

NEXT IAS

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Bhopal ☐

Online ☐

Test Code : TC 117

Time Taken : _____

MAIN TEST SERIES 2023 (ANUVBHAV GS-II)

GENERAL INSTRUCTIONS

This Question-cum Answer (QCA) Booklet contains 56 pages. Immediately on receipt of the booklet, please check that this QCA booklet does not have any misprint or torn or missing pages or items, etc. If so, get it replaced by a fresh QCA booklet.

Candidates must read the instructions on this page and the following pages carefully before attempting the paper.

Candidates should attempt the questions strictly in accordance with the instructions specified in the question paper and in the space prescribed under each question in the booklet. Any answer written outside the space allotted may not be given credit.

Question paper will be provided separately and can be taken by the candidates after conclusion of the exam.

SUBJECT/PAPER
GENERAL STUDIES

Invigilator's Sign. :

1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383	2384	2385	2386	2387	2388	2389	2390	2391	2392	2393	2394	2395	2396	2397	2398</
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(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

IMPORTANT INSTRUCTIONS

CANDIDATES SHOULD READ THE UNDERMENTIONED INSTRUCTIONS CAREFULLY. VIOLATION OF ANY OF THE INSTRUCTIONS MAY LEAD TO PENALTY.

DONT'S

1. Do not write your name or registration no. anywhere inside this Question-cum-Answer Booklet.
2. Do not write anything other than the actual answers to the questions anywhere inside your QCA Booklet.
3. Do not tear off any leaves from your QCA Booklet, if you find any page missing do not fail to notify the supervisor/invigilator.
4. Do not leave behind your QCA Booklet on your table unattended, it should be handed over to the invigilator after conclusion of the exam.

DO'S

1. Read the Instructions on the cover page and strictly follow them.
2. Write your registration number and other particulars, in the space provided on the cover of QCA Booklet.
3. Write legibly and neatly. Do not write in bad/illegible handwritings.
4. For rough notes or calculation, the last two blank pages of this booklet should be used. The rough notes should be crossed through afterwards.
5. If you wish to cancel any work, draw your pen through it or write "Cancelled" across it, otherwise it may be evaluated.
6. Handover your QCA Booklet personally to the invigilator before leaving the examination hall.

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 is the herald
and upholder of human rights.
It is rightly called the custodian
of Indian constitution.

SC judgements on human rights
issues -

- ①. SC rejected the "two finger tests" to check the rape victim
↳ considered this against the integrity & dignity of women.
- ②. Upheld the Right to privacy
in Puttaswamy judgement
- ③. Godavarman judgement -
Supreme court held the healthy environment is a right of all human beings.

The SC judgement help in the greater interpretation and internationalisation of the human rights. It creates judicial literacy and awareness to assess the international conventions as a substitute to national laws rather than supplantation of it.



2. संवैधानिक प्रावधानों में समानता के बावजूद वाक् एवं अभिव्यक्ति की स्वतंत्रता पर संयुक्त राज्य अमेरिका और भारत का अपना विशिष्ट न्यायशास्त्र है। विश्लेषण कीजिए। (150 शब्दों में उत्तर दीजिए) 10 अंक

The United States and India have their own distinctive jurisprudence on freedom of speech and expression despite the similarities in constitutional provisions. Analyse. (Answer in 150 words) 10 marks

The United States and India have a federal system of government with similarities and some dissimilarities.

Similarities in constitutional provisions

- ① Both have President as the Head of the state.
- ② Fundamental Rights in India is on same lines as Bill of Rights in USA.
- ③ The role of Vice President is same and similar connotations in both countries.
- ④ The judiciary independence as the bulwark of democracy.

But, they have their own jurisprudence on freedom of speech and expression.

India	USA
1) Follows the <u>procedure established by law</u> .	1) " <u>Due process of law</u> " is the norm.

(Maneka Gandhi case introduced due process of law later).

② Freedom can be restricted on the ground of unity & integrity, rights of others, moral grounds.

③ Principled distance with rights & secular credentials.

④.

② Qualified rights is the rule in USA.

③ Mutual exclusion in cases of secular rights.

The 2 countries share great presence in multilateral world order, with links between their constitutional provisions being evident in the essence of Preamble.

3. मौलिक कर्तव्य एक अनुरस्मारक 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 were introduced in India after the recommendations of Swaran Singh Committee. It was later added by 42nd Constitution Amendment Act 1976 (Article 51A).

With enjoyment of Fundamental rights, the duties get sidetracked. So, Fundamental duties set a reminder.

Significance of Fundamental duties

- ①. They enforce the moral and civic duties needed for a citizen.
- ②. They create an enabling force to take active steps in creating an impactful life.
- ③. They also act as a beacon light for the judiciary to

ascertain the validity of law

↳ if not in consonance can be declared ultra-vires/unconstitutional

- ④. Duties make dynamic environment where local participation is ensured

Challenges in their legal enforcement:-

- ①. They are non-enforceable & non-justifiable.
↳ so have less legal backing.
- ②. Their enforcement needs active administration
↳ which is under stress (tax governance).
- ③. High amount of resources and human capital is required.
- ④. Difficult to analyse the applicability & its enforceability.

