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ADVANCED INTEGRATED MENTORSHIP

POLITY ASSESSMENT TEST-2

(To be filled by candidate)

Test Code : TC302

Name of Candidate : Abhishek Singh

NEXT IAS Roll No. : AIM24GCL1035 **Date of Examination :** 2nd July 2023

Exam Centre : Old Rajinder Nagar ☐

Bhopal ☐

Online ☒

GENERAL INSTRUCTIONS

This Question-cum Answer (QCA) Booklet contains 25 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	13			
7	16			
8	19			
9	22			
10	25			
Grand Total				

Signature

MACRO COMMENTS

Q-1

How far do you think Cooperation, Competition, and Confrontation have shaped the nature of federation in India? Cite some recent examples to validate.

Ans

Nature of Indian federation is 'Quasi federal', 'federal with unitary bias', a federation with centralizing tendency.

Cooperation

- ① GST Taxation power: Both Centre and states Cooperate on levying & collecting taxes. For eg: GST Council / Income tax, Corporation tax. etc.
- ② Inter State Council: Both Cooperate in policy making & resolving disputes. for eg: Policy on health, disaster etc.
- ③ Centrally Sponsored schemes: Centre and state share finances & implement schemes together: for eg: Smart cities mission

Competition

- ① Competition between states w.r.t rankings released by various bodies.
for eg: NITI Aayog's 'water management Index' ranking states.

② Attracting Investments: Various states compete with each other in getting bigger share of investments.
for eg: Campaign like "Vibrant Gujarat",
"Invest in Maharashtra" etc.

③ Tourism: States try to attract more tourists by developing better infrastructure.
eg: Kedarnath & Kashi.

Confrontational

① Devolution of funds: Based on Finance Commission. Southern states have better population control measures but they receive less funds compare to Uttar Pradesh.

② Role of Governor: Governor's interference in day to day functioning of states.
for eg: Tamil Nadu governor action of dismissing Council of ministers without advice.

Nature of Indian federation is such that it caters to both 'regional autonomy' and 'unity and integrity'^{of India} using mechanisms of cooperation, competition and confrontation.

Q.2

Examine the role of Inter State Council in promoting vertical (centre-state) & horizontal (Inter-state) Intergovernmental Cooperation & Coordination.

Ans

Article 263 of Indian Constitution provides for Inter-State Council. It is a forum where Centre-state and Inter-state matters are discussed and resolved.

Vertical (Centre-state) Integration

① Complimentary to Article 131 : ISC under Article 263 performs roles Complementary to Supreme Court under Article 131 by resolving disputes related to question of law.

for eg:- Issue of deployment of ~~armed~~ ^{armed} forces in states.

② Policy making : Both use ISC as a platform to develop Common understanding for a policy.

for eg:- Governing of law and order, Health, education etc

③ Mutual delegation : Both discuss what functions of centre & state

Should be delegation to each other without conflict

for eg: Essential Commodities act's implementation mechanism and division of responsibility.

Horizontal (Inter-State) Integration

- ① Resolving Inter State River water dispute
Rivers passing through multiple states create problems of sharing of water.
for eg: Kaveri water dispute between Tamilnadu and Kerala.
- ② Solving Border disputes: Solving border disputes in ISC without going to court.
eg: Assam & Meghalaya.
- ③ Inter state trade & Commerce: States along with Centre discuss what customs duties, taxes can be imposed on good travelling Inter-State.

Inter state Council plays effective role in vertical and horizontal cooperation and to make it more effective recently ISC was reconstituted (by adding 10 permanent invitees) for emerging needs.

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Roll No.

Q-3

The power, Privileges & immunities of parliament and its members as envisaged in Article 105 of the Constitution leave no room - - - - - addressed?

Ans-

Article 105 at union level and Article 194 at state level provides for privileges & immunities.

Privileges → Collective → To house, its committees.
 → To safeguard dignity of house.
 → Individual → To its members, invitees etc.

Article 105 gives power to parliament to make law w.r.t privileges and immunities, but no law has been made.

Reason for absence of legal Codification :-

- ① Independence of house :- Parliament is free to conduct its own affairs in the manner it wants. Any Codification may limit this Independence.
- ② Judicial Scrutiny :- Any Codification via law will invite Judicial Scrutiny which may limit dignity of house and hinder functioning of parliament.
- ③ Freedom of speech :- In M.S Sharma case S.C ruled that privileges of

members are above freedom of speech.
Codification may change this differential.

- ④ Lack of political will: making a law will also bring public scrutiny of political executives.

