

<u>Student Concerns / Query</u>	<u>Evaluator's Feedback / Response</u>
1	1
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2	2
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3	3
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MARKING SCHEME *			
Marks Per Ques	Below Average	Average	Above Average
10 Marks	Below 3.00	3.00 - 3.75	4.00 and above
15 Marks	Below 4.50	4.50 - 5.75	6.00 and above

* Subject to change without prior notice.

IMPORTANT QR CODES	
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MACRO COMMENTS

The purpose of evaluation@nextias.com is to provide constructive suggestions on 'How to improve Answer Writing and thereby score better marks.'

STRENGTHS OF THE CANDIDATE

AREAS OF IMPROVEMENT



IMPROVEMENT SUGGESTIONS

Q1.

विधि का शासन और न्यायिक समीक्षा एक दूसरे पर निर्भर हैं, क्योंकि किसी भी एक का दूसरे के बिना अस्तित्व नहीं हो सकता है। इस संदर्भ में क्या न्यायिक समीक्षा को संविधान के मूल ढांचे का गठन करने वाले आयामों में सबसे महत्वपूर्ण आयाम माना जा सकता है? (150 शब्द, 10 अंक)

The rule of law and judicial review are interdependent, as one cannot truly exist without the other. In this context can judicial review be considered the most important aspect among those that constitute the basic structure of the Constitution? (150 words, 10 marks)

Ar 13, 32, 226 provide the basis of judicial review in India. It enables the Courts to test the legislative & executive acts on touchstone of Constitution.

Judicial Review: most important aspect among basic structure of Constitution

① Keeps check & balances on other organs
eg Removal of provisions of Articles

② Independence of judiciary upheld.

eg 99th Amendment declared void

③ Rule of law upheld - avoids arbitrary use of power by govt.

eg Keshav Singh Case - 6GA, 15A - enforced

④ Separation of powers balanced.

eg Indira Gandhi v Raj Narain case

⑤ Constitutional morality upheld.

eg Talikaattu Ban.

⑥ Fundamental Rights of citizens protected -

eg IR Coelho Case - 9th schedule.

⑦ Sanctity to controversial laws & acts

eg Upholding of A.370 revocation.

However, apart of judicial review, other parts of basic structure also hold importance :-

① Secularism - protects religious diversity

② Democracy - basis of representative parliamentary system.

③ Federalism - uphold centre - state relations.

Thus, judicial review is an import component of India's democracy

- Q2. दिल्ली के उपराज्यपाल की शक्तियों और अधिकारों की तुलना, विशेष रूप से मंत्रिपरिषद की सहायता और उनकी सलाह पर कार्य करने के संदर्भ में अन्य राज्यों के राज्यपालों से किस प्रकार की जाती है? (150 शब्द, 10 अंक)
- How does the power and authority of Delhi's lieutenant governor compare to that of the governors of other states, particularly in terms of acting on the aid and advice of the council of ministers? (150 words, 10 marks)

7:18

Governors of states are led by Art-142 while Delhi's LG derives basis from Art 239 AA.

Differences in Delhi LG & state governor

Basics	Delhi LG	State governor
① Power	Has <u>discretionary powers</u> .	Has <u>discretionary powers</u> .
② Subjects	Control over <u>land, police, public order</u> .	No specific control on any state subject.
③ Relation to centre	Acts as <u>agent of the President</u> in Delhi.	Acts a <u>balancing wheel</u> for cooperation of centre & states.
④ Tenure	5 years	5 years

Difference in terms of acting on aid & advice of council :-

Delhi-LG-

State Governor

① A-239 AA (5) →

~~the~~ the LG shall act on aid & advice of Council, except in areas of discretion.

② Can refer any matter in case of difference of opinion to President.

③ If LG sees urgency, can act on own until President's order is released.

① The governor shall act on aid & advice of council, except in areas of discretion.

② ~~is~~ No specific provision to refer matter to President.

③ Supreme Court held in TN Governor case that governors must adhere to council's advice.

Thus, LG has greater powers when compared to State Governor as UT is under direct control of centre.

Q3.

हाल के दिनों में, भारत में धर्म के अधिकार और संवैधानिक नैतिकता के मध्य तनाव/मतभेद को दूर करने में न्यायपालिका की भूमिका पर चर्चा करें। प्रासंगिक वाद विधियों की सहायता लें। (150 शब्द, 10 अंक)

Discuss the role of the judiciary in navigating the tension between the right to religion and constitutional morality in India in recent times. Refer to relevant case laws. (150 words, 10 marks)

Judiciary acts as the palladium of ~~just~~ justice while balancing Ar 25-28 [right to religion] with other parts of constitution.

Navigating the tension between right to religion & constitutional morality

- ① Srikrishna Mutt Case - "essential religious practices" doctrine laid to allow state intervention in religion.
- ② Dhara case - temple entry for women allowed to uphold Ar 14, 21.
- ③ Triple Taluk case - upheld Muslim women's Art 21 against oppressive religious practice.
- ④ Salipattu case - banned oppressive practice to uphold animal rights.
- ⑤ Argun Gopal v NCT case - challenges

banned on Divali to uphold right to health

⑥ Prade Shana Case - outlawed the practise of Debits rolling over left over food → against Art 17, Art 14, 15.

⑦ Karla Mudgeal Case - Called for uniform civil code to avoid oppressive religious practices on women.

⑧ Damoodi Bora Case - genital mutilation outlawed to uphold dignity of women.

