

NEXT IAS

GS MAIN ADVANCED COURSE 2024

(To be filled by candidate)

TEST CODE : GSMAC2402

Test No. : 02

Name of Candidate: Raghar Thun Thunwala Mobile NRoll No. : GSMAC24A1055 Start Time 6:00 Am End Time 9:30 (half hour)Date of Examination: 31 Jul. 2024 Medium : English Hindi

Q. No.	Maximum Marks	Marks Obtained
1	10	
2	10	
3	10	
4	10	
5	10	
6	10	
7	10	
8	10	
9	10	
10	10	
TOTAL MARKS - 100		

Q. No.	Maximum Marks	Marks Obtained
1	10	15
2	10	"
3	10	"
4	10	"
5	10	"
6	10	"
7	10	"
8	10	"
9	10	"
10	10	"
TOTAL MARKS - 100		

GRAND TOTAL : / 250

EVAL CODE: EVAL DTE:

GENERAL INSTRUCTIONS

1. Immediately on receipt of the QCA 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.
2. Candidates must mention all relevant details like Name, Email, Roll No, Mobile, etc. in the space allocated.
3. Candidate is expected to attempt all 10 questions within the given timeline.
4. Answers must be written in the medium authorized at the time of admission.
5. Candidates must write answers for the specific question under the respective question itself. Any answer written outside the space allotted may not be given credit.
6. Please write neatly. Avoid illegible writing.
7. Do not write/mark irrelevant matters in the QCAB.

सामान्य निर्देश

1. QCA पुस्तिका प्राप्त होने पर कृपया तुरंत जांच लें कि इस QCA पुस्तिका में कोई पृष्ठ या सामग्री आदि गलत लगी हुई या फटी हुई या गायब तो नहीं है। यदि ऐसा है, तो इसे एक नई QCA पुस्तिका से बदल लें।
2. अभ्यर्थियों को सभी प्रासंगिक विवरण जैसे नाम, ईमेल, रोल नंबर, मोबाइल नंबर आदि का आवंटित स्थान पर उल्लेख करना होगा।
3. अभ्यर्थियों से अपेक्षा की जाती है कि वह आवंटित समय-सीमा के भीतर ही सभी 10 प्रश्नों के उत्तर-लेखन का प्रयास करें।
4. प्रत्येक उत्तर, प्रवेश के समय चुने गयी भाषा के माध्यम में ही चिन्ने जाने चाहिए।
5. अभ्यर्थियों को विशिष्ट प्रश्न के उत्तर संबंधित प्रश्न के नीचे ही लिखने होंगे। आवंटित स्थान के बाहर लिखे गए किसी भी उत्तर को क्रेडिट नहीं दिया जाएगा।
6. कृपया साफ-सुथरा लिखें। अपठनीय लेखन से बचें।
7. QCAB में अप्रासंगिक तथ्यों को न लिखें / न ही चिह्नित करें।

REMARKS:

FOR OFFICE USE ONLY

<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

 <p>Topper's Copy</p>	 <p>Common mistake and Correct Filled QCAB</p>
 <p>Copy Scanner App</p>	 <p>Next IAS Test Centre Location</p>

NEXT IAS

GS MAIN ADVANCED COURSE 2024

(To be filled by candidate)

TEST CODE - GSMAC2402	Test No. - 02
Name of Candidate: <u>Raghar Thun Thunwale</u>	Mobile No <u>9430657646</u>
Roll No.: <u>GSMACT24A1055</u>	Start Time <u>6:00 PM</u> End Time <u>9:30</u> (half hour)
Date of Examination: <u>31 Jul. 2024</u>	Medium: English <input checked="" type="checkbox"/> Hindi <input type="checkbox"/>

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4	10		4	10	"
5	10		5	10	"
6	10		6	10	"
7	10		7	10	"
8	10		8	10	"
9	10		9	10	"
10	10		10	10	"
TOTAL MARKS - 100			TOTAL MARKS - 100		

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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)

Supreme Court in 1987 L. Chandra Kr.

Judgement held that JR is a critical part of Basic Structure Doctrine.

Rule of law & JR

① If there is no restraint upon law makers they can attempt to abrogate Fund. Rights.

Rights are source of ©
 Rule of law
 NO Arbitrary Power

② very idea of Constitutionalism argues that govt. should be limited by a well-defined set of restrictions.

A.V. Dicey's Idea

③ The tenets of natural justice (Audi Alteram Partem & Nemo iudex in causa sua)

derive their legitimacy from judiciary upholding constitutional sanctity.

Basic Structure : other critical tenets

Basic Str. Doctrine argues that some fundamental ideals of constitution that are sine-qua-non, are beyond the constituent powers of Parliament. (Keshavanand Bharti) 1973

Expansion :

- ① Federalism & secularism C B. Str. Doctrine (S.R. Bommai case 1994)
- ② Free and fair elections C B.S.D. (Indira Nehru case 1976)

↳ This highlights that apart from JR Review, there also are other imp. tenets of B.S.D.

Dr. BR Ambedkar argued that Art. 32 and Art. 13(2) together form up heart & soul of Const.

- 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)

The 69th Amendment Act of 1991 created special provisions for UT of Delhi based upon recommend. of Balakerishnan committee.

Governor of other states

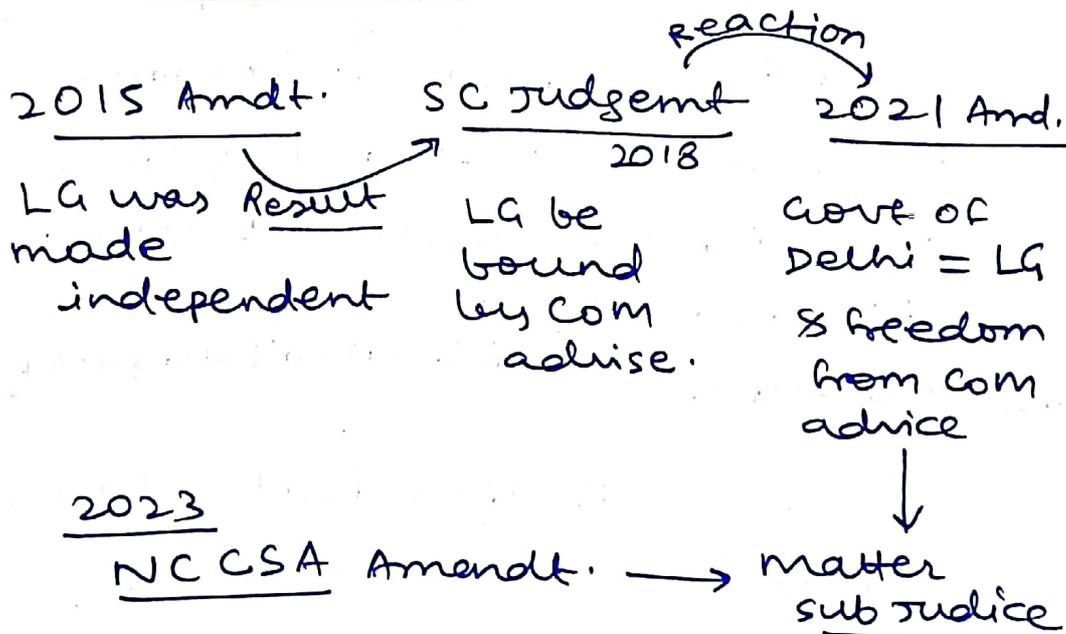
- ① Art. 153 & 154 directs that Gov^r should act upon the advice of Com of state.
- ② Gov^r has discretion in only certain cases:
 - a) If acting as Gov^r / LG of UT.
 - b) Determination of Royalty in Assam.
 - c) Art. 200 : whether to refer the state Bill to Union Executive.

LG of Delhi: Differences

① 2015 Amendment to GNCTD Act, 1992

altered the existing provisions
under Art. 239 AA (69th Amendment.)

- ↳ Along with Com; LG to act upon their advise in normal situation
- ↳ But in case of disputes with Com, LG can refer the matter to President and in meanwhile, can act as per discretion.



Thus, due to unique position of NCT of Delhi, there are significant differences between two offices.

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)

India being a multicultural & multi-religious society, often finds itself at loggerheads between Right to Religion (Art 25-28) and overall tenets of C.M like liberty, Equity, etc

Tension b/w Right to Religion & C.M

① changes in social values, beliefs & ethics over a period of time often leads to some practices of Religion to be seen at loggerheads with each other.

Ex) sallikattu (which wasn't in past)

② Even constitution itself allows State to impose reasonable restrictions upon the Rights, based on morality, Health & Public order

Ex) Jain's Santhara

Role of Judiciary

① Essential Practices / Acts Doctrine

(Shirur Mutt, 1954)
Judgment.

↳ SC argued that only such Religious Practices would be allowed which are critical to a Religion (in case of conflict with FR)

② Sabrimala Case

↳ Court held that Liberty, Equality and restrictions mentioned under Art. 25 itself carry significant weightage.

③ Triple Talak Case

↳ Practices derogatory to women shouldn't hurt the basic pursuit of Religion.

Issues

Is Judiciary competent enough to decide ERP?

Non-Consistency

(Ex: Madras HC allowing 'Angapradaleshinam' Act)

Thus, there needs to be very critical balancing between seemingly opposite topics.

Q4.