Addressing the problem: Case for Codification

- ① Against justice principle: of "No one can be judge in its own case".
- ② Best practices of countries like Australia, Newzealand can be adopted who have properly codified it.
- ③ Engaging all stakeholders ~~using~~ including judiciary for Consultation to avoid it from future legal troubles.
- ④ Codification will lead to better functioning of parliament

"Power corrupts, but absolute power corrupts absolutely". Various Commissions like M. Venkatachelliah Commission, have pointed the need for codification which defines the limits the powers of parliament to uphold Rule of law & Constitutionalism

Q. 4 Unlike the Rajya Sabha, the desirability of a second chamber at the state level is often questioned on various grounds. Explain.

Ans At present there are ^{only} Six States with second chamber, i.e. legislative councils, as functioning unit of state legislature.

Rajya Sabha Viz. State Legislative Council:

- ① More powers: Rajya Sabha has more powers vis-a-vis Legislative Council and is equally important in Lok Sabha in majority of cases.
- ② Ordinary bill: Legislative Councils have very limited power w.r.t to even ordinary bills & they can be overridden by state legislative assemblies. while Lok Sabha can not override Rajya Sabha in this case.
- ③ Existence: The mere existence of legislative Council depends upon will of assembly which can pass

a resolution to abolish or create a Council. While Rajya Sabha is permanent and Lok Sabha cannot abolish it.

(4) Not in all States: Given the less power of Council only 6 states have it and rest do not feel the need to have a second chamber.

(5) political aspirations: L. Council is seen as a body to fulfill political aspirations of those MLAs who have lost elections, but using L. Council's membership they can become ministers or even CM of state.

Legislative Council is clearly less desirable than Rajya Sabha. It has often been termed as a "costly ornamentation",

"white elephant" for its nature. However legislative Council involves experts (nomi-
nated) and checks hasty legislation and can even delay a bill for four months.

Q-5

Under what circumstances can the financial emergency be proclaimed by the president of India? what consequences follow when such a declaration remains in force?

Ans

Art 360 of Indian Constitution provides for declaration of financial emergency by president.

Circumstances

financial emergency is declared when
 (a) ~~stability~~ financial stability of India
 (b) or credit of India or a part
 is threatened.

Instances : financial emergency has not been declared in India even though there was a financial crisis in 1991-1992.

financial stability ^{can} have many connotations

like :
 → forex reserves
 → Inflation
 → Balance of payment
 → unemployment level.
 → Loan default e.t.c

Consequences : following consequences happen.

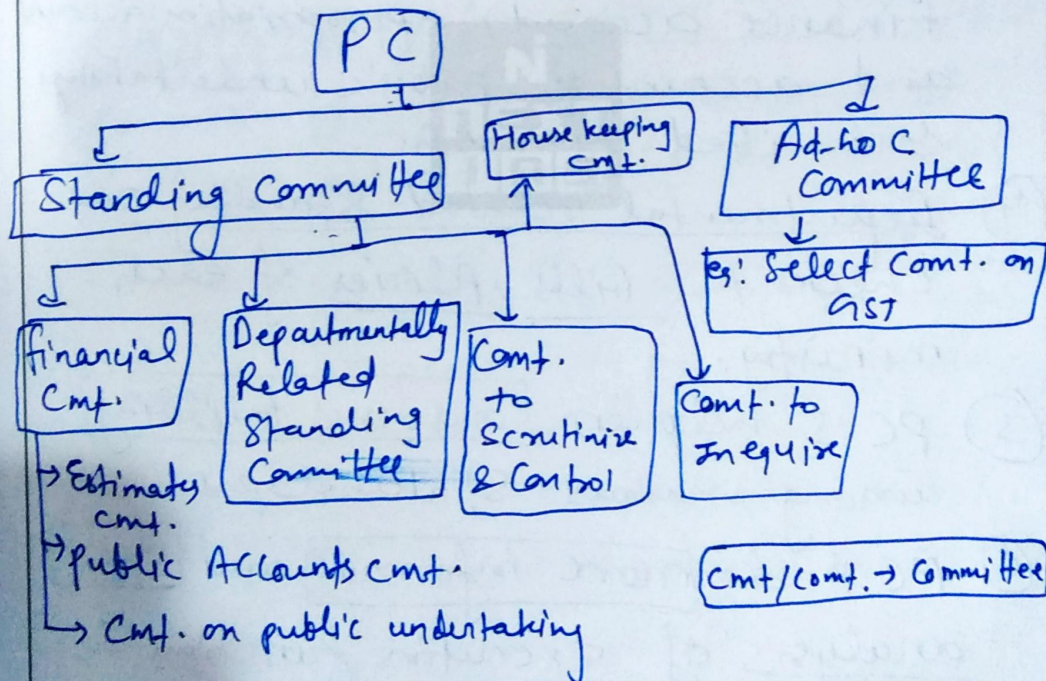
- ① President becomes empowered to give directions to states to observe canons of financial propriety
- ② Salaries of functionaries of state and centre including the judges of Supreme Court and High Court can be reduced.
- ③ President can ask governor to reserve the money bills and other financial bills for parliament's consideration.