Thus, Supreme Court has balanced the right to religion with justice, rule of law and human dignity. This is in line with Indian spirit of secularism.

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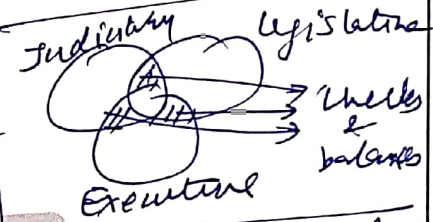
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Q4.

‘शक्तियों के पृथक्करण’ का सिद्धांत अमेरिकी संविधान की एक प्रमुख विशेषता है। इस संदर्भ में तुलना करें कि भारतीय संविधान में शक्तियों का कार्यात्मक पृथक्करण अमेरिकी प्रणाली से किस प्रकार भिन्न है। शक्तियों के कठोर पृथक्करण की तुलना में नियंत्रण और संतुलन प्रणाली के क्या लाभ हैं? (150 शब्द, 10 अंक)

The principle of ‘Separation of Powers’ is a key feature of the American Constitution. In this context, compare how the Indian Constitution’s functional separation of powers distinguishes itself from the US system. What are the advantages of a check and balance system over a rigid Separation of Powers? (150 words, 10 marks)

India has adopted a version of check & balance over water-tight separation of powers in USA.



Comparison of Indian & US system of separation of powers

Hy: separation of power

Basis	India	USA
① Legislative & Executive	Art 75 (3) makes govt collectively responsible to Lok Sabha	Executive is not responsible to the House
② Joint membership	Council House Council is part of House i.e. ministers are MPs	Council House Ministers are not members of house

③ Judiciary	President appoints judges, House can pass removal resolution	Judiciary is independent — not dependent for powers on other two organs
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Advantages of check & balance system such as rigid separation of powers

- ① Allows supervision of each other's work
 eg Judicial review of 99th Amendment
- ② Prevents despotism of few organs.
 eg During emergency - 1975.
- ③ Avoids usurpation of fundamental rights of citizens.
 eg Aducci's provisions cancelled by SC
- ④ Rodge effect - motivate other organs to fulfil duty eg Vishaka Guidelines led to POSH 2013.

Thus, Indian version is more prudent & dynamic — allowing for balance of power.

Q5.

भारतीय संविधान की छठी अनुसूची आदिवासी क्षेत्रों को स्वशासन का अधिकार देने वाले विधिक प्रावधानों से कहीं अधिक है। छठी अनुसूची किस प्रकार उनकी पारंपरिक शासन प्रणालियों और सांस्कृतिक प्रथाओं का सम्मान करते हुए विकास को बढ़ावा देती है? (150 शब्द, 10 अंक)

The Sixth Schedule of the Indian Constitution is more than a legal provision that empowers tribal regions with self-rule. How does the sixth schedule foster development while respecting their traditional governance systems and cultural practices? (150 words, 10 marks)

6th schedule applies to four north east-
states of Assam, Arunachal, Nagaland,
Manipur. It aims to empower self-
rule in tribal areas.

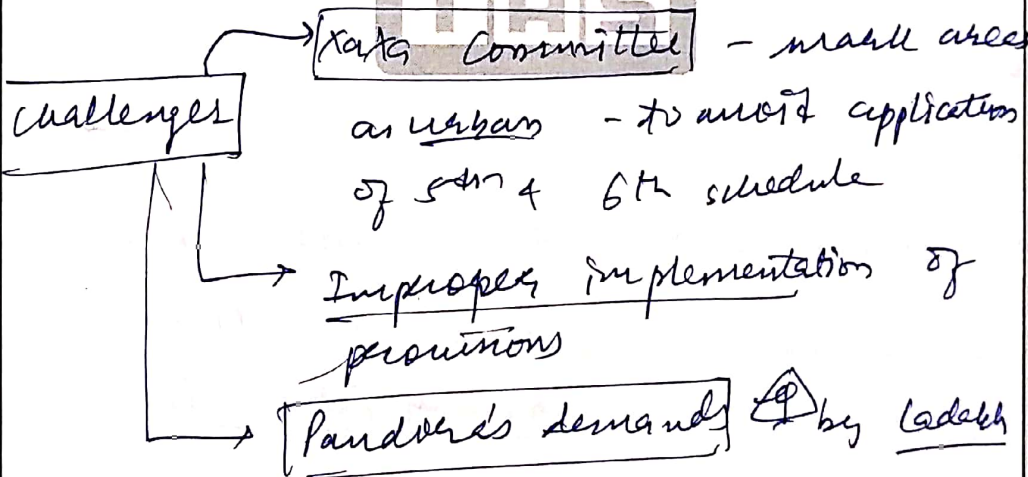
Role of 6th - schedule in fostering
development while maintaining traditional
practices:-

- ① Autonomous District Councils are
formed with authority over tribal areas.
- ② Autonomous Regional Councils are
also formed within the district for
specific regions.
- ③ Legislative powers - Power to form
rules & regulations on land, money
lending, economic development -
as per traditional practices.

④ Executive authority to autonomous councils to open schools, dispensaries for development of locals.

⑤ Local courts for delivery of justice based on cultural norms → Powers of High Court is restricted.

⑥ Opportunity to tribals to be a part of councils - to enable self-rule.