Fundamental duties are the basis of political & socio-economic welfare. They should be cherished and ^{be} made a role creator in good governance.

4. केंद्रीय प्रशासनिक न्यायाधिकरण (CAT) के अधिदेश पर चर्चा कीजिए। सर्वोच्च न्यायालय के पूर्व के निर्णयों ने CAT और उच्च न्यायालयों के बीच क्षेत्राधिकार संबंधी विवाद को किस सीमा तक हल किया है?
(150 शब्दों में उत्तर दीजिए) 10 अंक
- Discuss the mandate of the Central Administrative Tribunal (CAT). To what extent earlier SC verdicts have resolved the jurisdictional tussle between CAT and High courts? (Answer in 150 words) 10 marks

Central Administrative Tribunal [CAT] was created by the amendment in Constitution under which through an Act, Parliament can consider its formation.

Mandate of CAT :-

- ① To look into the disciplinary matter of central service officials.
- ② To complement the role of the arbitrator to settle disputes of civil servants.
- ③ Grievance redressal mechanism for civil servants.
- ④ CAT authorises - summons the civil servants to represent the issues before it.
- ⑤ CAT and its ancillary staff helps conclude the matters.

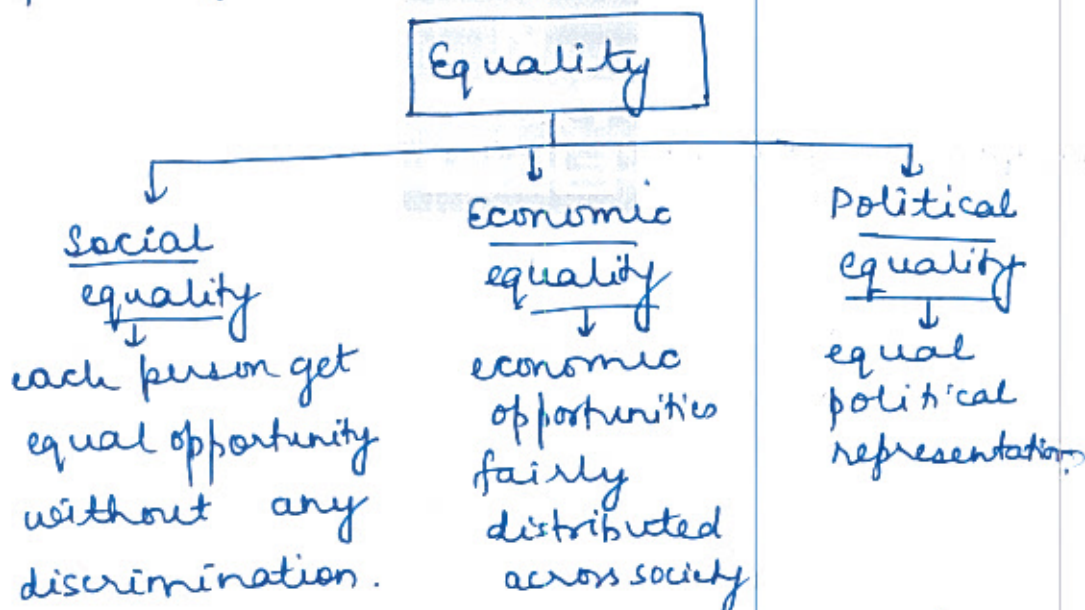
The CAT and High courts have been going through a confrontation regarding jurisdictional issues. SC verdicts and judgements have tried to resolve the tussle :-

- ①. It ordered the demarkcation of the jurisdiction through consensus basis.
- ②. Proper delineation of the cases.
- ③. The state tribunals can help in matters to be resolved.

The CAT as a body should be strengthened on positive lines to create an enabling judicial environment in terms of tribunalisation.

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

Indian constitution talks about equality approach based on the provisions of Preamble. It consists of varied ways to create fair & just society.



Equality is not merely a formal sense but also incorporates an approach of equity.

- Separate provisions for the Scheduled castes (Article 17), Scheduled Tribes (Article 224, Schedule 5, 6).
- Power of privileges constituted upon President, MPs, MLAs.

Supreme Court judgements :-

- ①. Reservation based on economic criteria was upheld in the EWS reservation case.
↳ considered it as an affirmative action and not in violation of Indra Sawhney judgement.
- ②. Joseph Shine case - decriminalised adultery.
- ③. Naz Foundation case - gave equal rights to LGBTQ community.
- ④. Puttaswamy judgement - equality to access information is not absolute but right to privacy is a fundamental right.