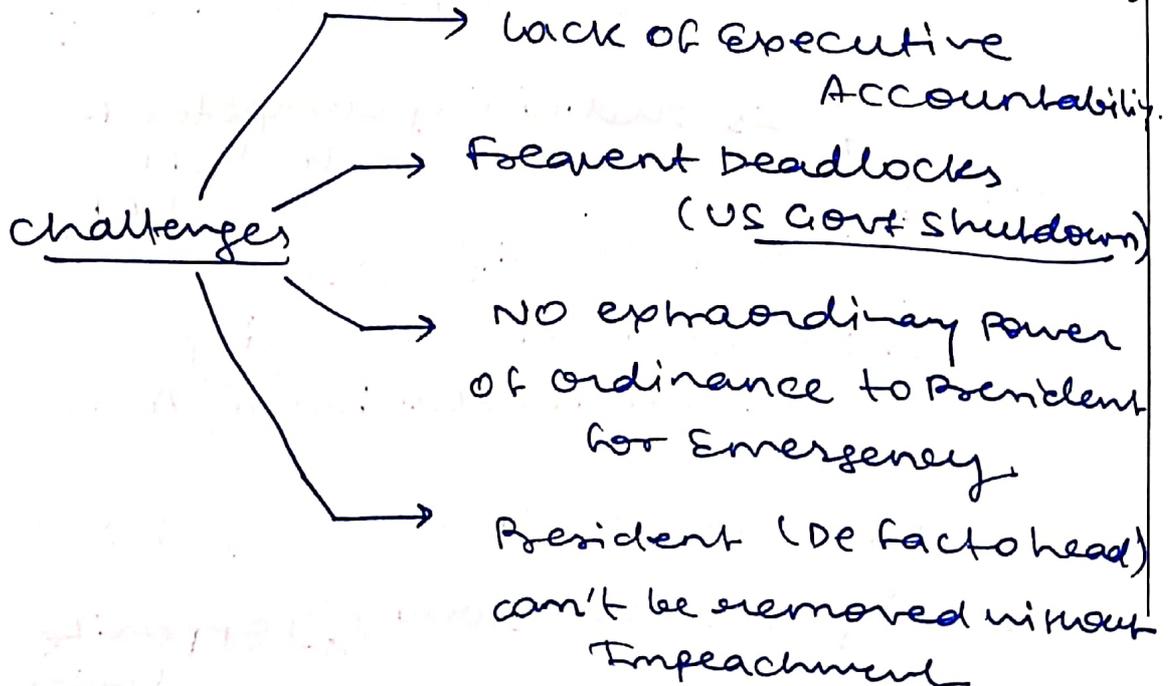
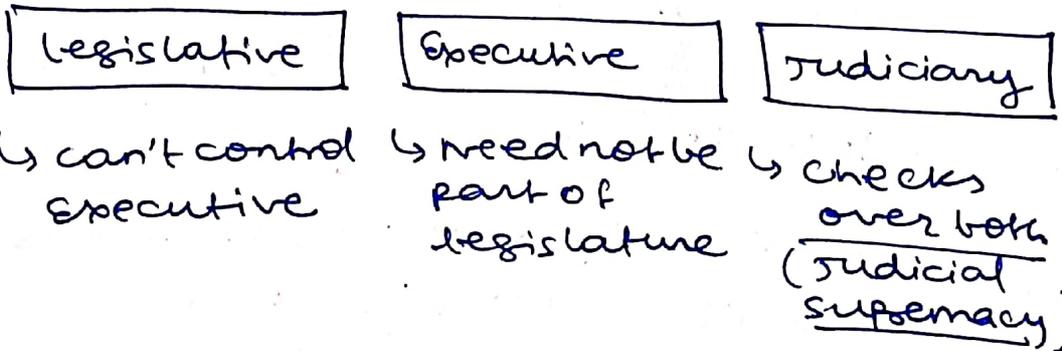
'शक्तियों के पृथक्करण' का सिद्धांत अमेरिकी संविधान की एक प्रमुख विशेषता है। इस संदर्भ में तुलना करें कि भारतीय संविधान में शक्तियों का कार्यात्मक पृथक्करण अमेरिकी प्रणाली से किस प्रकार भिन्न है। शक्तियों के कठोर पृथक्करण की तुलना में नियंत्रण और संतुलन प्रणाली के क्या लाभ हैं? (150 शब्द, 10 अंक)

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 follows a functional Division of Powers model rather than the US model of 'watertight separation'.

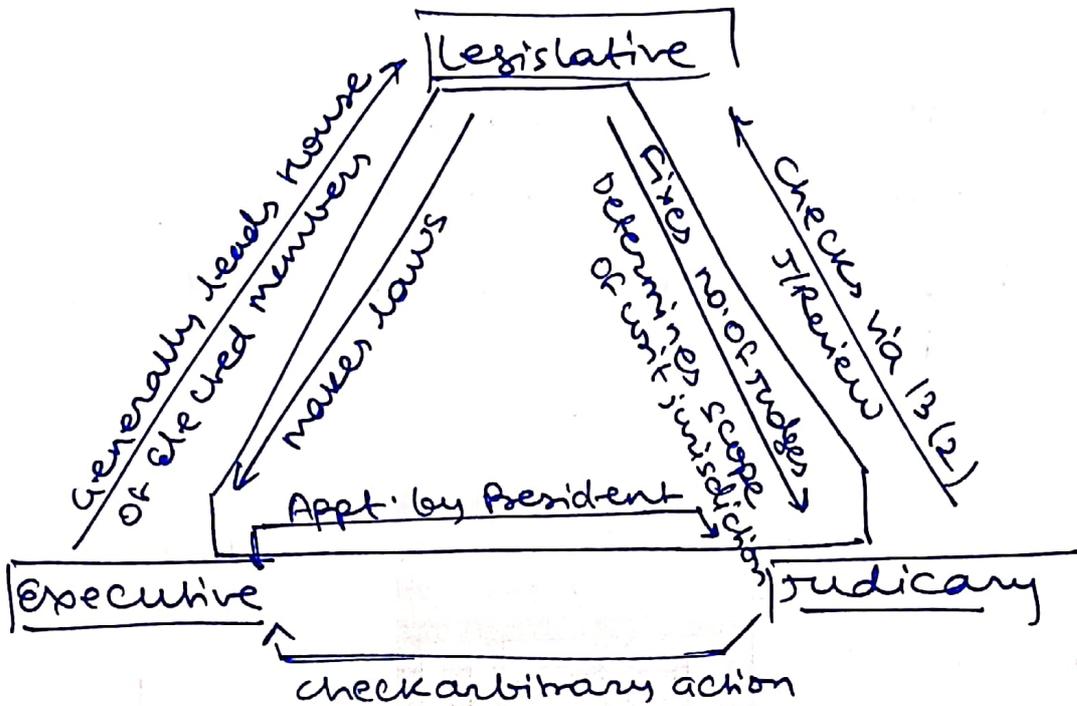
US model

Inspired from Montesquieu's 'Spirit of Laws'



Indian model

Functional / Non-watertight S.O.P.



Advantages of checks & Balances

NO organ becomes totalitarian

Refinement of decisions & debates

Helps public to make choices & uphold Accountability

Thus, there are multiple differences & merits of India's relaxed version of Sep. of Powers.

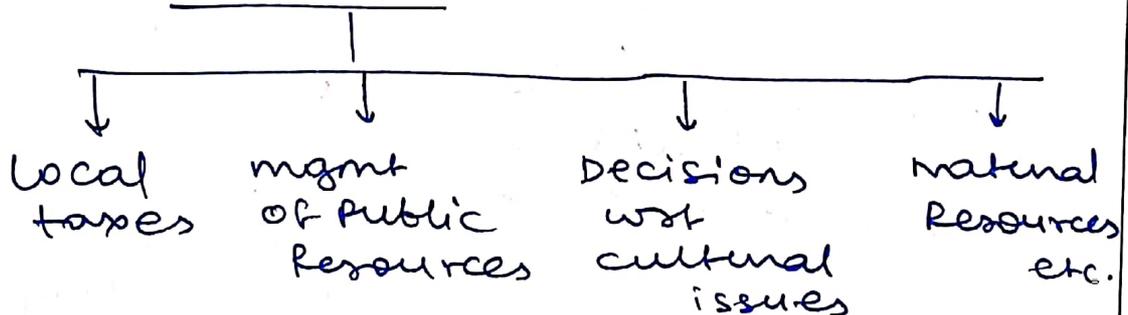
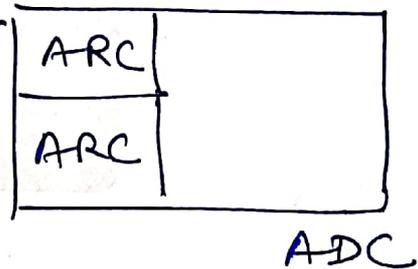
Q5. भारतीय संविधान की छठी अनुसूची आदिवासी क्षेत्रों को स्वशासन का अधिकार देने वाले विधिक प्रावधानों से कहीं अधिक है। छठी अनुसूची किस प्रकार उनकी पारंपरिक शासन प्रणालियों और सांस्कृतिक प्रथाओं का सम्मान करते हुए विकास को बढ़ावा देती है? (150 शब्द, 10 अंक)

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)

The recent protests in Ladakh over demands of 6th schedule brings its importance to front fore again.

Empowering Regions with self rule

① Each ADC (Autonomous District Council) is given Rights to determination

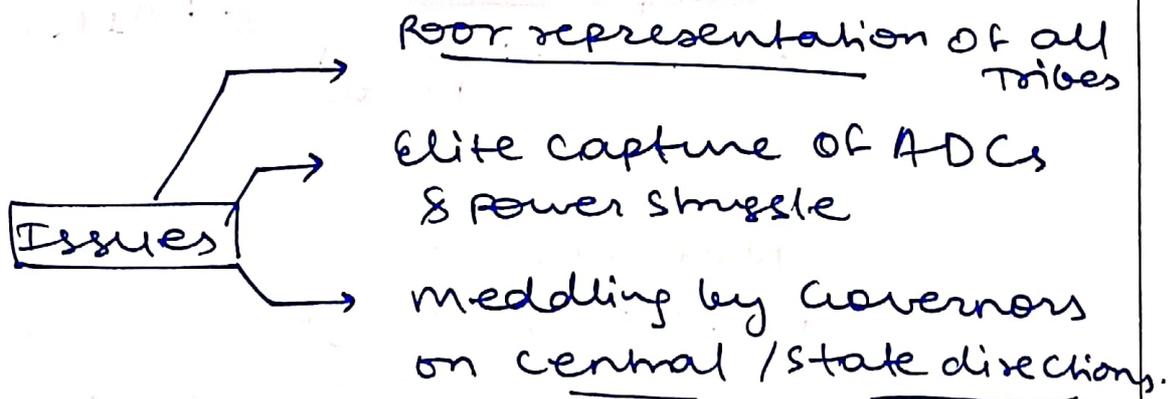


② TO ensure that within each ADC, there is representation, ARCs are constructed.