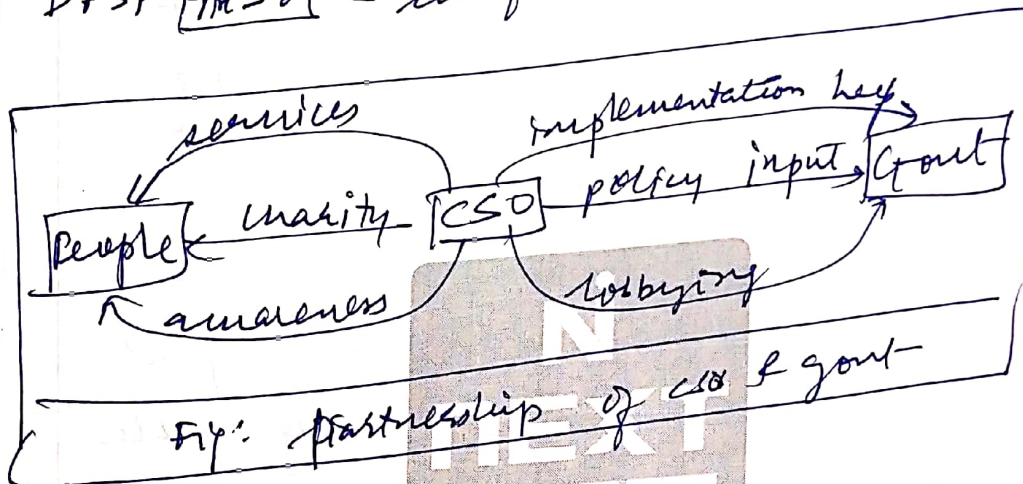
Need for effective on-ground implementation, in line with Panchsheel principles.

Q6.

नागरिक समाज संगठनों और सरकारी संस्थाओं के मध्य साझेदारी भारत के विकास लक्ष्यों में किस प्रकार योगदान देती है? (150 शब्द, 10 अंक)

How do partnerships between Civil Society Organizations and Government Entities contribute to India's development goals? (10 marks, 150 words)

Civil society - Organizations (CSO) act as development partners for govt to fulfill DPSP Art 38 - welfare state.



Role of CSO - govt partnership in development goals :-

- ① Poverty alleviation - NGOs enable devolution of schemes like PDS, MDM, etc. eg Atishay Patra's PDS
- ② Skill Development - CSR funds of companies used under PM-KVY. eg Naitik - C4

③ Women empowerment - skills enable female entrepreneurship - eg) Kadambsree

④ Child welfare - rescue of trafficked children, investigate POCSO cases, etc.
eg) Goony, Smile Foundation

⑤ Corruption Removal - Pressure groups demand measures for anti-corruption.
eg) Anna Hazare's movement → Lokpal

⑥ Environmental Protection - Joint forest management, public hearing in EIA.
eg) Chipko Movement, Narmada Andolan

⑦ Political reforms for accountability & transparency eg) MKSS → RTI, ADR

Thus, CSOs can enable social welfare - remove gap between Bharat & Prabuddha Bharat for Viksit Bharat by 2047

Q7.

भारतीय सिविल सेवकों में आजीवन सीखने की संस्कृति विकसित करने के महत्व पर चर्चा करें। मिशन कर्मयोगी ने इस उद्देश्य में किस प्रकार योगदान दिया है? उदाहरणों के साथ स्पष्ट करें। (150 शब्द, 10 अंक)

Discuss the importance of cultivating a culture of life-long learning among Indian civil servants. How has Mission Karmyogi contributed to this objective? Illustrate with examples. (10 marks, 150 words)

Civil servants are the tortoise on who back the Indian administration. Their efficiency, effectiveness and honesty in sine-gua non for India's development.

Importance of culture of life-long learning

- ① Frequent upgradation of skills as per needs of the case.
- ② Learn technological skills - digitalisation for digital governance.
- ③ stay in touch with public needs through regular sensitivity training.
- ④ Build resilience to challenges
- ⑤ 360° training, 360 days a year suggested by Hota Committee.

Mission Karmyogi's contribution to training of civil servants:-

- ① Modern skills equipped ~~use~~ of ICT tools for e-governance.
- ② Emotional intelligence built through ethical training.
- ③ Frequent exams enable alertness & responsiveness of officers.
- ④ Sharing of best practices through the portal - fosters synergy.
- ⑤ Learn from experience of seniors by expert ~~to~~ lecture series.

ARC-II calls for training at 12th, 20th, 25th years of service to enable SMART governance (Sensitising, Mobile, Alert, Responsive, Tech-savvy).

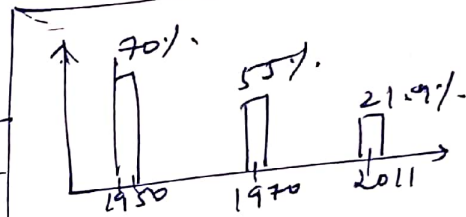
Q8.