Supreme Court is the custodian of the constitution and the protector of human rights and equality status.

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 संविस्तर वर्णन कीजिए जो इस रूपांतरण को प्रोत्साहित कर रहे हैं।

(150 शब्दों में उत्तर दीजिए) 10 अंक

Pressure groups and political parties are inherently similar in their objective to democratise the political process, however, more and more pressure groups today aspire to transform into political parties. Elaborate and highlight the factors that are encouraging this transformation. (Answer in 150 words) 10 marks

Pressure groups are the mobilisation of people who come together to pursue their common interest so called as Interest groups. They are similar to political parties.

Similarity of objectives

- ↳ Highlight the local grievances of people.
- ↳ Maintain social connect with the people.
- ↳ Work towards achieving socio-political goal of achieving their vested interests.

Today, pressure groups are transforming into political parties.

Factors encouraging this :-

- ①. Effective mobilisation of funds & resources is possible to political parties rather than pressure groups.
- ②. The grievance are heard as a political group.
- ③. Lobbying with civil servant becomes easier.
- ④. Electioneering & propagandizing their manifestos in elections get them social approval.
- ⑤. The people's participation in it gets augmented.

The pressure groups should remain with a sense of ~~test~~ purpose rather than just a body of people. This is quintessential for a force of people with common ideas to be pressurised for their optimal needs.

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

The recent NEP 2020 formulate its strategies to introduce foreign educational institutions in India. A foreign university was opened up in Gujarat's university.

Prevailing challenges in higher education institutions (HEIs):-

Regulatory structure being lax & overlap of UGC & AICTE.

Teacher to student ratio is weak.



Yash Chopra committee → de compartmentalization of the HEIs

Quality check

Universities curriculum unmatched with job & skill requirement.

Role of foreign education institution

- 1). Enhance the competitiveness of Indian institutions.
- 2). Introduce new methodology of teaching skills
↓
Diversified study & skills.
- 3). May improve vocational education along with academics.
- 4). The women in STEM education can improve
↳ recently only 18% of women in STEM.

The promotion of "Study in India" programme should be pursued to create equilibrium between Indian institutions.

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

Health system does not just connote physical health, but also mental, emotional & palliative health care aspects.

Limitations of public health system -

- ①. Out of pocket expenditure is very high at 65%.
- ②. Doctor to patient ratio is inadequate at 20 doctor/1000 patients.
- ③. Lack of tertiary & secondary health services in public hospitals (rural ones).
- ④. Divide between rural & urban area -
 ↳ 70% of rural ^{population} ~~area~~ comprised in India has just 30% of the country's doctors (vice-versa for urban area).

⑤. Health care is ~~pr~~ curative rather than preventive.

⑥. Health expenditure $\rightarrow$ ^{only} 1.5% of GDP.

Private sector participation can help address the gap -

- ① Fill the gap of doctors, nurses.
- ② Bring new expertise of technology & skills to the public sector.
- ③ complement & enhance the capacity of public health care.
- ④ Improve R & D in health -
~~by~~ vaccine in covid 19 $\rightarrow$ made by private sector (Serum Institute, Bharat Biotech).

Some concerns of private sector are profit maximisation, introduction of new class of service & reservation.

The government can legislate a PPP framework to delineate the work of public & private sector.

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

Hunger & poverty are the twin evils of humanity. Nearly $> 1/3$ rd population of the world suffers from it (FAO).

Challenges of hunger & poverty —

- 1) Stunted economic development.
- 2) Decline in quality of life & healthy living.
- 3) Decline in children's potential.
- 4) Create vicious cycle of hunger & poverty.
- 5) Degradation of women status further.

International collaboration is necessary given the conditions in Russia - Ukraine war, Taliban in Afghanistan, famine in Somalia, natural disasters in Europe & Asia.

Impact of international collab. :-

- ①. Implement the organic linkages between different countries.
- ②. Help to fill the void in the nation state efforts.
 - ⇒ Revival of Black sea Grain deal.
- ③. Reduce the stunting, wasting, mortality, anaemia among children.
- ④. Being a global issue, international collaboration can help resolve issue between countries.
 - ⇒ Revival of trade between India-Pakistan.

The global efforts should be complemented with the state efforts along with civil society to reach the poorest of the poor. Develop welfare model of helping the needy people.

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

WTO is a successor of GATT agreement. It was established in 1995 to create a common platform to deal with the trade issues & enable a level-playing field for all the countries.

Why reforms needed in WTO -

- ①. Asymmetric power game -
 only European & American citizen become its President.
- ②. Decline of WTO & rise of regional trade bloc like NAFTA, SAFTA, MERCOSUR, RCEP.
- ③. Differential treatment with developing countries.
 sanitary & phytosanitary measures on Indian products in Europe.

- ④ No consensus building on agreements
eg Fisheries Agreement recently
passed.