After the end of financial emergency, the steps taken by parliament remain in force for the current fiscal year.

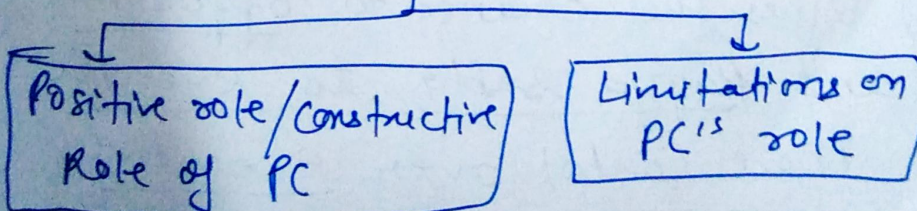
Financial emergency along with other emergency's like president rule and National emergency are invoked only as a matter of last resort to deal with exceptional situations.

Q-6 To what extent parliamentary Committees have been effective in ensuring the accountability of the executive? Justify your answer.

Ans A parliamentary Committee (PC) is elected or nominated by Speaker/Chairman, works under and submit reports to Speaker/Chairman and has a permanent secretariat provided by Rajya Sabha/Lok Sabha.



PC and Accountability of executive →



Positive Role on Ensuring Accountability →

- ① Estimates Committee: It scrutinizes the estimates included in the budget regarding various schemes/policies of ministries & departments.
- ② Estimates Comt. also suggests alternative policies & best way to public expenditure.
- ③ Public account Commt: Scrutinizes the finance account, appropriation account and account of public undertakings submitted by CAG.
- ④ Departmental related Standing Comt. checks the bills, policies of each ministry.
- ⑤ PC's help in Consensus building among various stakeholders.
- ⑥ PC's do more informal and deep analysis of executive functions & It can also involve inputs.
- ⑦ Gives the chance to opposition and Rajya Sabha to exercise more control over executive.

Limitations on powers of PCs

- ① The number of bills being referred to PCs are reducing over years for eg: 71% in 15th LS & only 27% in 16th LS.
- ② Advisory ÷ PCs are only advisory in nature. They cannot enforce a decision on government.
- ③ Postmortem ÷ The nature of work of PCs are of postmortem nature in which Scrutiny happens after voting of demands for grants happen.
- ④ Attendance : poor attendance of members hinders effective scrutiny.
- ⑤ Lack of professionals : PCs members are helpless in case of technical matters. for eg: Science & tech related Projects.
- ⑥ Their tenure is very short (only 1 Yr)

Though there are limitations but still PCs have helped in ensuring executive accountability. More reforms should be taken based on recommendations of Sarkaria's Commission to make it more effective body.

Q.7 Any federal system is bound to have asymmetries, therefore special provisions are essential not only to come together but to hold together. Discuss in the context of Indian federalism.