③ Even they can regulate their customary laws, Trade & commerce etc.

Fostering Development & with Tradition & culture

- ① Often Indigenous people see central & state law as being non consultative + Against their traditional Ethos
- ② 6th sch. allows Executive to mould such laws to ensure better suitability to local beliefs & customs.

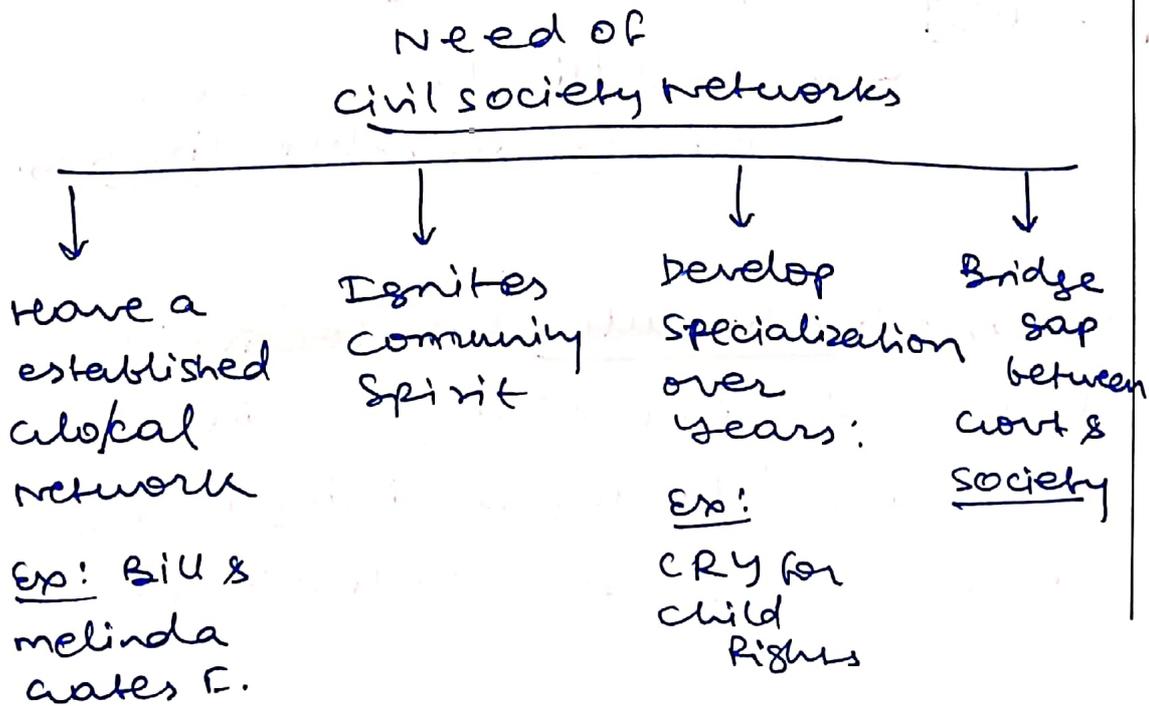
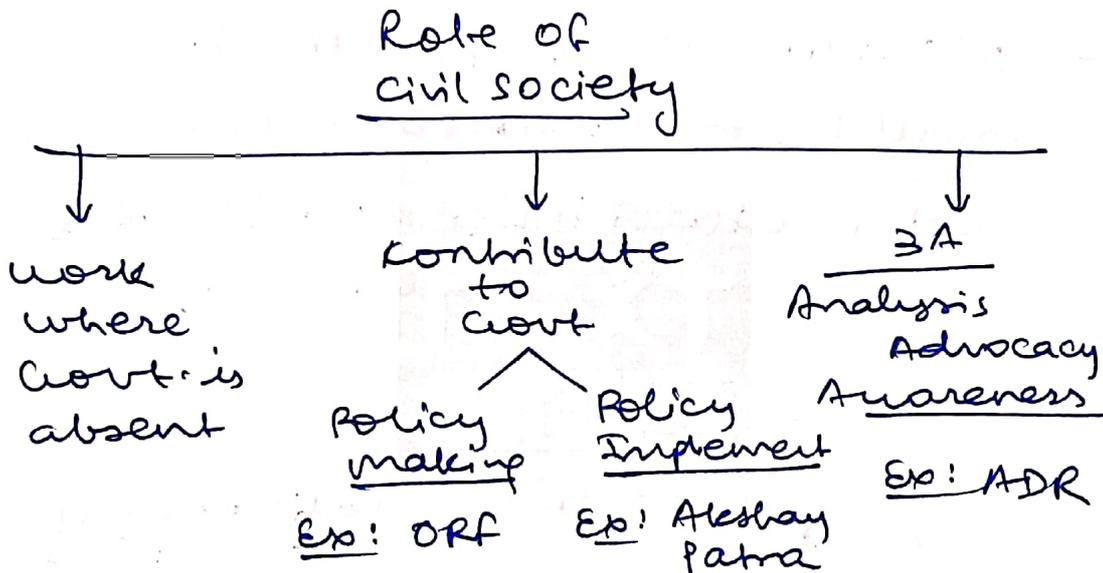


Thus, 6th schedule has been elemental in upholding India's territorial integrity & aiding people to truly enjoy decentralization.

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)

The Synergy between Civil Society Orgs and Govt. Initiatives hold the key to India's developmental goals.



Important contributions to India's developmental Goals

① Environmental

Exp: Marmade Bachao Andolan

② Health

Exp: Swasth Samaj Abhiyan

③ Education

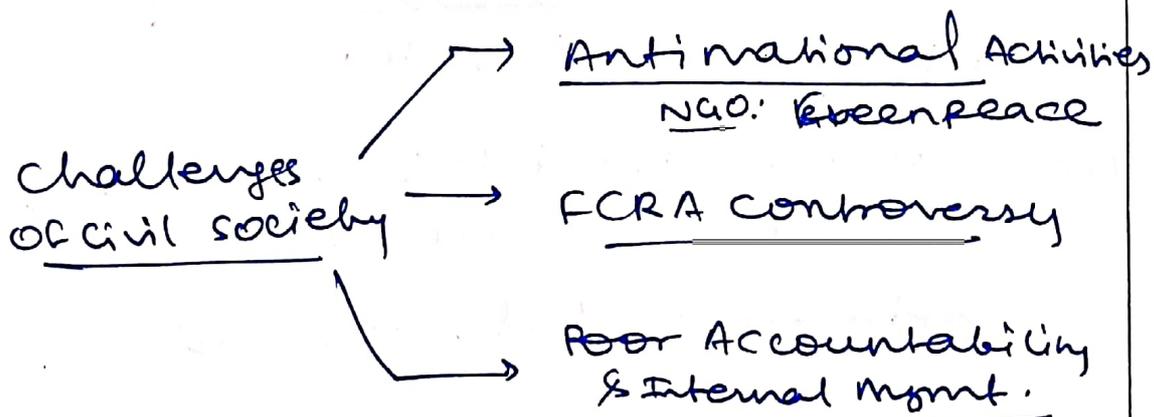
Exp: PRATHAM Teach for India

④ Child Rights

Exp: Bachpan Bachao Andolan

⑤ Civil Advocacy

Exp: Naz Foundation toward 377 decriminaliz.



Govt's recent initiative of DARPAAN

Portal aims to foster capacity development of civil society to enable them to better contribute.

NEXT IAS

Candidates
write on this

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)

various committees have recommended upon providing post Inductment avenues of training for career civil servants, mission karmayogi being a critical step towards that.

Imparting a culture of life long learning

- ① Dynamic nature of Bureaucracy brings daily new challenges AI, Deep learning, etc.
- ② changes in society's expectations as we progress outwards & aspire for global standards.
- ③ values imparted during training need to involve with societal acceptance & perspectives.
- ④ continuous learning breaks monotonicity & lends motivation

Mission Karma Yojni : welcome step

- ① From Rules based to Roles based approach
- ② open to all civil servants, irrespective of hierarchy, etc
- ③ Dedicated online portal : iGOT
- ④ Academia linkages : courses to be curated by IIMs, etc.
- ⑤ Continuous training keeps Bureaucrats relevant to Problem Solving
Bhuvanagar Comm.