Meaningful reforms —

- Equal representation to all continents based on a rotation basis.
- The rationalisation of subsidies
eg Peace clause extension for developing countries.
- North-South cooperation network & framework should be finalised.
- South should be engaged to get a perspective on international body's functioning.

The WTO thus should be made more relevant with participation of all countries in its process of reform adaptation.

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

The Delhi government has constitutional sanction under Article 239 A. This also the government an assembly of 70 members and a Lieutenant General as administrator (LG) of the state.

Recent tussle between CM and LG has been in news & has its roots in 69th Constitutional Amendment :-

- ①. The LG has power to refer a matter of contention between LG & CM to the President.
↳ this creates deadlocks in decisions.
- ②. The power in relation to law & order, police & land is under the Union rather than Delhi.
- ③. The LG is appointed by the central govt.
↳ so has been alleged to have biases.

④. The Delhi's status of statehood has not been contemplated clearly.

⑤. Similarity of powers — Asymmetric power provided to government & LG.

This has created a tussle between Delhi's government & LG.

Impact on cooperative federalism :-

↳ The harmony and benevolent relations are disrupted.

⇓

Distressed autonomy.

↳ Conditions of anomalies between the LG & Delhi government.

↳ The misuse of provisions by LG
⇓
contravention of ~~a~~ representative government (elected by people).

↳ Undermines the democratic credentials of the constitution.

↳ Contentious relates impacts governance mechanism.

→ Recent Delhi Ordinance Bill to control civil servants of Delhi may create hegemonic power to one single post.

→ Autonomy of ^{the} states may also be impacted due to reduced trust.

Measures needed -

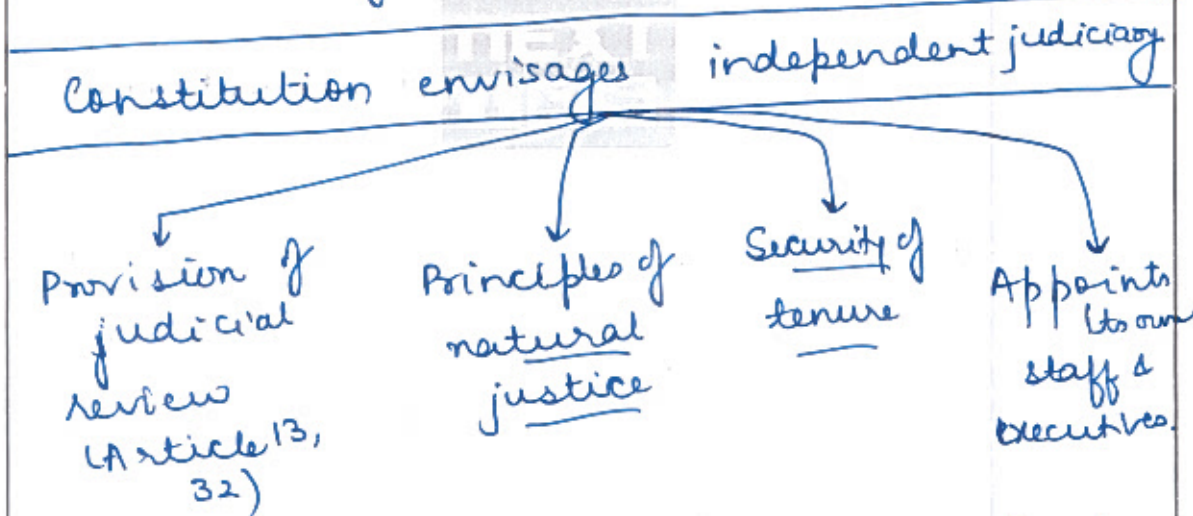
- Judicial interpretation seeking the right set of powers is beneficial.
- The legislature & executive consensus be consulted before coming to a decision
 - ↳ Follow Punchi commission recommendation.
- The LG be provided with a provision in which cases he can induce the presidential help.
- collaborative functioning is needed.

The Delhi tussle should be resolved by following solution oriented framework & bottom-up strategies.

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

The independence of judiciary has been inspired from the American Constitution. India follows an integrated system of judiciary with Supreme court at the apex and High courts & subordinate courts forming lower hierarchies.



The contention between Union & judiciary regarding the appointment of judges through collegium system has been under scanner.

Issues in appointment of judges:-

- ①. Violates the basic rights of natural justice.
↳ As judges appointing judges.
- ②. The opaque system of collegium hinder citizen Right to know.
- ③. No technical or ~~security~~ and secretarial staff to support the collegium.
- ④. Alleged to foster the system of nepotism & favoritism
↳ hinder the vast talent pool.
- ⑤. The Executive's role as a stakeholder in judges appointment is unaddressed.
- ⑥. Undermines the democratic ideals.
- ⑦. No women Chief Justice has been made in India after 76 years of independence.

