NEXT IAS

GS MAIN ADVANCED COURSE 2024

(To be filled by candidate)

TEST CODE : GSMAC2402   **Test No. : 02**

Name of Candidate: .....Dishant. A. Nisar........Mobile No. ███████

Roll No. : .... Start Time ...10:4m... End Time...................

Date of Examination: ....21/8/24.................. Medium : English ✓   Hindi ☐

Q. No.	Maximum Marks	Marks Obtained	Q. No.	Maximum Marks	Marks Obtained
1	10		1	10	
2	10		2	10	
3	10		3	10	
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**		

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 छपी 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 दी सभी 20 प्रश्नों के उत्तर-लेखन का प्रयास करें।
4. प्रत्येक उत्तर, प्रवेश के समय चुनी गयी भाषा के माध्यम में ही लिखा जाने चाहिए।
5. अभ्यर्थियों को निशिष्ट 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-सुधरा लिखें। अपठनीय लेखन से बचें।
7. QCAB में अप्रासंगिक तथ्यों को न लिखें / न ही चिह्नित करें।

REMARKS: ....

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FOR OFFICE USE ONLY

Student Concerns / Query	Evaluator's Feedback / Response
1	1 ....
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2	2 ....
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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

Topper's Copy

Common mistake and Correct Filled QCAB

Copy Scanner App

Next IAS Test Centre Location

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

NEXT IAS

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)

Indian constitution has provided for 'rule of law' and 'judicial review' via implicit and explicit provision

⟹ Article 13, 32, 226, Fundamental Rights etc.

Interdependence

1) Rule of law leads to executive effectiveness and thus reduces judiciary burden

→ Rule of law leads to checks and balances making judicial review important.

Judicial review protects rule of law when it is violated by arbitrary actions ⟹ APM Jabalpur Case

Judicial Review most important among Basic Structure.

1) Protects constitutional morality from tampering by amendments 👉 Menaka Gandhi case → 42nd Amendment act's arbitrary provisions curbed.

2) It secures other basic structures 👉 Secularism → Protected when Judicial review of Essential religious practices test (Shirur Mutt case)

3) Protects the rights and safeguards of citizens 👉 Vishakha case.

4) Makes laws more effective 👉 Anoop Baranwal case → Election commission.

5) Nudges the administration and expands the scope of rights 👉 Puttaswamy judgment.

However ⟨
1) Fine line between review, activism and overreach.
2) Article 50 separation of powers

As held by SC in DS Nakara case - legislative has law making power. Through Judicial review, it ensures healthy democracy.

Q2. दिल्ली के उपराज्यपाल की शक्तियों और अधिकारों की तुलना, विशेष रूप से मंत्रिपरिषद की सहायता और उनकी सलाह पर कार्य करने के संदर्भ में अन्य राज्यों के राज्यपालों से किस प्रकार की जाती है? (150 शब्द, 10 अंक)

How does the power and authority of Delhi's lieutenant governor compare to that of the governors of other states, particularly in terms of acting on the aid and advice of the council of ministers? (150 words, 10 marks)

<u>239AA</u> of Constitution Contains special provision for the <u>NCT of Delhi</u> which was made Union territory by $\boxed{61^{th}}$ Constitutional Amendment Act.

However recent acts of Parliament have enhanced the powers of <u>LG</u> of Delhi

$\boxed{\text{Delhi's LG and other governors}} \longrightarrow$

1) As per the <u>2021</u> amended act, the word <u>government</u> would mean <u>LG</u> and all actions to require his consent.

2) While other governors act on <u>aid and advice</u> of council of ministers except discretion (A-163), <u>Delhi LG</u> → has wider powers and can control government

3) <u>Passing of Legislations</u> → LG has extensive vetoes and even in 2nd instance can hold the bill.

4) Earlier powers were limited to Land, Public order, Police but now expanded in all domains.

5) LG can appoint civil servants and do transfer postings.

Thus, LG is powerful in the current act. SC in NCT of Delhi vs Atul Mishra case highlighted that

↳ state govt and centre must work hand in hand or atleast side by side for good governance.

Further reforms like Sarkaria and NCRWC commissions → Governor/LG to be Non party man needed to ensure mandate of people is respected.

Delhi being capital has special needs however, a fine balance is needed for effective governance.

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)

Constitution via Article 25-30 offers freedom of religion and special rights of minorities. However personal laws, culture of religions and spiritual dominance causes tensions requiring judiciary to balance 'social morality' and 'constitutional morality'

Role and case laws →

1) Essential religious practices have been delineated as per cases (Shirur Mutt)
  → Ismail Faruqui case, Nikhil Soni case and Santhara

2) Expanding scope of rights and reducing discriminatory practices.
  → Sabarimala judgement → allowed women to enter temple

3) Respecting religious rights
   ☞ Ayodhya temple judgement allowed hindu rights of place of worship.