अत्यधिक गरीबी को कम करने में भारत की प्रगति को देखते हुए, क्या देश को वर्तमान सामाजिक-आर्थिक वास्तविकताओं को बेहतर ढंग से दर्शाने के लिए अपनी गरीबी रेखा को फिर से परिभाषित करने पर विचार करना चाहिए? गरीबी रेखा को फिर से परिभाषित करने से जुड़े संभावित लाभों और चुनौतियों पर चर्चा करें। (150 शब्द, 10 अंक)

Given India's strides in reducing extreme poverty, should the country consider redefining its poverty line to better reflect the current socio-economic realities? Discuss the potential benefits and challenges associated with redefinition of the poverty line. (10 marks, 150 words)

8.40

India's poverty reduced from over 70% at independence to 22% [Tendulkar Committee].



need to redefine poverty line :-

Rpl poverty ratio

- ① Raise the expenditure limit to reflect rise in per-capita income
- ② Address to modern standard of living - beyond 'roti, kapda, makaan' -
- ③ Go beyond calori-requirement based poverty line to show nutritional security.
- ④ Show relative poverty, not just absolute poverty - eg EV's social-poverty line
- ⑤ Measure intra-household poverty among women & children,

- ⑥ Adopt multi-dimensional approach rather than expenditure - approach,
eg UN's MPI $\rightarrow$ health, education,
standard of living adopted -
- ⑦ Calculate both depth & incidence of poverty - presently on incidence seen.

Challenges in redefinition of poverty line

- ① Statistical difficulty to measure non-monetary components eg Health, education.
- ② Debate over methodology to be used
 $\rightarrow$ Arithmetic Mean or Geometric mean?
- ③ Training the statisticians and surveyors on newer methods.
- ④ Include frequent updation of the poverty line as per barbell strategy -

Thus, there is need for R4D on the new poverty line to reflect Indian 2010 - economic reality.

Q9.

प्रमुख पश्चिमी देशों के साथ गहरे होते राजनीतिक मतभेदों का वैश्विक शासन व्यवस्था और अंतर्राष्ट्रीय सहयोग पर पड़ने वाले प्रभाव का मूल्यांकन करें। वैश्विक मंच पर अपने राष्ट्रीय हितों को आगे बढ़ाने के लिए भारत को इन मतभेदों से किस प्रकार निपटना चाहिए? (150 शब्द, 10 अंक)

Evaluate the impact of the deepening political divisions with the major Western States on global governance and international cooperation. How should India navigate these divisions to advance its national interests on the global stage? (10 marks, 150 words)

Israel - Palestine conflict has led to a renewal of the crisis in West Asia leading to ripple effects for the world.

Impact of deepening political divisions with major Western states :-

- ① Disruption of Israeli - Israel ties led by USA
- ② Abraham Accord

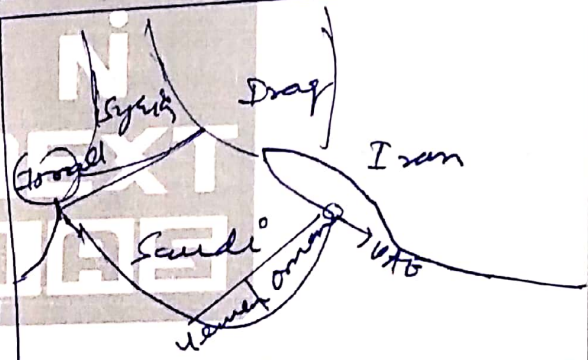


Fig: West Asia

- ③ Economic effect → energy crisis due to oil price rise
- ④ Trade effect → Red-sea blockade causing diversion of ships.
- ⑤ Iran - Israel conflict - reinvigorated through proxies - Hezbollah, Hamas. (PMs)
- ⑥ Peace & security - endangered - food crisis in Gaza.

Ways for India to navigate these
divisions to advance national interest

- ① Multi-alignment and strategic-autonomy
to be maintained.
- ② Call for dialogue & diplomacy for
ceasefire & peace talks.
- ③ Act as mediator for the peace talks.
- ④ Rescue, aid, supplies to be provided
to affected nations of war.
- ⑤ Engage with Russia to ensure
oil supplies & investment security.
- ⑥ Be part of multilateral ceasefire
talks arranged by US or China.

India must support PM -
Modi - 55 for peace in West Asia -
Samvad, Sahaksha, Samvidhi,
Samvedna, Sangam.

Q10. भारत की आर्कटिक नीति उसके व्यापक विदेश नीति के उद्देश्यों के साथ किस प्रकार संरेखित है? आर्कटिक परिषद के साथ भारत द्वारा किए गए सहयोगों और समझौतों पर व्यापक रूप से चर्चा करें। (150 शब्द, 10 अंक)

7!m

How does India's Arctic Policy align with its broader foreign policy objectives? Broadly discuss the collaborations and agreements India is involved in with the Arctic Council. (10 marks, 150 words)

Arctic is becoming the centre of global geopolitics due to its mineral & energy reserves & potential to open new trade routes -

India's Arctic Policy: aligning with broader foreign policy objectives:-

- ① Equitable participation in global force on Arctic enables soft-power diplomacy
- ② Energy security by ensuring we get share of its resources
- ③ Strategic advantage by indulging with major Arctic players - USA, Russia.
- ④ Access to trade routes for freedom of navigation → boost economic objectives
- ⑤ R&D in Arctic will enable joint cooperation in conservation -

Collaborations and agreements India is involved in with Arctic Council:-

- ① India is part of observers - invited to the Arctic Council meetings, though without full membership.
- ② Agreement of conservation of the Arctic Marine living resources (AMLR)
- ③ Part of Agreement of Arctic seals - for conservation of seals.
- ④ Joint RAD through its Arctic station Himadri.
- ⑤ Proposal for collaborative R&D with Russia in Arctic resource potential.

Thus, India has maintained itself as a key player in global Arctic governance frameworks.