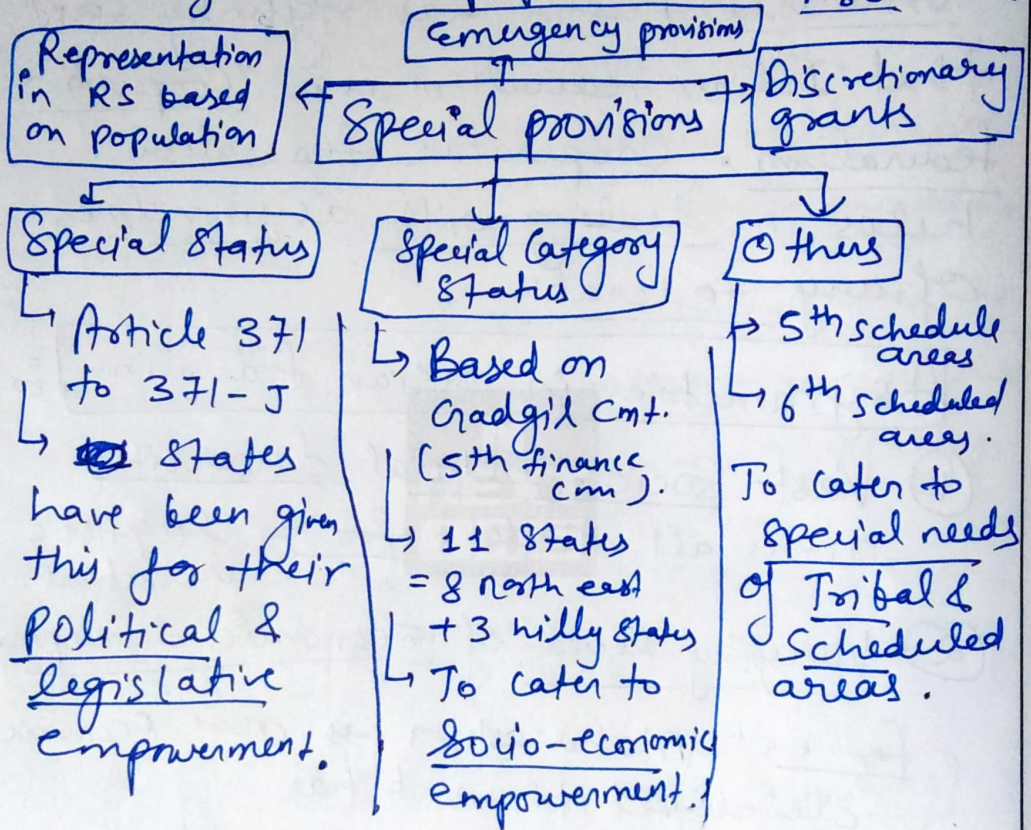
Ans Granville Austin has rightly said that Indian federalism is a "Cooperative federalism". Cooperative federalism helps in dealing with asymmetries of any federation.

Asymmetries in Indian federalism :-

- ① Vast Socio-cultural diversities across all states. for eg: linguistic variations.
- ② Varying level of Economic development for eg: Maharashtra is more Economic developed than Bihar.
- ③ Connectivity : Connectivity with some states are greater than others for eg: Peninsular states Vs. North eastern states.
- ④ Hilly regions : many hilly states like Uttarakhand, Himachal Pradesh have separate needs
- ⑤ Bordering states : many states like West Bengal, Manipur

e.t.c which border foreign States have different law and order needs.

⑥ Tribal populations: many States have huge tribal population ex: Odisha, Assam etc



Need of Special provisions: Comming together
⊕ holding together

① Regionalism: To counter dividing regional tendencies. for eg: NE (Naga movement).

② Administrative Convenience:

'one size does not fits fits all approach

③ Unity and Integrity of India :

Indian federation is Indestructible union of destructible states. No state has right to secede from union. Special provisions help in this objective.

④ Autonomy : More autonomy given to special areas to cater for regional aspirations of locals.

⑤ Linguistic : Creation of states on linguistic basis eg: Andhra Pradesh & Telangana to avoid Conflict & increase development

⑥ Monetary benefits : Few states given more financial resources to achieve Balanced development.

Truly, Indian federalism signifies not only regional but National aspirations through its special provisions which rebalances the asymmetric nature of relations.

Q-8

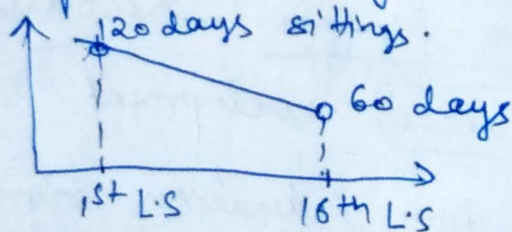
The essence of parliamentary democracy lies in the ability to debate, discuss & dissent. parliament is where ideas are tested, policies are scrutinized
 ----- Institution.

Ans

Parliamentary democracy refers to a system of government where execution is responsible to legislature. In the legislature debates, discussion^{etc.} happens through which people's voices are heard & executive is held accountable.

Decline in role of parliament: Reasons

- ① Number of sittings: There is consistent decline in number of days for which parliament functions for e.g.:



- ② Decrease in quality of debates: members use the floor to abuse and blame other candidates instead of doing

Constructive criticism & debating.

③ Parliamentary Committees : There is decrease in number of bills being referred to Committees
for eg: $\frac{71\%}{27\%}$ in 15th Lok Sabha & in 16th LS.

④ Criminalization of politics : Association of democratic reforms (ADR) reports show increasing number of ~~criminals~~ ^{criminals} candidates in parliament with criminal backgrounds.

Year	Percentage of Criminal Candidates
2009	24%
2019	43%

⑤ Less time given to debates : Bills are passed in hurry without much debates
for eg: In monsoon session of 2021, 5 bills were passed in 44 minutes.