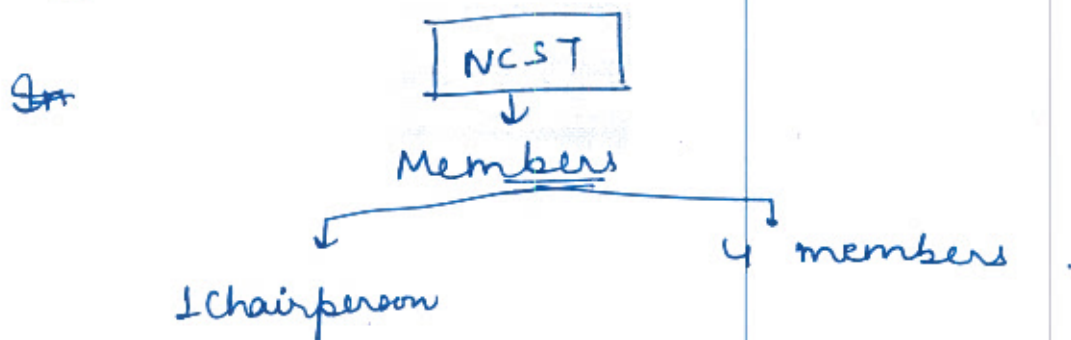
Alternatives to the system -

- ①. 2nd ARC & NCRCW suggested
All India Judicial service.
- ②. Modifications in 99th Amendment
Act and creation of National
Judicial commission.
- ③. A 34 member committee including
CJI, Leader of opposition in Lok Sabha,
Speaker and one senior judge can be
included in Appointment committee.
- ④. A Board can be created to look into
transfer & postings of judges.
- ⑤. The systemic problems like judge to
population ratio, pendency of cases,
judicial over-reach/activism should be
controlled through the reform in
criminal justice system along with
reforms in appointments processes.

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

National commission for Scheduled caste [NCST] is a constitutional body created by Article 338 A of the constitution. (85 in Constitution Amendment Act).



Impediments in functioning of NCST -

- ① Only a recommendatory role rather than authoritative role.
- ② The power to summon has been restricted through the NHRC.
- ③ Vacancies in the NCST.
↳ 40% of posts vacant [LS data]

- ①. The capacity of human resource lacking due to insufficient training.
- ②. Bureaucratic apathy.
- ③. Overlapping jurisdictions with Ministry of Law, TRIFED, etc.
- ④. The mandate & functions → not clearly defined.

Reforms -

Due to above issues, the commission has been reduced to a toothless tiger. Reforms needed are:-

- ① The recommendations be made legally applicable & government should consult & deliberate on the recommendations not adhered by it.
- ②. The separate SOP be formulated.

- ⑧. NCST should be given the power of civil court in letter & spirit.
- ⑨. Suo moto provisions to take up cases be considered.
- ⑤. NCST's role & funding need to be accomplished through the Consolidated Fund of India & Ministry of Tribal Affairs.
- ⑥. Separate recruitment exams to enrol in ~~NST~~ NCST can be considered to take in large youth (demographic dividend).

The legal reforms are must
be a successful Tribal reform.
Moreover Tribal Panchsheel can
be the norm to be followed by
NST & government.

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

Governor is the executive head of the state under Article 153 of the constitution. Governor has been given certain constitutional discretions which have been controversial.

Governor's discretion to reserve a bill for President consideration can be under certain circumstances -

- ① If the bill violates or seems to violate state autonomy.
- ② Bill has provision that affect unity & integrity of nation.
- ③ If provision regards to the Schedule 7 of the constitution.

- ④ If he/she considers the Bill has certain provisions that can have larger ramifications.

Provision is controversial because:-

- It does not stipulate a time limit till when the President should return the bill.
- The Governor's discretion is subjective in interpretation.
- President can withhold his assent to the bill.
- Undermines the state cooperative federalism.

To solve this issue, Punchhi

commission suggested reforms -

- ① Article 154 should be ~~the~~ adhered.
↳ Governor should act in the

aid & advice of the Governor.

- ②. The time limit for President's consideration should be formulated
↓

Accountable limitations.

- ③. A delineated list should be prepared to ascertain the norms under which Governor can send the Bill to President.

The Supreme court judgements like Nabam Rebia Case can be considered while formulating such cases / decisions on governor's actions.

15.

नौवीं अनुसूची ने संपत्ति के मौलिक अधिकार के तहत सामाजिक-आर्थिक न्याय से संबंधित कानूनों को चुनौती से बचाने के लिए एक संवैधानिक विरोधाभास उत्पन्न किया। क्या वर्तमान समय में नौवीं अनुसूची की कोई प्रासंगिकता है? आई. आर. कोएल्हो निर्णय ने इस विरोधाभास का कैसे समाधान किया? (250 शब्दों में उत्तर दीजिए) 15 अंक

The Ninth Schedule fabricated a constitutional paradox to safeguard laws related to socio-economic justice from being challenged under the fundamental right to property. Does the ninth schedule have any relevance in present times? How did the IR Coelho judgment resolve this paradox?

