise in

- (1) Rape cases in a romantic affair

by girl's parents to deter love affair.

(2) Misuse by fighting neighbours

⇒ reduced the effectiveness of POCSO

Changes suggested for effective
implementation

(1) child rights committees for 3rd party
evaluation

(2) Romantic affairs shouldn't fall here,
dilutes its importance.

(3) More female judges to ensure child
feels safe.

(4) fast track courts to deliver quick
justice.

Thus, sexual offence against kids
should never persist in a civilised
society and all steps must be
taken to abhor it to ensure Ar 14.

18.

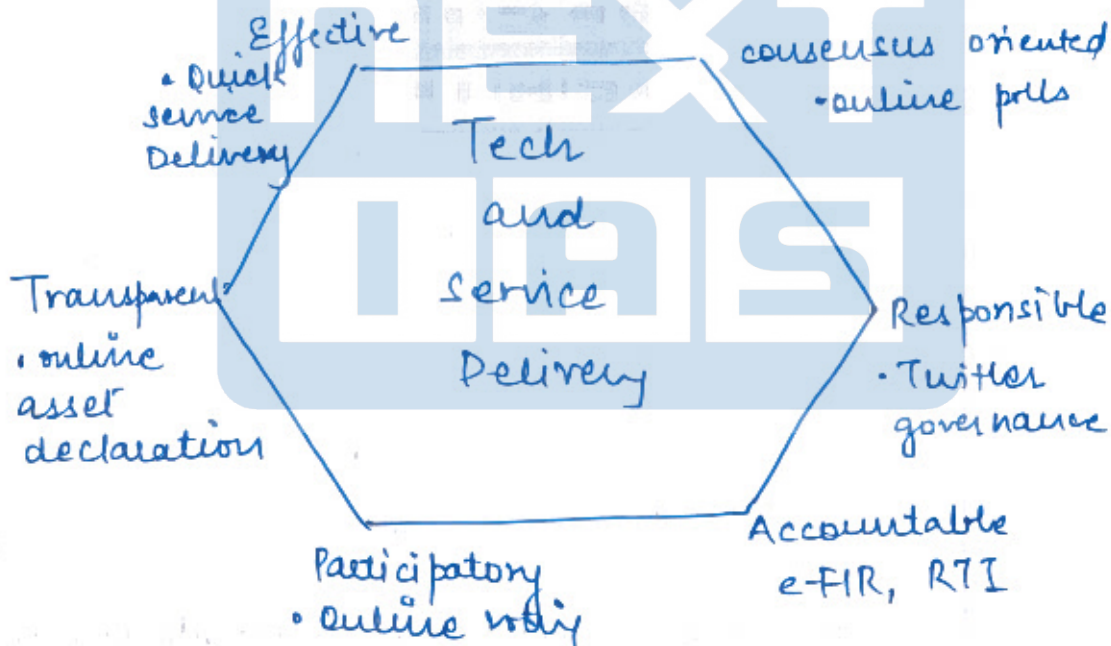
‘प्रौद्योगिकी नौकरशाही की पारंपरिक रूपरेखा को पुनः आकार देने, इसे अधिक कुशल, पारदर्शी और नागरिक-केंद्रित बनाने हेतु प्रेरित करने के लिए उत्प्रेरक के रूप में कार्य करती है।’ इस कथन का आशय स्पष्ट कीजिए तथा यह भी पता लगाइए कि प्रौद्योगिकी का एकीकरण लोक सेवा के आधुनिकीकरण के सरकारी प्रयासों को कैसे तेज कर 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

e-Governance utilizes technology to better target governance outcomes while also making grievance redressal effective

Use of tech to ensure better bureaucratic structure



Reshaping traditional contours

① changed nature of services -
Quality of life demand. Ex - smart city, vibrant village

(2) Citizens adept with latest changes
Ex- generative AI like Chat GPT
Google's Bard.

(3) Rising living standards

Ex- Need for more Vande Bharat,
e-ITR filing, conclusive land titling

(4) International standards

Ex- Estonia's TOM platform is being
used as a model for Delhi govt to
provide online delivery services

(5) Internal reforms

Ex- use of e-office to reduce red
tapism and bureaucratic hurdles

(6) Transparency has led to more
visibility

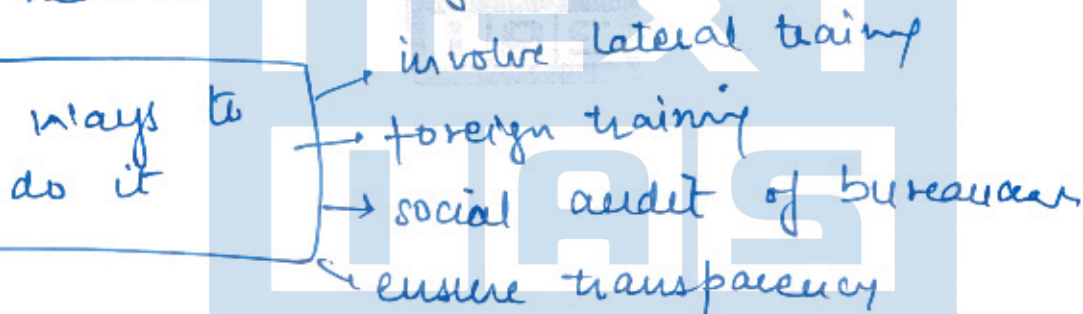
Ex- bureaucrats have become insta
celebrities.