NEXT IAS

Candidates
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- Q11. 16वें वित्त आयोग के समक्ष विचारार्थ विषय, पिछले वित्त आयोगों से किस प्रकार भिन्न हैं? बाद के वित्त आयोगों द्वारा उत्तरोत्तर प्रगतिशील हस्तांतरण के बावजूद, विभिन्न राज्यों में आर्थिक असमानताओं को बढ़ावा देने वाले कारकों का परीक्षण करें। (250 शब्द, 15 अंक)

11:33

In what ways are the terms of reference of the 16th Finance Commission different from that of the previous Finance Commissions? Despite increasingly progressive devolution by subsequent Finance Commissions, examine the factors that propel economic disparities across various States. (15 marks, 250 words)

16th Finance Commission was formed recently, under Art 280, with Mr. Arvind Kumar as its chairman.

Difference in terms of reference of 16th Finance Commission from earlier Commissions

- ① Mandate to form a fiscal - consultation roadmap for future fiscal operations.
- ② Defence funding added to its TOR.
- ③ Disaster funding also to be looked at.
- ④ Propose the changes in fiscal - devolution needed due to GST rollout.
- ⑤ Balance equity & performance in devolution to states.

Increasingly progressive devolution
by subsequent finance commissions:-

① From (39%) in 13th finance commission,
increased to (41%) in 15th commission

② Role of performance indicators
has risen to (25%) in 15th FC →
to reward performance & efficiency.

③ Devolution to local government also
risen → (4.3%) of 15th FC was highest.

④ Use of 2011 data by 15th FC to reflect
actual population dynamics.

Despite this, some factors propel
economic disparities across states:-

① Private investment - it's concentrated
in southern & western states -
Gujarat, Maharashtra.

② Population pressure - Bihar has TFR of
3, v.p of 2.6 → leading to higher
burden on resources.

- ③ Human resource - Differential spending on health & education lead to economic disparity eg Kerala vs MP
- ④ Early - growth start by few states enabled them to take advantage of 1991 LPG reforms, while others were left behind.
- ⑤ Govt policy - infrastructural development, skilling enabled Gujarat, Maharashtra to take the lead.
- ⑥ Social factors like caste-based agrarian relations in feudal states hindered reforms eg Bihar, UP.
- ⑦ Tribal belts under-developed due to lack of efficient resource use eg Chh, Jharkhand, Odisha.

Thus, Finance Council must suggest comprehensive reforms for horizontal balance between states.

अनैतिक' आचरण और विशेषाधिकारों के उल्लंघन के मामलों को संबोधित करने में आचार समिति और विशेषाधिकार समिति की शक्तियों और कार्यप्रणाली की तुलना करें और उनमें अंतर करें। संसदीय अनुशासन बनाए रखने में ये समितियाँ एक-दूसरे की किस तरह से पूरक हैं? (250 शब्द, 15 अंक)

①
Compare and contrast the powers and working of the Ethics Committee and the Privileges Committee in addressing cases of 'unethical' conduct and breach of privileges. How do these Committees complement each other in maintaining parliamentary discipline? ②
(15 marks, 250 words)





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Pg 26

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Q13.

भारत में सतत विधायी शिथिलता के संदर्भ में, सार्वजनिक नीति और शासन को आकार देने में न्यायिक सक्रियता की उभरती भूमिका का विश्लेषण करें। ऐतिहासिक न्यायालय के मामलों के उदाहरणों का उपयोग करते हुए, शासन संबंधी कमियों को दूर करने और नागरिकों के अधिकारों की सुरक्षा में न्यायिक हस्तक्षेपों की प्रभावशीलता का मूल्यांकन करें।
(250 शब्द, 15 अंक)

12:29

① In the context of persistent legislative dysfunction in India, analyze the evolving role of judicial activism in shaping public policy and governance. Using examples from landmark court cases, evaluate the effectiveness of judicial interventions in addressing governance gaps and safeguarding citizens' rights.
(250 words, 15 marks)

Judicial activism means actions by the judiciary to nudge the other two organs to fulfill their constitutional roles.

Persistent legislative dysfunction in India

① Lesser bills referred to committees

② Bypassing discussion

Money Bill
Private

eg Adhar

Ordinance

eg CAA M

Vote Vote
Route

eg Farm Bill

③ Criminalisation of MPs

④ Suspension of MPs & MLAs

eg 400+ MPs suspended in December 2022.

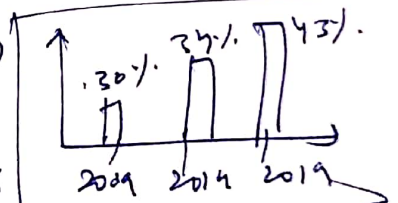


Fig: Criminalisation

⑤ Bypass mechanisms like Leader of Opposition not appointed for 10 years.

Role of judicial activism in shaping
public policy & governance :-

Addressing governance
gaps

- ① Lay guidelines
to fill legal vacuum
eg Mohini Jain Case

- ② Demand faster -
enquiry in cases
eg Manish Sisodia -
Case

- ③ Fix conditions for
use of discretionary
powers.

eg Kinoti Holohan
Case on speaker

- ④ Demand provision
of state welfare
services

eg PUCJ Case
led to PPS.