(Answer in 250 words) 15 marks

The Ninth Schedule was formulated by the 1st Constitutional Amendment Act to shield the laws related to land reforms from the Right to property provisions. This provision was used to protect the laws from the provisions of Fundamental rights.

Relevance of 9th schedule presently :-

Presently, there are more than 230 laws prescribed under the 9th schedule. Recently, Samir Nade government also used this schedule to save its law from judicial processes.

But, the Supreme court under various cases has clarified its

stand on this issue:-

① Waman Rao case :- The SC ruled that any case under it can be judicially reviewed based on its constitutionality.

② Kesavananda Bharati case (1973) :-
The cases which will be incorporated under the 9th Schedule after 23 April, 1973 are fit for judicial review.

IR Coelho case is also a landmark judgement that attempts to protect the basic structure of the constitution.

↳ The Supreme court held that the laws in the 9th Schedule are legally fit to be reviewed, the laws must not

contravene the basic structure of the Constitution.

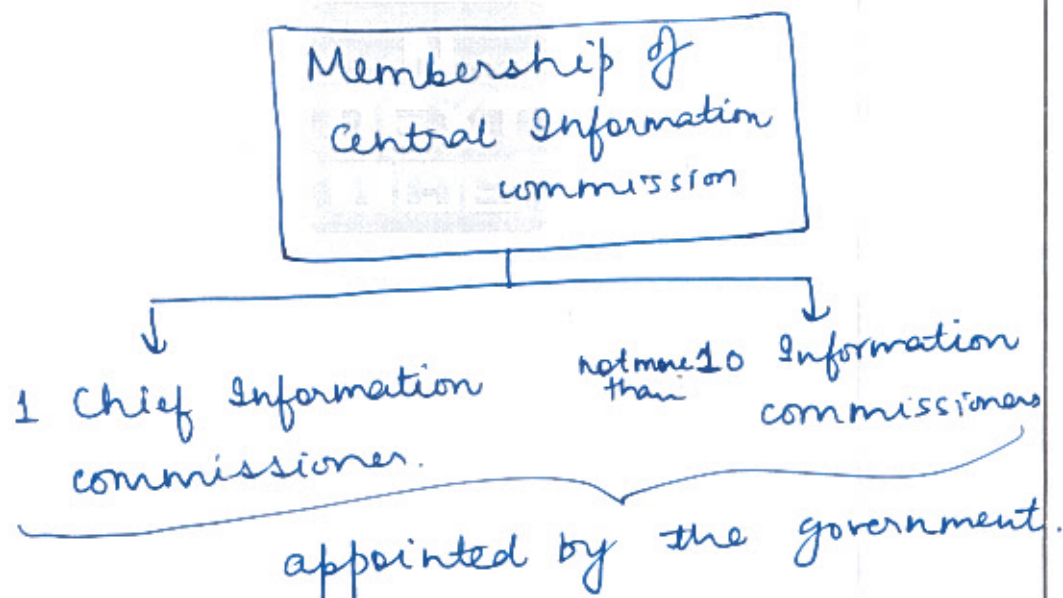
There are many cases associated with 9th schedule post independence that consider ~~the~~ created constitutional deadlocks between Judiciary and legislature but have been dealt by Supreme court.

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 [CIC] has been an investigative and transparent approval body. It was given statutory status by the CIC Act, 2003.



Mandate of the CIC :-

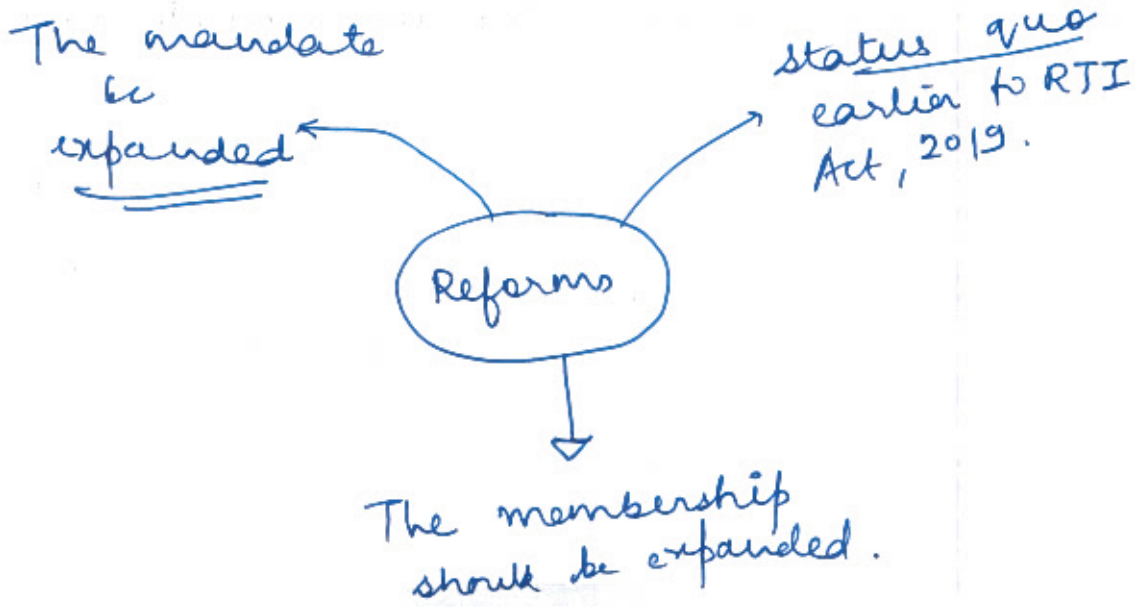
- ① The central work is to further the mandate of Right to Information Act, 2005.