Other Challenges need to be addressed:

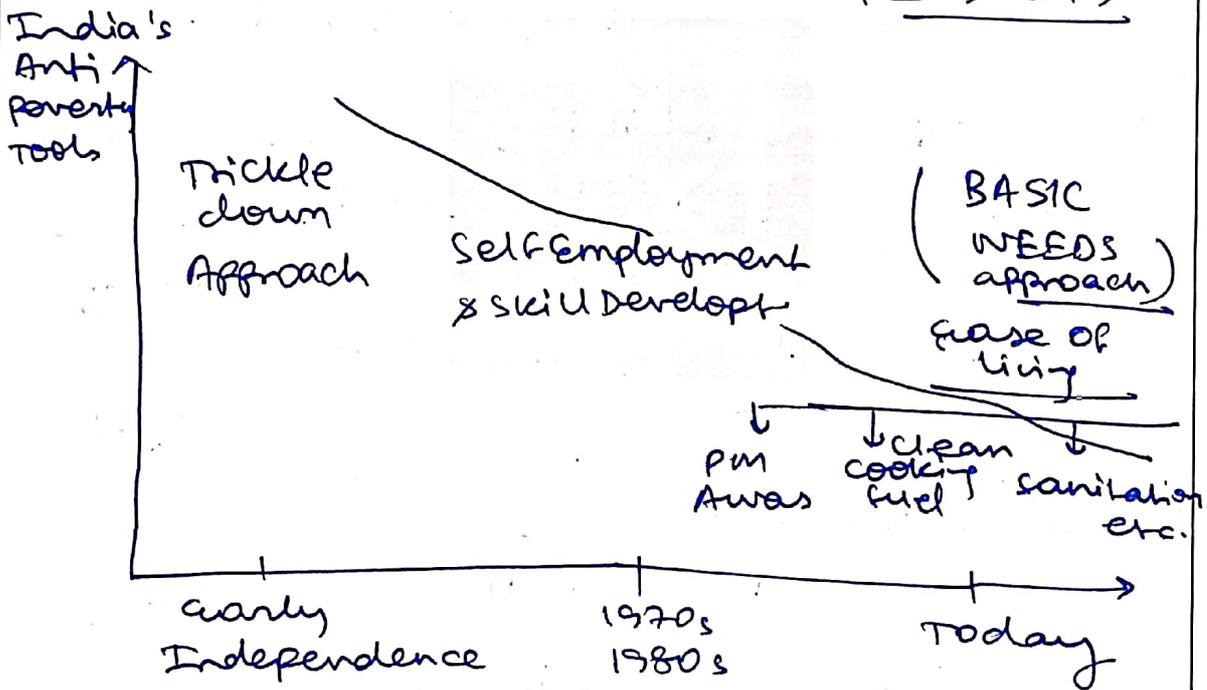
- ① Recruitment level
(Puja Khedkar Controversy)
- ② mid career Appraisals
(to determine future & uphold Acct.)
- ③ Attitude development via ground based challenges.

Thus, evolving approach towards civil-services capacity building is dire need of hour.

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)

As per 2023 oxford-UNDP multi Dimensional Poverty Index; India has successfully reduced M-D Poverty from 55.1% (2005-06) to 16.4% (2019-21)



Redefining Poverty line : Required

① merely looking Poverty from consumption Expenditure leads to narrow idea of Poverty (Poverty is not only lack of Income - Amartya Sen)

② Aspirations of 21st Century
& dream of 'Viksit Bharat' requires
Comprehensive Poverty Alleviation.

③ narrow poverty line fails to
depict hidden socio - Economic

Potential Challenges ^{Clearances}
(caste based
& gender
deprivation,
etc.)

① Formulation of a suitable &
comprehensive 'line':

↳ Even HDI metric is criticized
for lack of aspects of Inequality
etc.

② How do we ensure built-in
flexibility as we progress ahead?

③ Formation of consensus between
Academia - Govt.

Way Ahead

NITI MDPI offers a better tool
to target poverty comprehensively
as it covers both Intensity &
Incidence of poverty.

- 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)

The notion of Trans-Atlantic solidarity over nearly all issues is undergoing significant turmoil today.

Deepening political divisions within west

- | | | | |
|-----------------------------------|--|--------------------------------|------------------------------|
| ① ↓
over
migration
issue | ② ↓
Russia-Ukr.
& Israel-
Palestine | ③ ↓
AI & tech
Regulation | ④ ↓
Definition
of CCIT |
|-----------------------------------|--|--------------------------------|------------------------------|

Impact on Global Gov. & International Co-op.

- ① Defunct UN & lack of policy consensus over disputes.
- ② Power capture by narrowly representing bodies like G7.
- ③ lack of deterrence on part of wrongdoing nations like Pak.

How should India navigate?

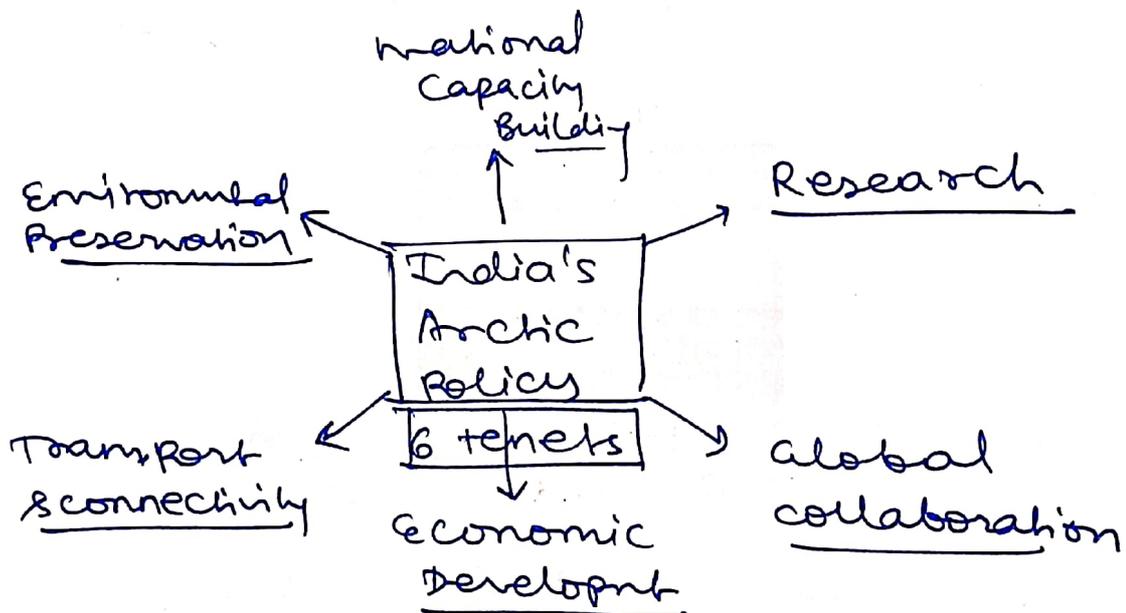
- ① Non compromise for Strategic
Autonomy in a zero-sum game
dispute of privileged west.
- ② Quest for leadership of Global
South & raising their challenges.
- ③ Pushing for NORMS : new
orientation for Reformed
multilateralism
(UNSC Reforms, etc.)
- ④ Deepening Bilateral ties with
each member individually &
de-hyperating their mutual
conflicts (like US - Russia)
- ⑤ Leading via minilaterals like
G20, etc

Thus; India's quest in navigating
these divisions would reflect
its global vision.

- 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)

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 expected to be Ice free by 2040 (at least for summers) and it has created enough interests in the region.



Aligning with Broader Foreign Policy

① Multi-Engagement

Esp. with Developed nations

② India as Middle Power

needs engagements in multiple avenues: Sci-tech, Geo Economics, etc.

③ Driving Global R&D & sharing
benefits with Global south

④ Diversification
(currently, ~~crude~~ dependent West Asia
mineral dependent China)

⑤ Climate Action & study

major collaborations :

- ① India has become observer member at Arctic council
- ② India has opened Himadri Research Station
- ③ Investing in Vladivostok (Russia's Far East)
- ④ Engagements @ International whaling commission; Svalbard Seed Reserves, etc

Thus, Arctic's immense potential attracts India's interests and engagements with Arctic council.

- 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)

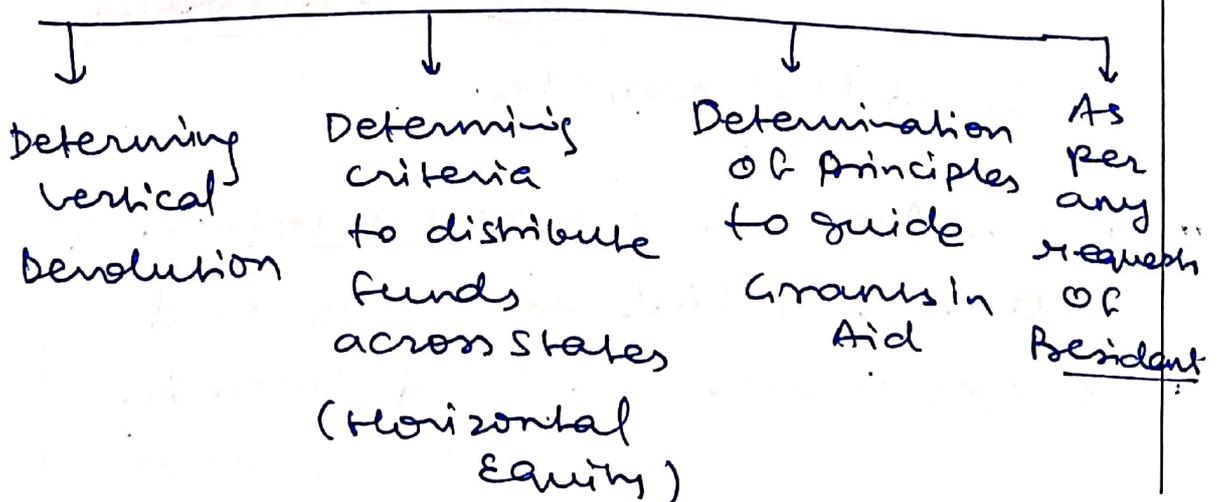
In what ways are the terms of reference of the 16th Finance Commission different from that of the previous Finance Commissions? Despite increasingly progressive devolution by subsequent Finance Commissions, examine the factors that propel economic disparities across various States. (15 marks, 250 words)

Finance Commission (Article 280) has been adjudged as the 'Balancing wheel of fiscal federalism' in India; its TOR being determined by President of India.

TOR for 16th F.C.