⑥ Women representation : Lok Sabha has ^{only} 15% and Rajya Sabha has 12% of women ~~to~~ members. This decreases quality of debates.

- ⑦ No effective leader of opposition.
- ⑧ Huge work load: Due to huge work load on parliament it is unable to perform efficiently (ADR).

Steps to Reform

- ① Recommendation of NCRWC
 - ↳ Increase the minimum number of days as 100 & 120 for sittings in RS & LS respectively.
 - ↳ Codify the privileges.
- ② Legislative Impact assessment of each law on ~~the~~ ground level about what effect it has on people.
- ③ Giving more powers to parliamentary committee & referring more bills.
- ④ Parliamentary ombudsman: To do public scrutiny of members.

Parliament is a temple of democracy. Quality of debates, discussions should be improved to cater to needs of India of 21st Century which wants to become vishwaguru and guide others.

Q-9 what were the primary Considerations & factors that influenced India's decision to adopt a parliamentary system of govt. instead of presidential system. Do --- presidentialization --- India?

Ans India adopted parliamentary system of government from British system and tweaked it to its own needs & circumstances.

Factors for adopting parliamentary system :-

- ① Historical factor : India was more familiar with parliamentary system compared to presidential system when it had no experience.
- ② Collective Responsibility : In parliamentary system executive is responsible to legislature unlike presidential system. It was done so that people's voices are heard more effectively.

③ Wider representation : In parliamentary form there is wider representation of people. India's being highly diverse could use members from different communities in its executive.

④ Avoiding Conflict : In the newly independent country it was must ~~to~~ for executive & legislature to work together & avoid conflict as already many challenges like poverty, unemployment existed.

Presidentialization of parliamentary democracy →

① Increasing Role of governor : Interference by governor in day to day functioning of government.

② Decisions taken by cabinet instead of floor of the parliament.

③ Elections : Elections revolve around

Personality cult like in presidential elections.

④ Extensive use of ordinances
for eg: Tribunal reforms ordinance.

⑤ Reserving of majority of state bills for presidential consideration
eg: NEET bill.

⑥ Passage of bills without debate
eg: farm laws.

Though there is a tendency towards presidentialization but still majority of features are of parliamentary democracy, ^{and} ~~and~~ these features are working well in India.

for eg (1) multi party system

(2) wider representation of people.

(3) Collective responsibility (Article 75)

Swaran Singh Committee had remarked that parliamentary system is working well in India as it suits well to the needs of Indian people.

NEXT IAS

Roll No.

Test Name & No.

Q-10

The dynamics of centre - state relations in recent times reflect the ongoing tussle b/w the pursuit of centralized decision making & demand of regional autonomy. Elucidate with examples, Also suggest measures for better Coordination.

Ans

Indian Constitution defines Centre - state relations from Article 245 to Article 293. These include legislative, administrative and financial relations.

Tussle in Centre - state relations $\rightarrow$

(A) Legislative

- ① framing of law by union on the state list using vague provisions in Union list & Centre list
for eg: farm laws (Agriculture is ^a state subject)
- ② Union not Consulting states while framing a law on Concurrent list
for eg: regulations related to Essential Commodities act during covid times.

② Financial relations

- ① Centre not releasing State's share of taxes on time. for eg: GST Compensation amount.
- ② Increasing cess and surcharge by union is stealing State's share of money, as there are not shared to states.
for eg: Health cess.
- ③ Finance Commission: Performance linked transfer of money is inhibiting States freedom in spending. for eg: power sector reform, Tax reforms etc.

③ Administrative

- ① Role of Governor: Interference of governor in day to day administration of states. for eg: Tamil nadu governor dismissing minister without advice.
→ Delhi govt. — LG tussle.
- ② Cent Schemes: Many states run their own scheme despite

having a Central sector scheme on that subject.
for eg! → West Bengal's own insurance scheme v/s Ayushman Bharat scheme

Measures for better Coordination :

- ① Utilizing Inter-State Council (Article 263)
↳ This platform can be effectively used to solve disputes & chart out common policies.
- ② Involving Civil society & all other stakeholders in audit of policies.
- ③ Sarkaria's Commission's recommendation about office of governor: fixed tenure, detached figure, etc.
- ④ Reforming 7th schedule of Constitution.
- ⑤ Involving states in preparing Terms of reference of finance Commission.

Indian federation has centralizing tendency to balance between 'Unity & Integrity' and regional autonomy. Above reforms should be taken to reduce frills b/w centre & state and improve Coordination.