4) SC opined that 'Places of Worship Act 1995' → has to be adhered to but if Archaelogical Survey through excavations finds evidence then there can be scope
   ☞ Kashi and mathura Mosque Complex — ASZ excavations.

5) Protecting women's rights (Equality above all)
   ④ Triple Talaq case
   Also held that women have right of property.

6) Pushing for Uniform civil code (Art. 44)

   Thus, judiciary has finely balanced religious rights with constitutional morality as per context. The strength of Indian Secularism lies in the institutions and reformative outlook.

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)

'Montesquieu' was first to give 'Seperation of powers' and USA constitution represents it. India under Article 50 calls for seperation but has adopted a modified polity as per its need.

India's functional Seperation.	USA's rigid Seperation
1) Different spheres of functioning with overlap ↳ Article 122, Parliament and executive overlap	1) Strict Seperation ↳ US president not part of legislature
2) Checks and balances via Judiciary, executive, legislative ↳ Integrated judiciary.	2) Defined spheres of work ↳ US Supreme Court does not intervene in State's domain.

Advantages of check and balance over rigid seperation of power ⟶

1) Curbs arbitrary action by one domain ⟹ legislature keeps a check on judges by impeachment procedure

2) Healthy democratic functioning and stability ⟹ Presidential system could lead to authoritarian tendencies.
But Parliament → collective accountability

3) Improves efficiency and functioning of each sphere ⟹ CAG reports
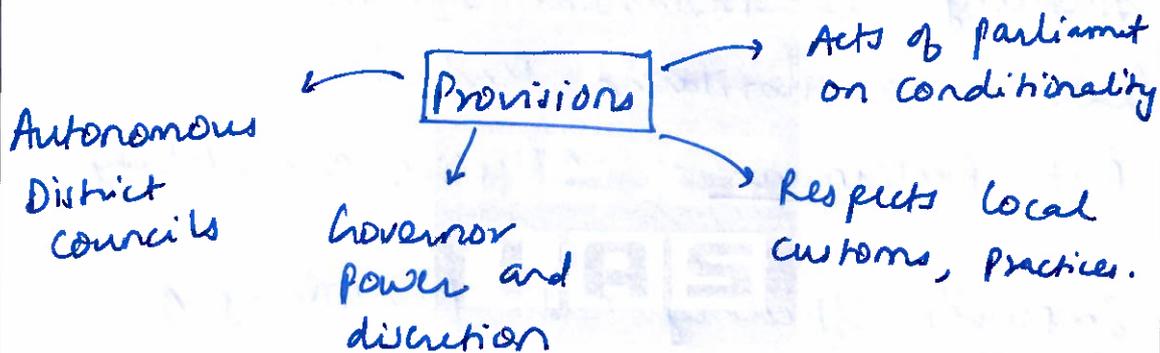⟹ Judicial interence, judgements improve legislations.

⟶1) Activism, Overreach.
[Limitations] →2) Delays and interference.

Thus, healthy democratic practices and checks/balance are a must and requires involvement of all three domains.

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)

Article [244] of the constitution deals with scheduled areas. 6th schedule includes Assam, Mizoram, Tripura, Manipur that has tribal regions requiring safeguards.

Autonomous District councils ← **Provisions** → Acts of parliament on conditionality

Governor power and discretion

Respects local customs, Practices.

Foster development → Respecting traditional governance and cultural practices. →

1) Recognizes rights of tribals and their Special needs of developments.

2) Respects culture and distinct socio-economic practices → Gives scope of preserving culture.

3) Autonomous District Council have various
powers → Control own functioning
         → Taxation powers.
         → Appointments / employment in local
                                    bureaucracy.
         → Rights over natural resources.
         → Control over money lending etc.

4) Inclusive → Only those parliament's acts
   apply as per local needs

5) Governor's powers → thus 'localisation'
   as per context

Challenges → 1) Still functional autonomy
                not achieved fully

            → 2) Ethnic conflicts → Manipur
                                     Kuki vs
                                     meitei

            → 3) Developmental deficit

   Reports of Xaxa and Mungekar
Comitte are needed to ensure capacity
building of tribals and their role in
developmental process.

Q6. नागरिक समाज संगठनों और सरकारी संस्थाओं के मध्य साझेदारी भारत के विकास लक्ष्यों में किस प्रकार योगदान देती है?

(150 शब्द, 10 अंक)

How do partnerships between Civil Society Organizations and Government Entities contribute to India's development goals?

(10 marks, 150 words)

Civil Society Organisations (CSO) are a varied form of organisations that work as a link between government and people.