16th F.C. has been constituted under chairmanship of Dr. Arvind Panagariya &

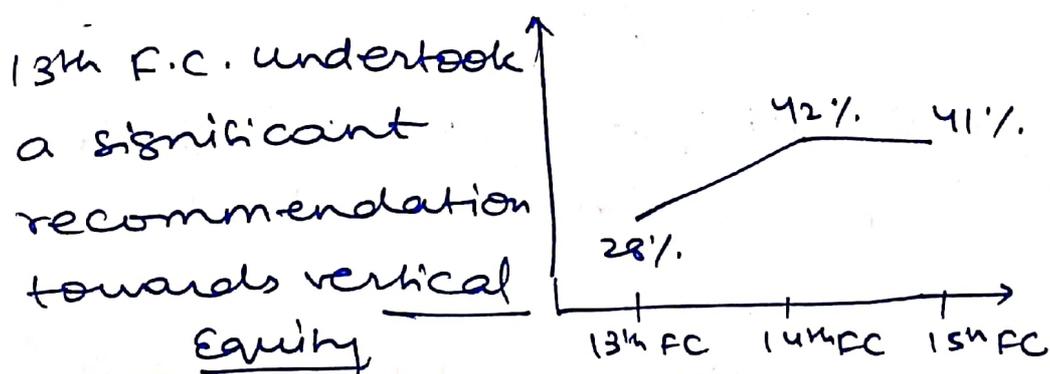
Standard TOR



Different TOR

- ① Accomodating concerns of southern states who argue discrimination towards more populous states.
- ② Accomodating impacts of Climate change upon Exchequer's estimates.
- ③ Claims from states against Rev. Def Grants that they get punished for financial discipline.
- ④ Augmenting local body Finances.

Increasing Vertical Devolution by F.C over years



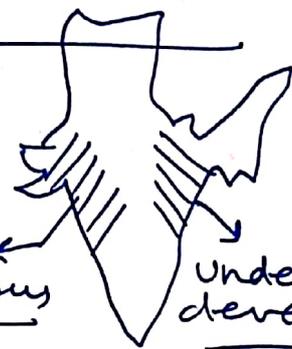
Factors which Propel Economic disparities

- ① Status of State's Economy

High GDP

← More Prosperous

→ Under developed



- ② natural causes : East India faces severe flooding challenges (Immense crop loss, Poverty)
- ③ Poverty & unemployment
+ Historic
(Ex: Bengal's zamindari scar was furthered by Freight Equaliz. Policy of 1950s)
- ④ Poor Governance
major role to estd. a sound Financial Systm.

F.C.'s role in curbing Disparities

- ① 15th F.C gave 45% weightage to 'Income Distance'
- ② Revenue Deficit Grants to states in need.
- ③ Funding to local bodies to improve GrassRoots development

Thus, 16th F.C. would have a critical challenge in addressing concerns of various stakeholders & ensuring sound Fiscal Federalism.

- Q12. '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)

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? (15 marks, 250 words)

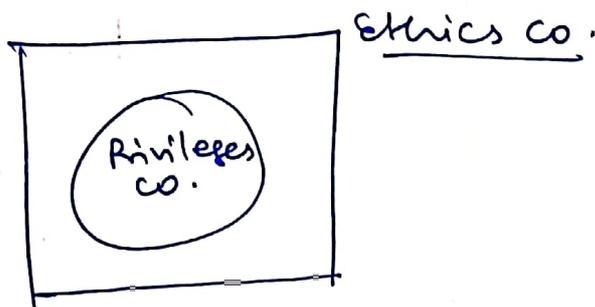
Recently, the expulsion of an MP in Cash for Query scam has brought the Ethics & Privileges committee into limelight.

Earlier, there was only a Privileges committee in both Houses, and later by 90s and Early 2000s, Ethics Co. was established and later became permanent committee

<u>Basis</u>	<u>Ethics Co.</u>	<u>Privileges</u>
① Jurisdiction	MPs only	MPs + <u>any person</u> (Attorney General, etc.) who participated in House proceedings (Even <u>media</u>)

	<u>Ethics Co.</u>	<u>Privileges Co.</u>
② nature of <u>Investigation</u>	Direct acts which lowered the MPs desired behaviour.	Includes even contemptuous behavior of MPs, etc.
③ manner of <u>Investigation</u>	summons witnesses, undertakes primary proceeding, etc. wst any conduct which lowers the conduct of MPs	Doesn't go that deep into investigation. just ponders upon a question if there was a direct breach of <u>Privileges</u> or not

Thus, we can say that the coverage of Ethics Co. is much broader than that of Privileges Co.



All Breach of Privileges \subseteq Ethical violation
(subset of)

Complementing Each Other

- ① There is no watertight separation in the domain of both committees.
- ② Generally, more serious offences are sent to Privileges committee for deliberations.
- ③ Both committees interact with other's members to decide upon course of action.
- ④ Both have similar nature:
 - ✓ Appointment by speaker
 - ✓ 1 year tenure
 - ✓ Advisory nature
- ⑤ Both are aimed at ensuring the desirable conduct of the House.

Thus, with recent developments, Ethics & Privileges committee have a critical role to play in ensuring dignity of House.

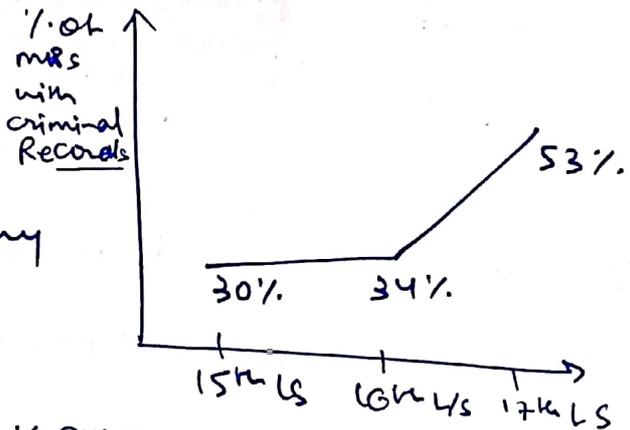
Q13. भारत में सतत विधायी शिथिलता के संदर्भ में, सार्वजनिक नीति और शासन को आकार देने में न्यायिक सक्रियता की उभरती भूमिका का विश्लेषण करें। ऐतिहासिक न्यायालय के मामलों के उदाहरणों का उपयोग करते हुए, शासन संबंधी कमियों को दूर करने और नागरिकों के अधिकारों की सुरक्षा में न्यायिक हस्तक्षेपों की प्रभावशीलता का मूल्यांकन करें।
(250 शब्द, 15 अंक)

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)

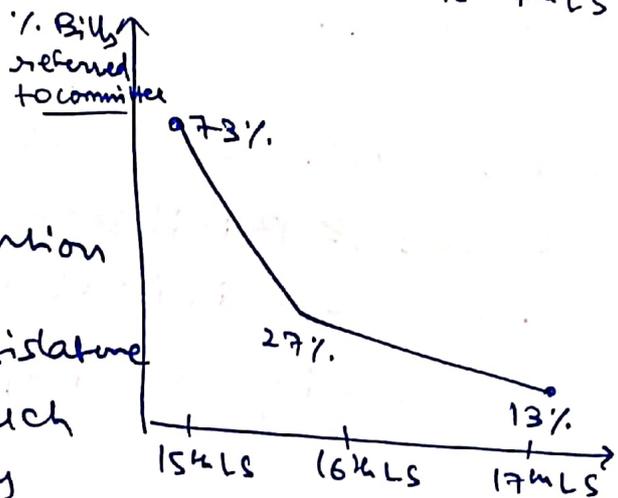
Judicial Activism gained grounds in India post 1980s after the courts relaxed the principle of 'Locus Standi' in S.P. Sampath vs UOI.

Persistent Legislative Dysfunction

① Lack of Parliamentary legislations forces judiciary to step in



② Disruptions ↑
criminalization ↑
have necessitated judicial intervention



③ Sometimes, legislature don't want to touch upon Politically sensitive topics.

source: ADR

Judicial Activism: Shaping Policy & Governance

① Rights of Undertrial

Right to Speedy trial is part of Art 21

Hussnaira Khatoon vs State of Bihar

② Environmental

a) MC Mehta vs UOI

b) Ta 2 Trapezium case

c) Codanarman case

Principles like

Polluter pays

Precautionary Approach

etc

③ Personal Liberty

a) PUCJ case (NO to phone tapping)

b) Puttaswamy case (R to Privacy)

④ Gender Justice

POSH Act, 2013 was based upon

SC's Vishakha Directives

⑤ Hate Speech Directives to

State Govt.

↳ local committee formation, etc.

Effectiveness of Judicial Interventions

① In many cases, judiciary's interventions proved to be critical & need to fill legislative vacuum.

② However, it is not judiciary's endeavour to actively make laws
(Sep. of Powers)

③ In a democracy, the popular government should undertake law making & judiciary's role should be limited to adjudging its constitutionality.

④ However, Justice Katju highlighted that judicial Activism often morphs into 'Judicial Adventurism' which must be checked.

(Ex: SC passed the baton to Parliament in case of same sex marriage)

Thus, Judicial Activism has been a critical tenet of Indian Polity & Judicial Law Making.

- Q14. 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? (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? (250 words, 15 marks)

Recently, there have been much controversy regarding Intra Party democracy on grounds on curbing nepotism & favoritism within Parties.

Impact upon functioning & legitimacy of multi party system

- ① multi party system was envisioned to provide a voice to any public spirited person
- ② Affecting morale of Party workers & supporters (Internal democracy & worker morale)
- ③ Recognition of meritorious leaders & gradual training to hone them.
- ④ Improved manifesto & Policy making : Everyone benefits in the long run.

⑤ Public faith : People participation in voting, Election campaign, etc. are directly impacted.

⑥ Political stability

If Party leader has proved mettle \Rightarrow lesser contention & Internal strife \Rightarrow stable govt

⑦ Institutional strength

Ultimately, the stature of parliament is impacted by the quality of Inner democracy.

Implications of lack of Internal democracy:

① Thwarts the youth who wants to contribute to Nation building, specially the more educated ones.

② parties often get hierarchized based upon caste, creed, etc. which needs to be broken down.

③ It suppresses voices from round the country and increase factionalism.