- ②. Fair disclosure of information within the time frame provided in Act.
- ③. Create awareness among the people.
- ④. Promote the realms of good governance through the work of public information commissioners.

The statutory status has in some terms limited the effectiveness:-

- ①. The appointment procedure is now by government.
↳ influences the independent nature of CIC.
- ②. security of tenure is not authorised.
- ③. Removal has become arbitrary
↳ government has greater role to play.

The CIC's status needs reforms:-



The CIC along with CVC has been the democratic stalwarts which should be democratised through suitable actions & reforms for SMART Governance of the country.

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 Act is a watershed regulation that helps to optimally utilise the states powers to punish the sexual offender.

Significance of Act :-

Democratises the justice system.

Equal protection to men & women victims

Significance

Does not compromise with the right to fair trials.

Fosters the effective implementation of the Act to provide justice.

Concerns in the Act

- ①. ~~Was~~ Asympathetic attitude towards the victims.
 eg Two Finger test, wrong attitude & behavior.
- ②. The Act has led to victimisation & trivialisation of the victims.
- ③. Although, ^{it} increased awareness but not addressed the stigma attached.
- ④. It doesn't address concern of LGBTQ community.

Suggestions for improvement on

- ①. Gender inclusive & engendered law be the goal.
- ②. Ethical training to the officials (police).
- ③. Gender sensitisation.

- ③. Special courts & cells for child issues with faster & expeditious delivery of services.
- ④. Improved criminal justice system.
(Ranbir Singh committee).
- The POCSO Act should be made reformatory rather than retributive that should rehabilitate the issues with a gentleness rather than coercion.

18.

'प्रौद्योगिकी नौकरशाही की पारंपरिक रूपरेखा को पुनः आकार देने, इसे अधिक कुशल, पारदर्शी और नागरिक-केंद्रित बनने हेतु प्रेरित करने के लिए उत्प्रेरक के रूप में कार्य करती है।' इस कथन का आशय स्पष्ट कीजिए तथा यह भी पता लगाइए कि प्रौद्योगिकी का एकीकरण लोक सेवा के आधुनिकीकरण के सरकारी प्रयासों को कैसे तेज कर सकता है।
(250 शब्दों में उत्तर दीजिए) 15 अंक

'Technology serves as the catalyst for reshaping the traditional contours of bureaucracy, propelling it to become more efficient, transparent, and citizen-centric.' Explain and also explore how the integration of technology can expedite governmental efforts aimed at modernizing the civil service.

(Answer in 250 words) 15 marks

The bureaucracy is the permanent executive of the governmental democratic setup. They are the backbone of the democracy that fosters citizen-centric administration.

Traditional contours
of
bureaucracy

→ Favoritism,
nepotism

→ corruption

→ Rule based
work
(Procedure based)