(e) NGO, Charities, pressure groups, SHGs etc.
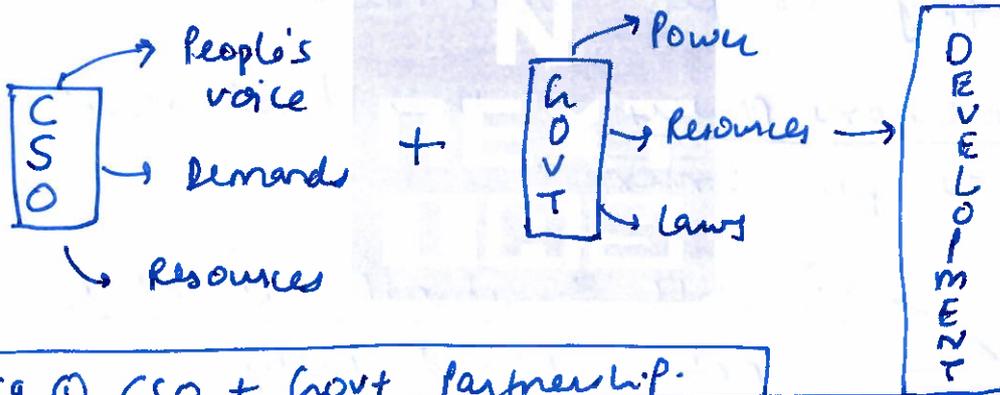
fig ① CSO + Govt Partnership.

Contribution of partnerships. →

1) Last mile service delivery

↳ CSOs work in areas where government's reach is limited /e> Child labour and trafficking → Bachpan Bachao Andolan

2) <u>Accountability</u> ensured as CSO act as check and balance 🖙 <u>Right to Information</u> by <u>MKSS</u> → <u>Anna Roy</u> (RTI)

3) <u>Judicial</u> checks as CSO use legal route to ensure government works 🖙 ADR → electoral reforms.

4) <u>Women empowerment</u> 🖙 SHGs → SEWA by Anna Roy → Sustainable creation of assets, employments.

5) <u>Charities</u> → 🖙 PPP, CSR activities help to augment <u>state's resources</u> 🖙 In Covid, during disasters CSO's played a huge <u>role</u> 🖙 Red cross society

6) Government's <u>resources</u> 🖙 data, executive reach can help <u>CSO</u> in ensuring effective implementation of schemes 🖙 via social <u>audits</u>

Thus, the partnership will be <u>beneficial</u> for 'Amrit kaal' goals of development provided CSO's are transparent and capability is created.

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)

National Civil Service capacity building Mission i·e 'Mission karmayogi' aims at creating advanced, industry ready and future ready civil services.

karmayogi →
S — Sensitive
M — mobile
A — Alert
R → Responsive
T → Transpant
] Smart Civil Servant.
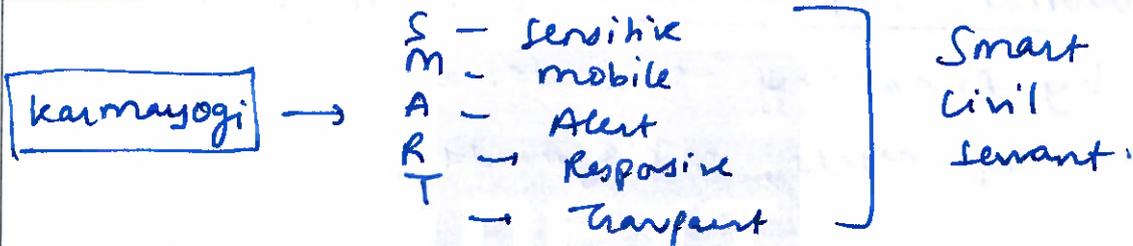
Importance of 'Life-long learning' →

1) Complexities in governance and disruptions [due to] Data, AI, climate change.

2) Domain expertise is need of the hour.

3) Make civil servant efficient as learning makes one 'Wise' and humble

4) Adopt to global best practices [due to] Exchange programme.

How Mission Karmayogi contributes.?

1) iGOT portal has various modules and courses that empower civil servants.

2) Domain Expertise is cultivated and has repository of global best practices and learning courses.

3) Accessible to all civil servants
   ↳ Tracks and monitors progress and outcomes.

4) Training with other services leading to holistic understanding.

Thus, mission karmayogi has created the capabilities that can ensure life long learning to create civil services from 'rules based to role based'

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)

India's poverty line is based on Tendulkar comittee of Rural-Urban expenses. Poverty lines are of various forms → WB → 1.70$ per day expense → UK → Absolute line of expense.

Should India redefine line?

i) Poverty is relative and thus absolute measure not enough.