Probable measures :

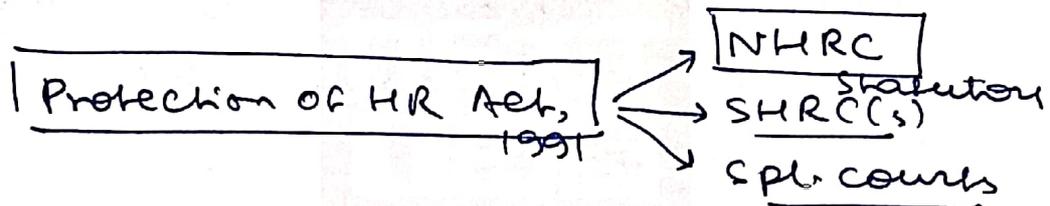
- (i) Ensuring reservation of female posts as candidates for top posts of party.
- (ii) ECI should undertake training modules of all parties and release a set of guidelines.
- (iii) closed ballot elections to be monitored by 3rd party (within so that elections to post of leaders are open to all).
- (iv) Ultimately, public is the final arbiter of openness & vision of party.

170th Law Commission recommended Report to amend RPA, 1951 to add certain provisions to begin with mandatory Intra-Party Democracy. However, sufficient stakeholder discussion should be taken priorhand.

- 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)

For second consecutive period, UN based GANHRI deferred the accreditation of NHRC on accounts of grave structural & functional lapses.



Role & mandate

- ① Research & Advocacy into cases of Human Rights violation.
- ② capacity building of SHRCs.
- ③ Global collaboration and raising awareness about HR progress in our country.
- ④ Aiding authorities w/ victim Rehabilitation.

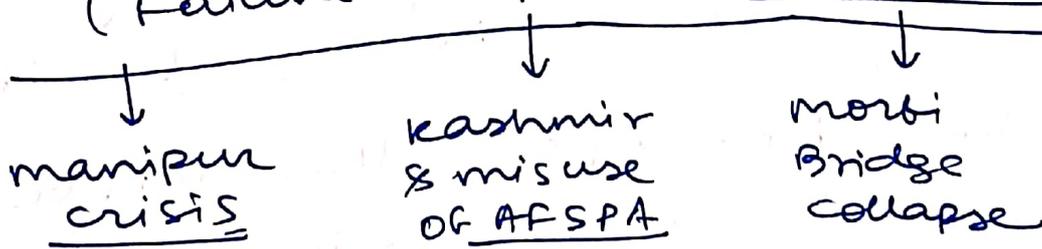
- ⑤ To review safeguards in constitution & Statutes & aid in Policy making.
- ⑥ To visit jails, mental hospitals & juvenile homes, etc.
- ⑦ Engage with Civil Society.

Current composition & functioning

(GANHRI's Report)

- ① Lack of Representation of females & members of marginal sections.
- ② Political nature of appointments & lack of appointment of field experts / experienced people
- ③ From a paper tiger to not even ornamental anymore

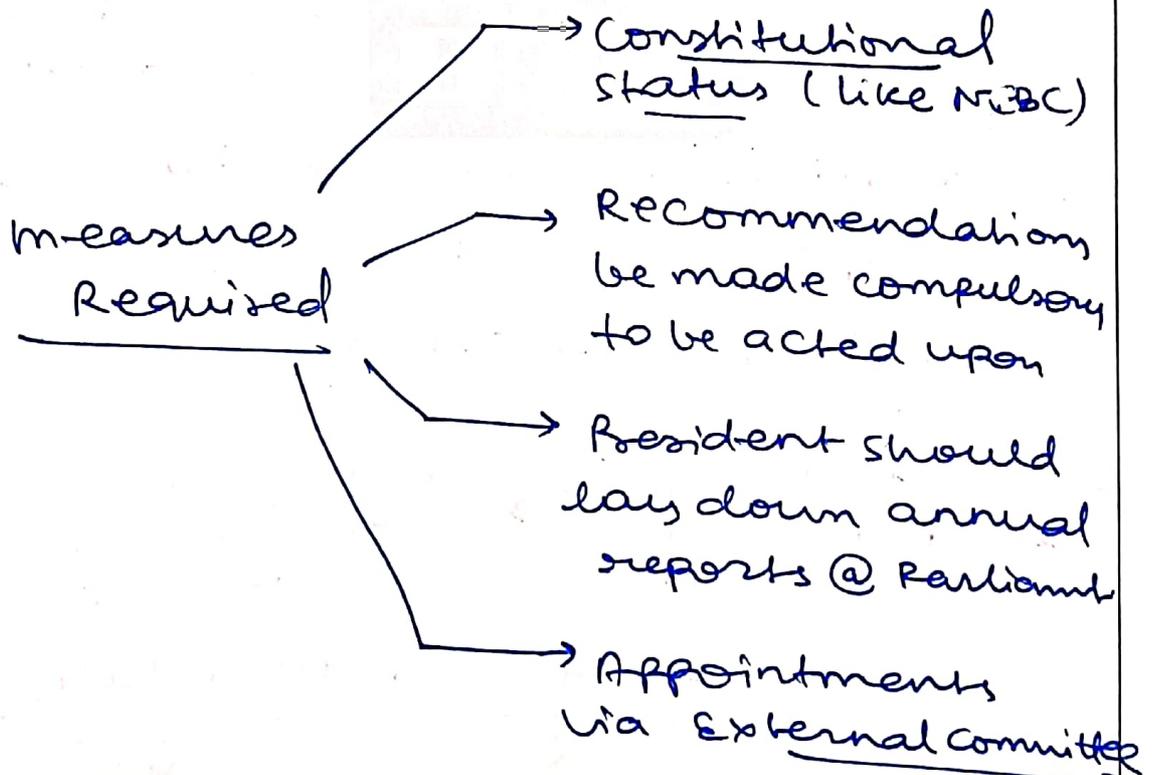
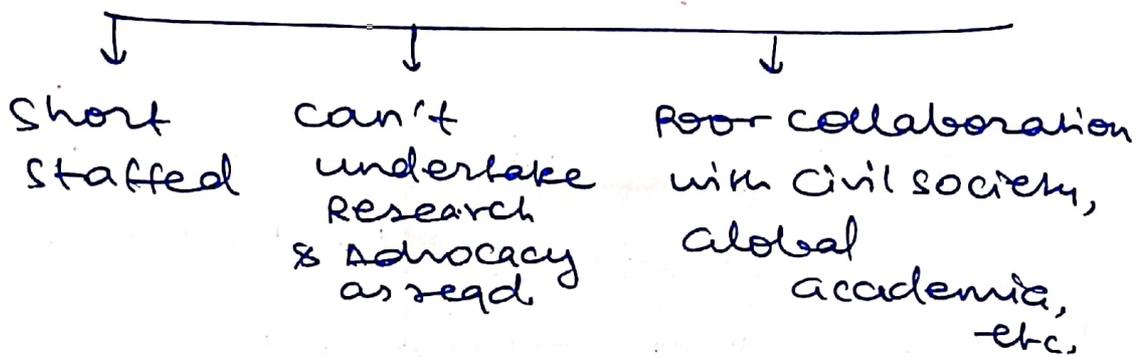
(Failure to uphold HR violations)



④ Can't provide monetary compensation to victims.

⑤ Its recommendations are only recommendatory & not mandatory.

⑥ Lack of dedicated Budget



The criticality of NHRC can't be stressed enough & critical reforms are direly needed to uphold HR.

- 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)

SDG — lays down immense stress upon achieving universal Health coverage :

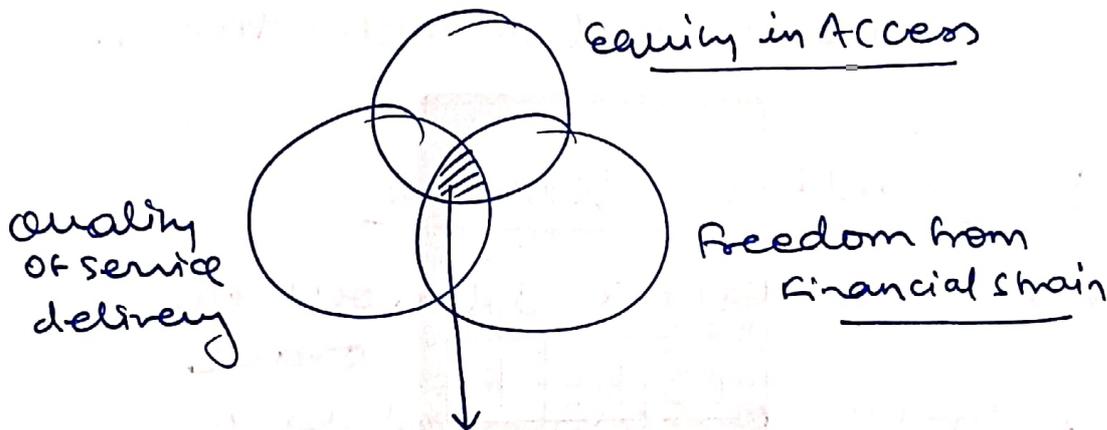


Fig: Universal Health Coverage

Persistent challenges

① High OOP

↳ $STU > 60\%$. OOP (Out of Pocket Exp.)

↳ Every second, 2 Indians fall into 'Medical Poverty Trap'

② Lack of focus upon preventive Healthcare & poor Nutritional quotient of masses.

③ Rural Urban Divide

3.1 Although Doctor Popⁿ Ratio has significantly improved to 1:834
↳ Doctors are unwilling to serve @ Rural Areas.

3.2. Over 75% Health Infra is concentrated @ metro towns.

④ Quality of services

- ↳ PHC & CHCs are often out of order
- ↳ Apathy of staff and lack of HR training, Accountability.

Role of Public-Private Synergy

① Pvt. sector can aid the govt in sound policy making & incorporating relevant incentives for private player.

② Cost Efficiency: Pvt Startup Renal Projects can provide Dialysis in only few thousand ₹

③ Technological Innovation

Exp>: Telemedicine would require high private sector participation.