Safeguarding
citizens rights

- ① Women's rights
protected
eg Taipi Day Case

- ② Protect from state
exploitation
eg Musainda
Khetoon Case

- ③ Environmental
protection & death
eg MC Mehta Case

- ④ Right to privacy
upheld
eg Jit Basmany
Case

- ⑤ Navtej Singh Case =>
Legal rights

However, judicial activism also has certain limitations:-

- ① Violates separation of power.
 - ② Can lead to judicial over-reach.
eg Delhi liquor shop ban.
 - ③ Against democracy as courts are not elected by people.
 - ④ Increase judicial load on judiciary
↳ 5.2 cr cases already pending (~ 50%)
 - ⑤ Fussle between govt & judiciary possible
eg Delhi administrative services case
- Way Forward
- Use judicial activism only in exceptional cases
 - Respect for separation of power
 - Ask govt to take action rather than forming judicial laws.
- Constitutional morality & trust must lead ethical judicial activism - Deepak Mishra (ex-JJ)

राजनीतिक दलों के भीतर आंतरिक लोकतंत्र का स्तर भारतीय दलीय प्रणाली की कार्यप्रणाली और वैधता को किस सीमा तक प्रभावित करता है? भारत में अपर्याप्त अंतर-दलीय लोकतंत्र की चुनौतियों का समाधान करने के लिए कौन-कौन से सुधार किए जा सकते हैं?

①

(250 शब्द, 15 अंक)

To what extent does the level of internal democracy within political parties impact the functioning and legitimacy of the Indian party system? What reforms can address the challenges of inadequate intraparty democracy in India? ③ (250 words, 15 marks)

"political parties are engines of representative democracy"

[Nelson Mandela]

Political parties are non-constitutional bodies, registered under Part IV of RPA, 1951.

Impact of internal democracy within political party on Indian party system

- ① Enable transparency in operations of parties' functioning.
- ② Equal platform to all to participate in party activities.
- ③ Public trust in party ensured.
- ④ Legality of funding to parties ensured
↳ Avoids clony-capitalism.

- ⑤ Avoid harassment of women, LGBT members within party.
- ⑥ Fair auditing ensures public accountability.
- ⑦ Internal elections prevent nepotism, favour meritocracy - attract best talent.
- ⑧ Avoids criminalisation of parties.

However, various challenges exist in intra-party democracy:-

- ① Crony - capitalism → illegal funding through black-money.
- ② Nepotism → traditional family rule
eg Shiv Sena, Congress
- ③ Lack of female representation - only 12% members are females.
- ④ Criminalisation - candidates with criminal background have 42% higher winning chance
eg Barj Bhushan Singh

Reforms for intra-party democracy

- ① Volra Committee recommends greater transparency & public accountability for avoiding criminalisation.
- ② Indrajit Gupta Committee → state funding of elections to parties.
- ③ Election Commission suggested having power to de-register parties under RPA, 1951
- ④ Frequent internal elections, submit financial reports, CAG audit of national parties, etc
- ⑤ Kushnash Agrawal case called for RTI Application to parties.

These reforms can enable political parties to act as conduits of thriving democracy in India

Q15.

"एन एच आर सी (NHRC) को न केवल एक निगरानी संस्था होना चाहिए, बल्कि हाशिए पर उपस्थित और उत्पीड़ित लोगों के लिए आशा की किरण भी बनना चाहिए।" इस संदर्भ में भारत में राष्ट्रीय मानवाधिकार आयोग (एन एच आर सी) की भूमिका और अधिदेश पर चर्चा करें। एन एच आर सी की वर्तमान संरचना और कार्यप्रणाली इसकी स्वतंत्रता और प्रभावशीलता को किस प्रकार प्रभावित करती है? (250 शब्द, 15 अंक)

"The NHRC must not only be a watchdog but also a beacon of hope for the marginalized and oppressed." In this context discuss the role and mandate of the National Human Rights Commission (NHRC) in India. How does the current composition and functioning of the NHRC affect its independence and effectiveness? (250 words, 15 marks)

"No country can grow large by dwarfing its own citizens" - [J.S. Mill]

In this light, NHRC was setup under Human Rights Act, 1993 to act as palladium of justice for citizens.

India among first few to adopt

NHRC

watchdog of human rights

CJI as head

beacon of hope for marginalised

Role and mandate of NHRC in India

- ① Investigates cases of human rights violations. eg Mental Hospital Case
- ② Suo-moto action on cases to protect citizens' rights eg Salim Indum Case
- ③ Hold accountability of police for

excess of rights violations-

eg. AFSPA violence in Nagaland

④ Act on media reports to ^{ensure} justice delivery timely. eg Bonded labours in Meghalaya rat mines rescued

⑤ Lay guidelines for protection of vulnerable citizens. eg Tail norms.

⑥ Guide working of state human rights commissions (SHRC) -

⑦ Hold awareness & outreach programmes for people.

However, & SHRC's work is limited by these factors:-

① Toothless tiger → has no investigative staff of its own.
→ dependent for funds on govt.
→ Lack of R+D support, vigilance networks, etc

② Statutory limitations → can't investigate case beyond 1 year.
→ Restrictions w.r.t. Armed Forces, CRPF.

③ Functional challenges
→ Vacancies & resource crunch
→ Only recommendatory power.
→ No agency to effectuate its orders.

④ Poor justice delivery
→ (30%) cases rejected on procedural grounds
→ (24%) pendency rate (NJDH)
→ Inability to act in cases in Kolam
Rape case, Nishkaya case

Way Ahead → separate secretarial staff
→ Independent funds.
→ Constitutional punctuality in filling posts.