→ Output oriented
rather than
outcome
oriented

→ Paper backed
status apparatus

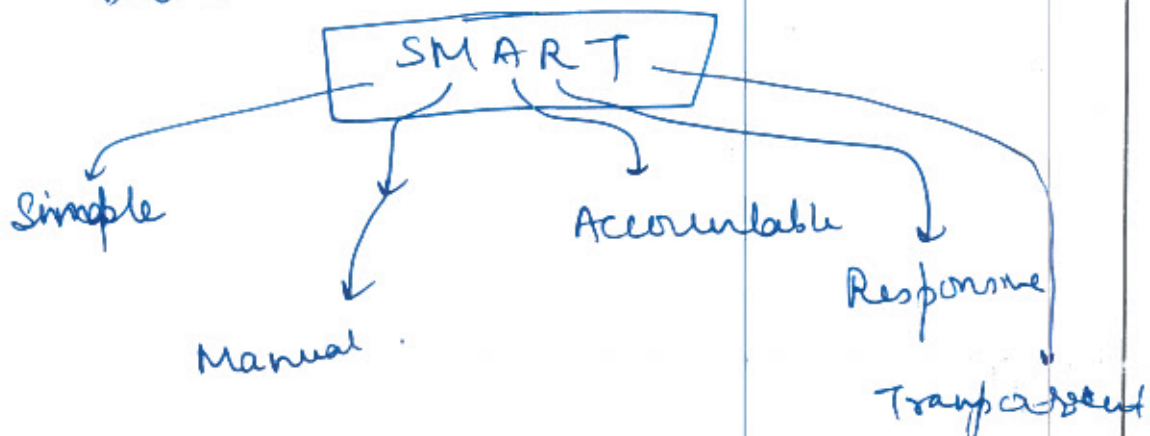
→ Red tapism
→ delays

The Mission Karmayogi

tries to bring a paradigm shift
in approach of bureaucracy from
technology perspective.

Technology as a catalyst

- ①. It gives real-time tracking of services offered.
- ②. Provides for optimal utilisation of resources
↳ thus limiting bribery.
- ③. It makes bureaucracy accountable & responsive.
- ④. SMART Governance system is bolstered.



Integration of technology can expedite govt. efforts -

①. Allows for the bureaucracy to remain vigilant & responsible.

→ e-courts.

→ Aarogya setu, covid - helped people & servant remain alert.

②. Provides solution-oriented works.

→ SWAMITVA → hand record. systematisation

③. Computerisation & end-to-end digitisation benefitted the record management.

→ e-governance.

④. Helps in overhaul of traditional bureaucracy ⇒ ethical competence + holistic development.

The rules-based order be changed with roles-based order for an effective bureaucracy to take root.

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? (250 शब्दों में उत्तर दीजिए) 15 अंक

India and US have had an oscillating relationship in the past, to what extent has the relationship acquired depth in recent times? How should New Delhi navigate its relationship with the US after its sharp divergence with Washington on the issue of the Russia- Ukraine war?

(Answer in 250 words) 15 marks

India - US relationship have stronger ties with ^{both having} same federal setup, judicial supremacy and commonality of rights, liberty and justice approach.

Both had oscillating relationship:-

- ①. Post independence, USA helped India with sub-standard PL-480 food grains.
- ②. USA supported Pakistan over ~~USA~~ India in its fight with Pakistan in 1965.
- ③. In the Liberation war, USA doesnot helped India.
- ④. In recent times, 3-400 missile system impart by India had apprehensions of CAATSA sanctions.

①. India's friendly relation with Russia also create certain tussles.

Relations have acquired depth → as now

India cooperates with USA in diverse areas :-

①. Defence engagement - Recent IDEX and signing of LEMOA, COMCASA, BICA.

②. Economic ties - India has a trade surplus with USA (only country) with India as trade surplus.

③. Strategic ties - Quad, I2U2, IPEF, PGEI and G20 →

↳ USA supports India's NSG membership & had signed 123 Agreement as nuclear waiver.

④. Political relations - 2+2 summit, Prime Ministerial & Presidential level meetings held recently.

The USA wants India to reiterate the stand of Western nation to Condemn Russia in its war but India abstains from voting against Russia in UNSC council, and follows the independent NAM policy.

New Delhi can navigate its relationship in following ways :-

- ① Engage with US in Track 2 diplomacy & make India's stand clear on its independent foreign policy.
- ② De-hyphenate relations between the two areas of Russia & USA and engage diplomatically-
- ③ Challenge the Chinese might in Indo-Pacific by strengthening Quad & Western Quad against ^{Himalayan} Quad of China.

④. The two should bilaterally interact in myriad ways for rules based world order.

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's "Look East Policy" is a ~~predecessor~~ ~~precursor~~ to "Act East Policy". This has been a major facilitator in ties with south East Asian nations especially ASEAN.



Evolution of India - ASEAN partnership after Look East -

- ① India started its bilateral engagement with these countries initially.
- ② Then, the engagement started as

a partnership in collaboration with BIMSTEC.

- ③. India got associate membership in later time.
- ④. Proposal by ASEAN to join REP agreement → but India opted out of it.

ASEAN region has been marred by contentions along rising Chinese assertiveness via Maritime Silk route & South China sea assertiveness (hegemony)
 ↳ 9 dash line controversy.
 ↳ asserting Taiwan & Islands in SCS.

India can leverage this to foster India - ASEAN ties

- ①. Engage with like-minded countries.
 ↳ like Indonesia, Philippines, etc.
- ②. South-South cooperation be leveraged.

③. Bilateral FTA could be a recourse to the RCEP. $\Rightarrow$ tap ^{untapped} economic potential

④. India's defence export competitiveness should be used here.

$\Rightarrow$ Recent India's defence export to Vietnam.

⑤. soft-power of cultural civilisational ties can be a way ahead.

Further a strong diaspora people-to-people connect is the possible ~~see~~ solution here.

Space for Rough Work

Candidates must not
write on this margin