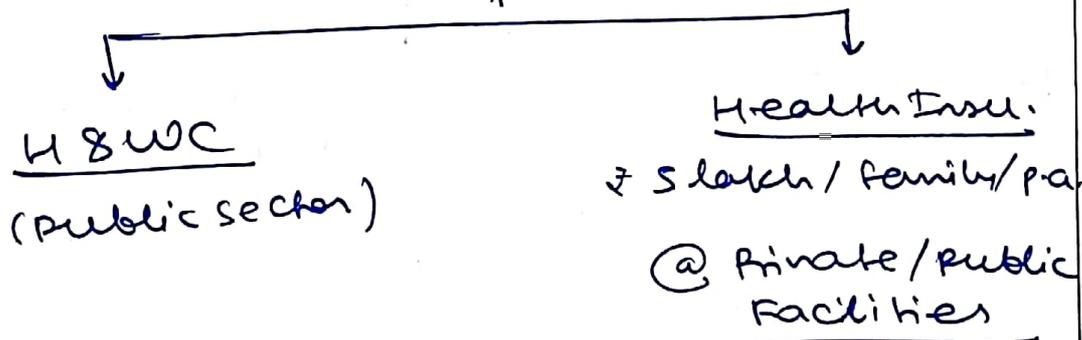
④ Scale

Drone can help develop far flung areas, etc.
mass production of medicines & drugs (Exp: Serum Institute)

Thus, building a partnership is critical to reach last mile

India's model
of PPP-based UHC

Ayushman Bharat



'swasthadhanam Sarvapradhanam'

the Rig Veda quotes Health as the most prosperous wealth, India must strive to provide

UHC to all its citizens to develop 'Human Capital'.

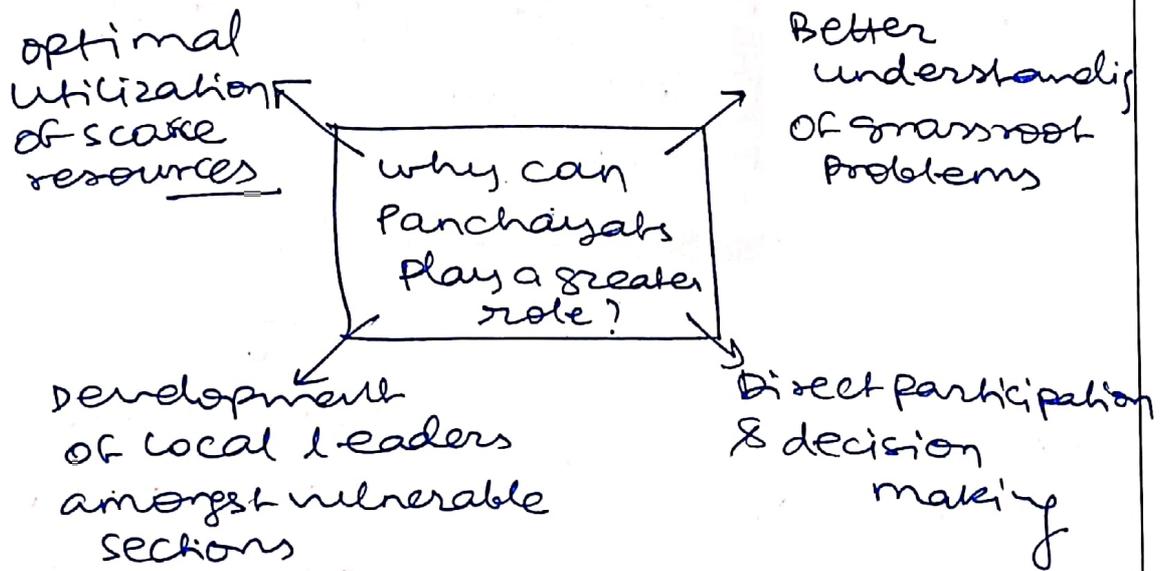
NEXT IAS

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- Q17. सतत विकास लक्ष्यों (SDGs) की प्राप्ति के लिए क्षेत्रीय संदर्भ और स्थानीय परिस्थितियों पर विचार करना आवश्यक है। इस कथन के आलोक में जमीनी स्तर पर विकास और सतत विकास को आगे बढ़ाने के लिए उत्प्रेरक के रूप में पंचायतों की भूमिका का परीक्षण करें। (250 शब्द, 15 अंक)

Achievement of Sustainable Development Goals requires consideration of regional context and local situations. In light of this statement examine the role of Panchayats as catalysts for grassroots development and advancing sustainable development. (250 words, 15 marks)

Recently, NITI Aayog stressed upon the need to localize SDGs in order to better implement them and Panchayats can play a critical role in that exercise.



- + Social Audits by Gram Sabha
- + Stakeholders based collaboration
- + convergence of various schemes & implementational apparatus

SDG Achievement & Panchayats

SDG - 1 Zero Poverty

MGNREGA provides livelihood,
PRI centric etc

SDG-2 No Hunger

In Odisha, Decentralized PDS System via SHGs has turned the Kalahandi from hunger-deaths to rice bowl of state.

SDG-3 Health & well being

PRIs act as agencies to monitor TPDS, PM-GRAY, etc.

SDG-4 Quality Education

Panchayats collab. with Anganwadis is critical

SDG-5 Gender Justice

As per Research of Laxmi Dyer, PRI have encouraged women to be more vocal about issues like Intoxication violence, etc.

SDG-6 Clean water & sanitation

↳ Panchayats are at forefront of initiatives like SBM, Atal Bhujal Yojana, etc.

SDG-10 Reducing Inequalities

↳ Reservation of seats for low class, low caste, tribals, etc

SDG 13 : Climate Action

Odanthurai Panchayat of Tamil Nadu has become 100% Renewable.

SDG 15 Life on land

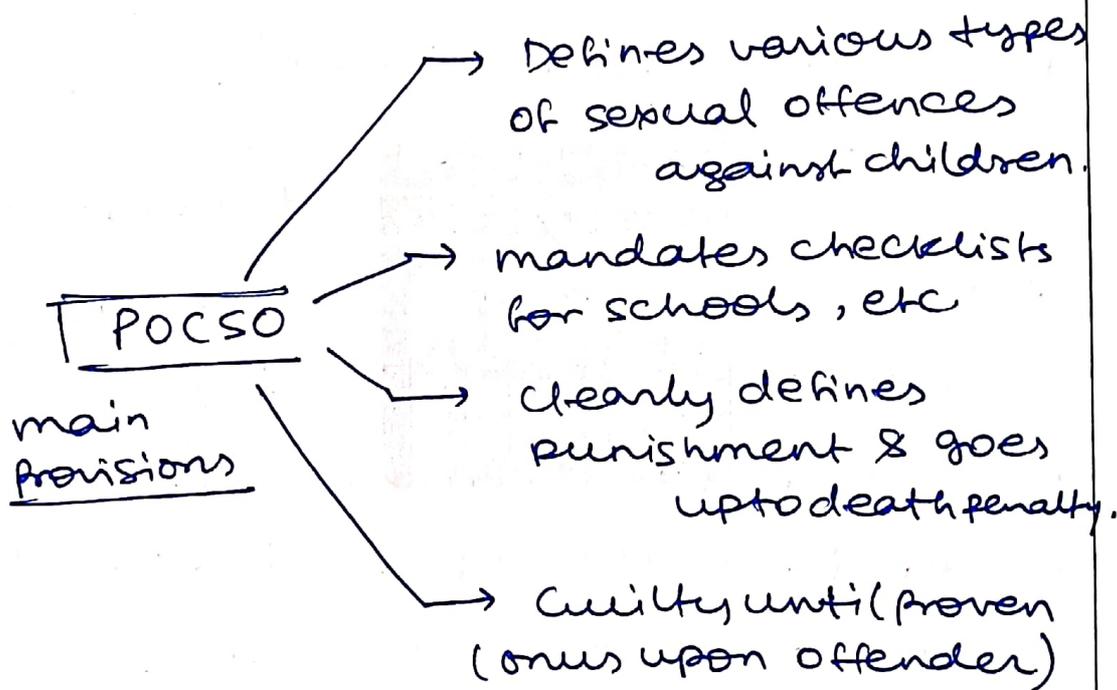
↳ village forest redevelopment plans

↳ Land Reclamation projects under UNCDR, etc.

Thus, Panchayats acts as catalysts for Rural Development and would play immensely accelerating SDGs.

- Q18. 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 marks a watershed movement in codifying child rights and protecting them from evil shadows



Impact on Child Rights & welfare

① Case Reporting ↑ sed.

↳ Earlier, case reporting was minimal due to lack of faith & general/common approach to offences towards children.