These steps are needed to uphold justice, dignity & liberty of citizens

Q16. भारत में स्वास्थ्य समानता की सतत चुनौतियां सार्वभौमिक स्वास्थ्य कवरेज प्राप्त करने में एक गंभीर बाधा उत्पन्न करती हैं। इस संदर्भ में ग्रामीण और शहरी क्षेत्रों में पर्याप्त स्वास्थ्य पहुंच और परिणाम सुनिश्चित करने में सार्वजनिक और निजी क्षेत्रों की भूमिका पर चर्चा करें। (250 शब्द, 15 अंक)

The persistent health equity challenges in India pose a critical barrier in achieving Universal Health Coverage. In this context discuss the role of the public and private sectors in ensuring adequate health access and outcomes across rural and urban areas. (250 words, 15 marks)

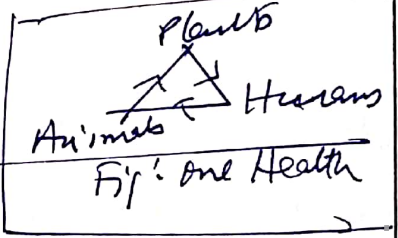
MC Mehta Case held right to health
as a fundamental part of Art 21. Still,
various gaps exist in India's health equity.

Persistent health equity challenges:-

- ① Rural - urban gaps
 - (60%) hospital beds in ^{urban} ~~rural~~ areas
 - (70%) doctors in ^{urban} areas.
- ② Male - female gaps → lack of sexual & reproductive health for women.
- ③ Rich - poor gaps → Poor dependent on low quality public healthcare, while ^{rich} ~~poor~~ go for super-speciality care.
- ④ LGBTQ health → inadequate sex-reassessment surgery, HIV surveillance
- ⑤ Palliative care & geriatric care for old-age is severely under-funded.

Role of public-sector in ensuring health access:-

- ① Boost rural health network through revamp of PHC, District Hospitals.
- ② Norms for mandatory rural service to be implemented properly.
- ③ Increase spending from (1.5%) to (2.5%) [National Health Policy, 2017]
- ④ Enforce Comprehensive care
 - ↓ Preventive
 - ↓ Curative
 - ↓ Rehabilitative
 - ↓ Promotive
- ⑤ One-Health approach to be followed.


- ⑥ Medical ethics to be upheld through audits & examination.
- ⑦ Promote RAD into nanotech, biotech for vaccines, genome research.
eg Shenobiotech.

Role of private - sector in ensuring
health access: -

- ① later to larger patient-sets through
subsidies, cross-pricing, differential
pricing. eg) Arvind Eye Model
- ② est to be diverted to public health
interventions eg) TATA's Manasvi
initiative in Maharashtra.
- ③ Avoid over-subscription, unethical
pricing eg) Gulshan Fortis Case.
- ④ Supplement disease-surveillance
efforts of govt. eg) TB trackers.
- ⑤ Promote R&D in precision medicine.
eg) TATA Cancer Hospital.

Thus, both public & private
sector must collaborate for ensuring

SDG-3: Good health & wellbeing.

However, potential of panchayats is limited by these factors. -

- ① Ashok Mehta identified poor identification of fund, functionary, functions.
- ② Peter Drona identified that no state has ~~not~~ devolved all 29 subjects -
- ③ Pranishankar Arpe points to decentralisation & corruption in panchayats
- ④ Surrogate representation - panchayat puts.

Way ahead → Kerala's Big Bang Model
 → Malila Panch Rasthaktsan scheme
 → Pundri Comm : use 'Legislative Council as representative of panchayats'

Thus, Panchayats can remove the gap between Bharat & India & enable saamrajya through gram-swaraj.

भारत में बाल अधिकारों और कल्याण पर पोक्सो (POCSO) अधिनियम के क्या निहितार्थ हैं? बाल संरक्षण के लिए भारत के विधिक ढांचे को परिवर्तित करने में POCSO अधिनियम की भूमिका का विश्लेषण करें। (250 शब्द, 15 अंक)

What are the implications of the POCSO Act on the rights and welfare of children in India?

Analyze the role of the POCSO Act in transforming India's legal framework for child protection. (250 words, 15 marks)

POCSO Act (Prevention of Child Sexual Offences Act) seeks to uphold the dignity of children against violation-

Implications of POCSO Act on child welfare in India:-

- ① Statute punishment laid for sexual offences against children.
- ② Sets up Child Welfare Committees to enable welfare of victims.
- ③ Gender-neutral ensures equal protection to girls & boys.
- ④ Sets legal framework for preventing offences.
- ⑤ Child porn also added to the list of offences to enable fuller protection.

Role of PDCSO in transforming legal framework for child protection:-

- ① Definite procedures laid for investigation, offence act, etc.
- ② Setup implementation agencies to implement the provisions.
- ③ Presumption of guilt on accused & burden of proof shifted.
- ④ Guidelines for investigating officers to ensure child-friendly practices.

However, PDCSO suffers from these limitations:-

- ① Low conviction rate (3% in 2022)
- ② vacancies in child welfare committees, National Committee for protection of children
- ③ Criminalises adolescent-sex due to 18 year bar to define child.

- ① Lack of awareness in parents to report cases under POCSO.
- ② stigma around reporting family cases not dealt with.
- ③ Lack of education for children on good & bad touch.
- ④ Rights of transgender children not specifically protected.

Way
Ahead

→ Revamp POCSO to include collaboration with schools for sex-education.

→ faster processing through children's court.

→ Supreme Court suggested decriminalising adolescent-sex.