Technology integration \Rightarrow modernize civil service

(1) from brick mortar governance to governance based on the click of the mouse.

(2) Fast changing governance styles
 Ex - e-passport seva Kendra, digital banks

(3) Policy decisions based on new realities. Ex - crypto ransomware, bitcoins



Thus, to convert the "rusted steel frame" to "trusted steel

frame", these reforms of Hoti

Committee are the need of the hour

19. भारत और अमेरिका के बीच अतीत में उतार-चढ़ाव वाले संबंध रहे हैं, हाल के दिनों में संबंधों में कितनी प्रगति 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?

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 USA relations have seen strict divergence (cold war) to early convergence (Post LPG) and now witnessing strategic convergence

Indo-US relationship

- (1) Various defence agreements signed - LEMOA, COMCASA, BECA etc
- (2) Diaspora organising soft power
Ex- Howdy Modi and Namaste Trump
- (3) Resolution of H1-B visa issue
- (4) Partnerships like QUAD to ensure china isn't able to pursue debt trap policy.
- (5) Covid vaccine engagement and defence related engagements.

Points of contentions

- (1) USA removing us from ETR list reducing tariff exemptions
- (2) India not part of extended Quad grouping
- (3) Phytosanitary norms being used to put Indian Exports on back burner.
- (4) CAATSA act and issues with Russia's \$400 imports
- (5) India using Rupee to trade with Iran
- (6) Effect of changing leadership in USA
- (7) Buying oil from Russia despite US sanctions

New Delhi should navigate with US as -

- (1) Diplomatic channels to convey to them our requirement of crude oil.

(2) Ask for technology transfer to invest in Renewables

(3) Maintain strategic autonomy to ensure that India retains its stand

(4) Close alliance with own partners to ensure lobbying.

(5) Pressurise USA to take tough stand against atrocities in Ukraine

Thus, as said by Amitabh Mattoo, India-USA relationship moves from divergence to convergence and we should make peace with it

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?

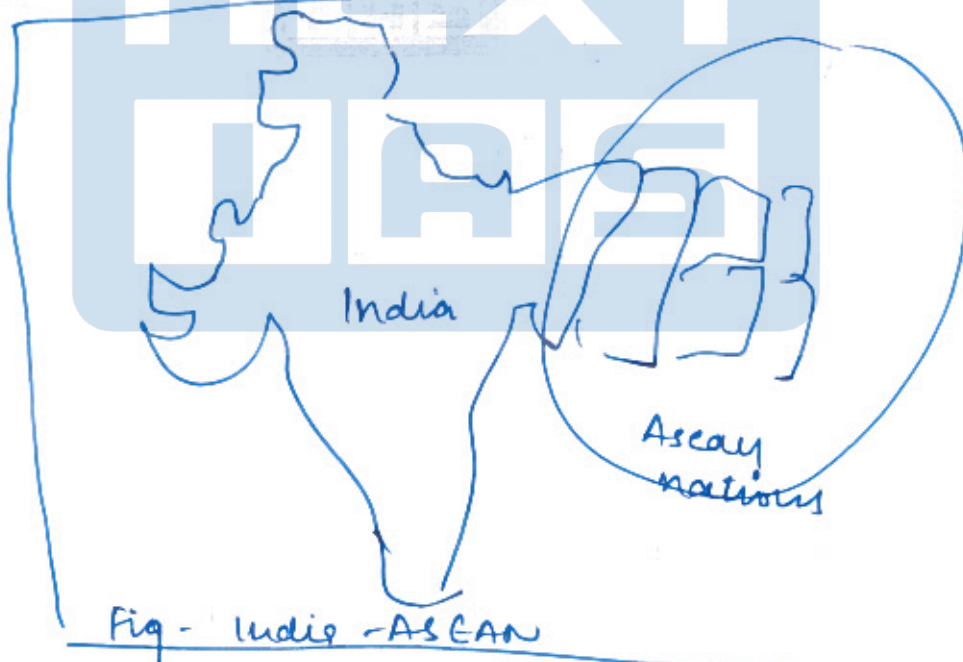
(250 शब्दों में उत्तर दीजिए) 15 अंक

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

India - ASEAN trade is less than 5%, but with 'Look East Policy', there are changes of changing this situation.

Earlier position

- Far off nature of ASEAN nations, made India neglect them for some it



- With Act East Policy, we started off with negotiations with ASEAN

- Strategic alliances with Vietnam, Philippines were developed
- to keep China at bay, "Look East Policy" was of further significance
- also trade relations started becoming better and international cooperation began

- challenges with India ASEAN
- India didn't sign RCEP
 - ASEAN looks at us as if we are trying to be big brother (bullying others)
 - closeness with China of these nations is a challenge
 - Rising textile industry of Vietnam, Bangladesh remain a challenge
 - lack of channels for back track diplomacy

Fostering closer relations

Political

- engagement with leaders
- rise against Chinese threat
- collective strength

SOCIAL

- buddhism as source of confluence
- cuisine can also be a channel

Economic

- sign FTAs
- engage with each nation
- enhance exports

Other

- defence deals
- use demographic dividends

Thus, to ensure India's Act East policy becomes a success, we need to engage with all nations collectively.

Space for Rough Work

Candidates must not write on this margin