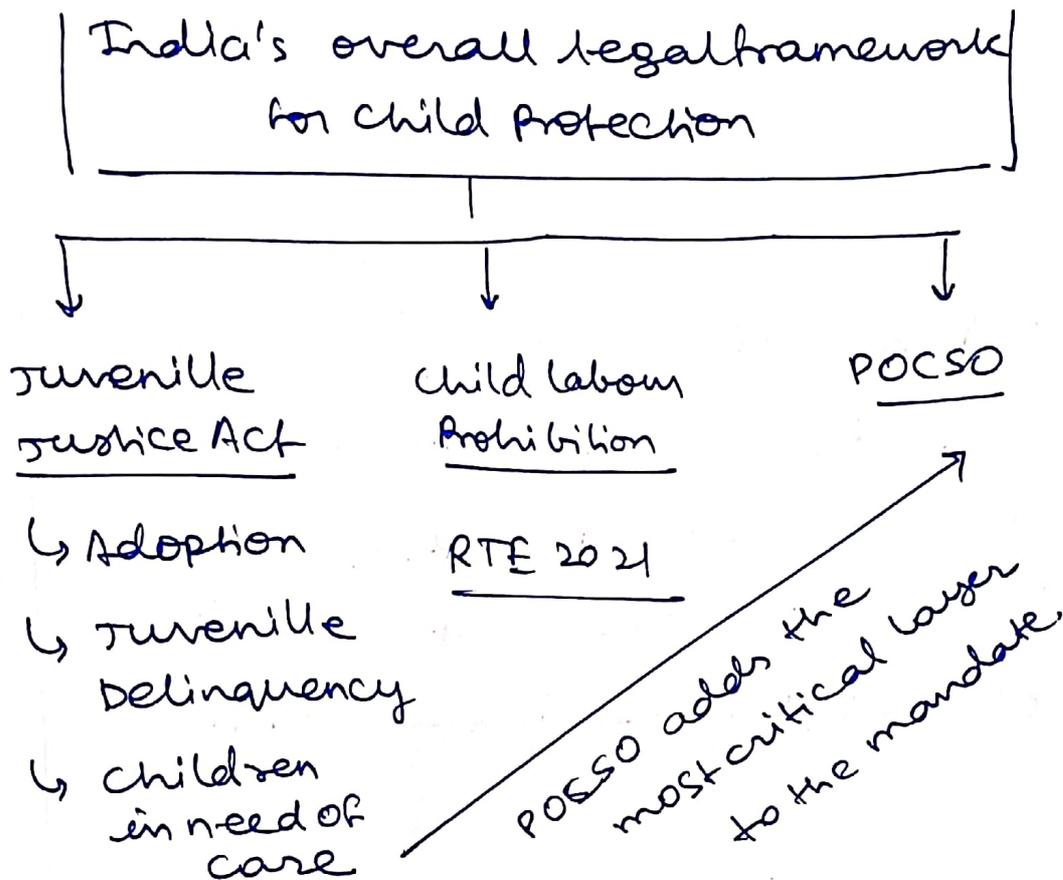
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Candidates
write on this

- (i) Speedy Trials : special provisions
courts
wrt child Abuse...
- (ii) creation of deterrence : It is
created only by certainty & not
severity of punishment.
- (iv) creation of child friendly infra
by schools, etc. as part of
compliances.
- (v) mandatory background check of
staff (Ryanschool tragedy)
- (vi) Duty of public to report to
authorities about possession of
child porn by any person.

India is a signatory to UN-CRC
(UN convention on Rights of
children) ; laws like POCSO
stands as testament to India's
unwavering commitment towards
safe & healthy upbringing of
children

(DPSA Article 45
FD Article 51A)



Shortcomings of POCSO

- ① Tribals : Due to their cultural acceptance, pre 18 yrs marriage consummation is often picked up by Police.
- ② Lack of scope for consensual relationships before 18 yrs.

However, still POCSO remains a landmark legislation to uphold child safety & welfare in India.

- Q19. अमेरिका और भारत के मध्य राजनयिक संबंधों के सन्दर्भ में मानवाधिकार संबंधी मुद्दा 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)

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)

USA & India have underwent from being estranged Democracies to Engaged Democracies, however issues like heavenly bickerings of USA often spoil the broth.

Human Rights controversy India-USA

① USA's heavenly accusation of
a) HR violence against
minorities;

b) Press Freedom; etc.



② India has repeatedly replied back with USA's overjurisdictional conduct wrt our Internal matters.

not only Human Rights, USA accuses India of IPR manipulation and currency Exch. Rate manipulation.

Shared Democratic values:India-USA

- ① two of the largest democracies
- ② values of
 - ↳ Innovation & Scientific fervour
 - ↳ Liberty & Equality
 - ↳ Freedom of conscience
 - ↳ Inclusive Growth

while unnecessary HR violation acquisition add to strain in Indo-US ties, it moreover thwarts New Delhi's efforts to find a trustable partner in USA; who should respect Internal issues of nations.

The commonly shared beliefs & value systems have increasingly brought USA & India closer and this has been evident by:

What other +ve developments
have been recently : _____

<u>Economic</u>	<u>Sci-Tech</u>	<u>Miscellaneous</u>
① Trade crossed over \$ 100 Bn (India maintains trade surplus)	① ARTEMIS Accord ② i-CET deals	MALABAR exercise; pitch for UNSC Reforms

measures that need to be taken to resolve Indo-US tensions

- ① Confidence building measures & Regular dialogues.
- ② Conveying USA about India's territorial sovereignty & its lack of desire for foreign meddling.
- ③ Role of diaspora could be explored with soft diplomacy.

The Era is of #AI: America-India
but, USA must treat India as an equal partner.

- Q20. 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)

Recently, due to unfortunate
clackings with maldives, it was
alleged that India is losing
South Asia, having grave implications.

India's Geopolitical Challenges in South Asia

① Past Image of Big Brother attitude

Ex: Interference allegations by
nepal, maldives.

② China Angle

↳ This is perhaps the biggest
source of concern for India.

↳ Debt trap Diplomacy (Ex:
BRI, CPEC, etc) have led to
countries being forced to sell off
geostrategic assets to China.

Ex: SL's Hambantota

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Candidates must not
write on this margin

↳ China has deeper pockets and thus can provide unlimited credit (albeit with intentions poor)

③ Poorly integrated S. Asia

↳ S. Asia remains the one of the least integrated regions globally despite members sharing common past & cultures.

④ Unresolved disputes

Boundary disputes, water sharing disputes, Internal security disputes etc. turn the region into a geopolitical mess.

However, C Raja Mohan argues that the matter be seen from a slightly different perspective. It is not about India losing S. Asia; but about India trying to find ways to gain ground in a turmoiled S. Asia.

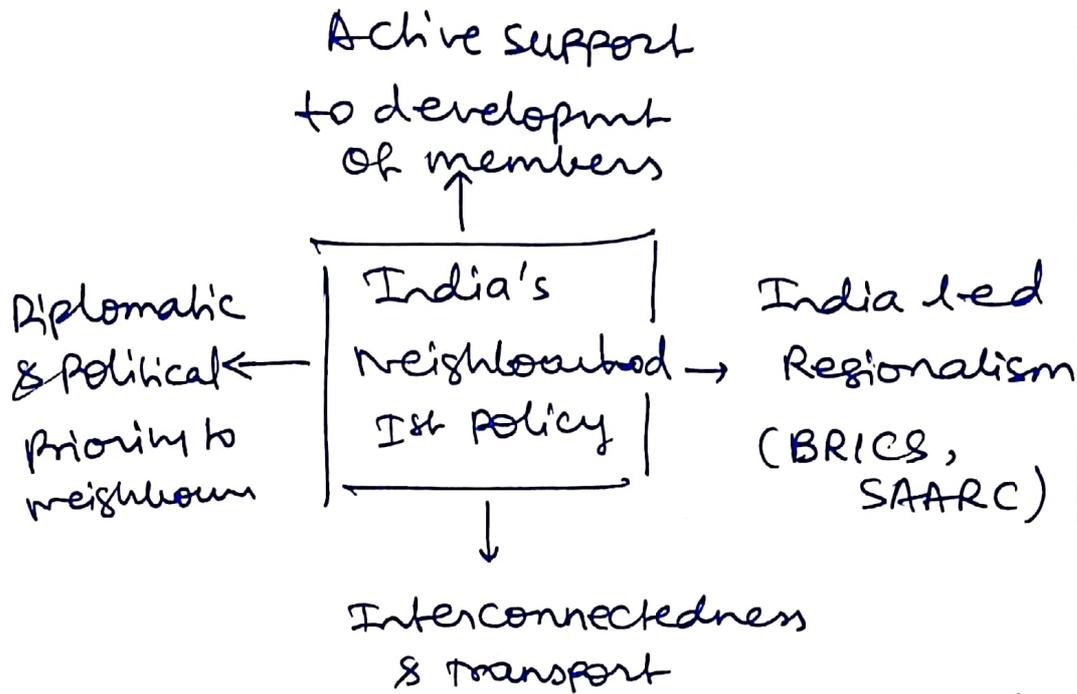
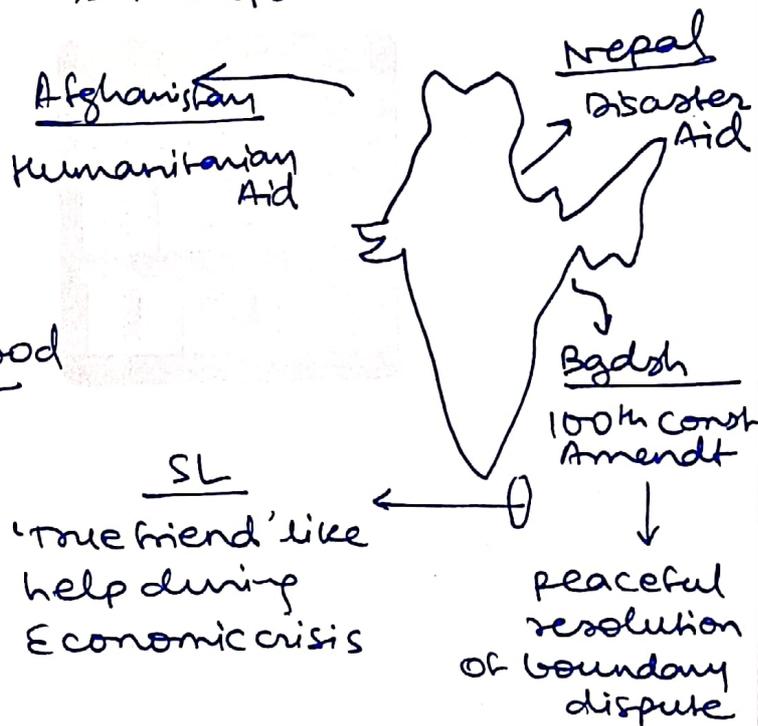


Fig 1:
India's
recent
efforts w.r.t
neighbourhood



Thus, the Gujarat Principles :

Non-Reciprocity, non-Interference

Connectivity &

would be critical ahead.