Thus, POCSO needs to reflect present realities to protect children & ensure their wellbeing.

NEXT IAS

Candidates
write on this

- Q19. अमेरिका और भारत के मध्य राजनयिक संबंधों के सन्दर्भ में मानवाधिकार संबंधी मुद्दों और लोकतांत्रिक मूल्यों के प्रभाव का परीक्षण करें। इन चिंताओं ने द्विपक्षीय संबंधों को किस प्रकार प्रभावित किया है तथा इन मुद्दों से उत्पन्न तनाव को कम करने के लिए क्या किया जा सकता है? (250 शब्द, 15 अंक)

(11:30)

Examine the influence of human rights issues and democratic values on the diplomatic relationship between the U.S. and India. How have these concerns affected bilateral engagements and what can be done to mitigate tensions arising from these issues? (250 words, 15 marks)

Recent cases of US reports on human rights issues & democratic values on India seem to impact the bilateral relations.

Influence of these issues on diplomatic relations between US & India:-

- ① Lowers the democratic credentials of India that is a key common feature of India-US polity.
- ② Credibility of India's govt metered down in international govt.
- ③ Soft power impacted due to negative perceptions. eg J&K issue.
- ④ Invites public-criticism from US-citizens → hampers people-to-people ties

eg Reinstate to farmer protest

- ⑤ Poor business environment portrayed
due to lack of liberty & justice.
↳ Hampers US-investors.

Affect on bilateral engagements :-

- ① Questions on continuance of bilateral engagement on political issues.
- ② Reduce nuclear technology denotation from USA due to fear of misuse in India.
- ③ Lower India's credentials as a democratic counter to China's authoritarian regime.
- ④ Denurish USA's support for UNSC - permanent membership.
- ⑤ Affect investment & trade engagements

- ⑥ Strengthen AUKUS & lower the potential of QUAD in countering China.

Steps India can take to mitigate these challenges:-

- ① Clear media communication - to reflect facts of the matter - avoid fake news.
- ② Establish mechanisms for human rights & welfare of strengthens NTHR
- ③ Invite global observers to see the ground situation → avoid false image
- ④ Declare its utmost commitment to upholding human rights at UN, BRICS, G-20, etc.
- ⑤ Work on criminal judicial investigation to punish human rights violations & uphold transparency & objectivity.
This can strengthen human rights & bilateral relations -

वैश्विक उन्नति के बावजूद दक्षिण एशिया में भारत के समक्ष आने वाली भू-राजनीतिक चुनौतियों का परीक्षण करें। भारत अपने क्षेत्रीय नेतृत्व को मजबूत करने के लिए इन चुनौतियों का सामना किस प्रकार कर सकता है? (250 शब्द, 15 अंक)

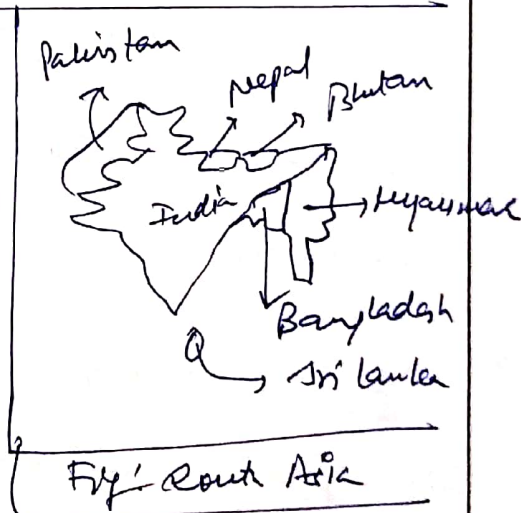
Examine the geopolitical challenges India faces in South Asia despite its global rise. How can India navigate these challenges to strengthen its regional leadership? (250 words, 15 marks)

India is said to be a rising power in the globe, but a limited player in South Asia.

global rise → G-20 leadership
→ global south voice of global south summit
→ Part of ARTEMIS, Global Mixed Security Partnership.

But, it faces geopolitical challenges in South Asia:-

① Role of China →
wolf-war diplomacy,
salami slicing, ring
of peers limit
India's interests -



② Lack of connectivity → South Asia
is least connected [World Bank]

- ③ Regime changes - Δ Out of Sheikh
Haque in Bangladesh poses anti-
India sentiments.
- ④ Violence - in Myanmar's coup
leading to refugee crisis of Rohingyas $\rightarrow$
increases China's role in Myanmar.
- ⑤ Pakistan's role $\rightarrow$ terror sponsorship,
anti-India stand, border disputes $\Rightarrow$
reduce potential of collaboration.
- ⑥ SAARC failure $\rightarrow$ No meeting held
since 2014 $\rightarrow$ hinders collaboration.
- ⑦ Low trade within South Asia - lesser
economic potential realisation.
- ⑧ Fear of smaller neighbours of India's
Reg - Brother attitude
- ⑨ poor record of project - delivery
 Δ Sri Lanka Project

Ways for India to navigate these challenges to strengthen leadership:-

- ① Boost BIMSTEC through regular meetings & collaboration.
- ② Trade Partnership - South Asian FTA to be formed for economic advantage.
- ③ Development aid to neighbours, with timely project completion.
eg Aid to Sri Lanka in 2022.
- ④ Counter China through Kampala principles in development aid.
- ⑤ Negotiate with Pakistan to enable greater synergy in South Asia.

India must follow principle of SAGAR & Neighbourhood First to be leader of South Asia & the world order at same time