2) Multidimensional poverty requires holistic coverage.

3) Indicators to reflect the needs of time → Brazil has redefined line and created efficient social security policies.

Benefits

1) Understand who, where, how much poor? rather than only head count

2) Devise government schemes better and ensure proper targeting.

3) Outcome-mapping by using digital interventions.

Challenges

1) fear of exclusion

2) Huge population and limited resources

3) lack of consensus over right poverty measurement.

Niti Ayog's multidimensional poverty Index is holistic and has shown good outcomes (from 57% to 22% in 12years)

A similar consensus oriented - stakeholder approach can bring about change in poverty redefinement.

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 ongoing 'Polycrisis' in various Parts of the world and the 'Churning' in global geopolitics has caused political divisions within major western states.

Divisions in global governance and international cooperation. →

1) Multilateral institutions have been in Stalemate ↪ WTO and UN bodies like UNHRC, WHO due to USA and Russia conflicts.

2) Divisions regarding 'Climate change'
↪ USA opted out of 'Paris deal' and continues to make unilateral steps.

3) USA vs Europe contradictions about funding in institutions

4) Role of China → European Union wants

to work with China, but USA sees it
as a revisionary power.

3) Nuclear technology and development of
weapons → AUCKUS affected France
          → Even Germany, Japan exploring
            weapons.

┌─────────┐
│ Impact │
└─────────┘
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  ┌──────┬──────────┬──────────┬─────────┐
  ↓   ↓   ↓   ↓
Stagnant   Rising   Confused   China's
institutions conflicts multipolar   rise.
                        World.
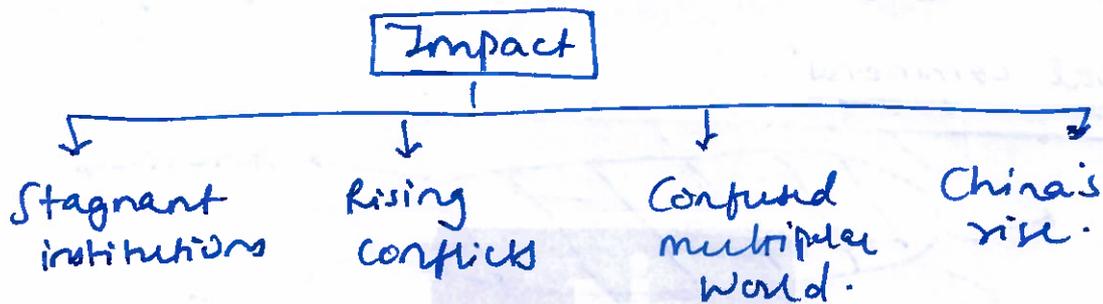
India to navigate for it's national
interests. ⟶

1) Strategic Autonomy → by engaging with
more powers → 'multi alignment', issue
based partnerships.

2) Take up the space as a 'Balancer'
and mediator among countries.

3) Push for 'global governance' reforms.
   → UNSC expansion.

4) Leadership in institutions → G20, UNFCCC

India's image as a 'rising moral power'
gives it a chance to ensure balance
in current times of division

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)

India recently passed the 'Arctic Act' which outlines its visions and policy for the Arctic which is an example of 'global commons'.

fig ① India's Arctic geographic proximity.

Policy Aligning with overall foreign policy objectives. →

1) Multiple Alignment with Arctic states like Russia, Nordic and Scandinavian Countries, USA.

2) Protection of 'global commons' like Arctic

resources to be used for the benefit of mankind

3) Advance its own scientific and technological research in world.

4) Stop China's hegemonic ambitions and engage with partners.

5) Create `rules based world order' where `Arctic council' rules are followed by all.

Collaborations and agreements of India.

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1) With Norway in 'Svalbard' → India has its own research station 'Himadri'

2) With Russia → it has signed 'Research Partnership agreement' where it will do Scientific research of 'cryosphere'

3) Exploring 'oil agreements' and exploration

4) Collaboration with USA is also on the lines.

— Thus, India's role in Arctic will ensure a 'sustainable' and rule based exploration and use of its resources.

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)

Article |280| of the constitution stipulate for establishment of a 'Finance Commission' in every five years for 'devolution of taxes' among centre and states. It stands for 'Fiscal Federalism'.

Differences in 'TOR' of 16th F.C.—→.

1) The 16th Finance commission has been setup for the aim of 'alternative devolution' in next five years

2) It's terms of reference have provided greater independence and flexibility to come at formula.

3) It calls for considering the state's specific needs and devise formula.

4) As compared to 15th FC there is no rigid bifurcation ⟹ Population, Demographic performance, fiscal advantage. etc.

Factors causing economic disparities across various states. →.

1) Internal Resource generation poor ⟹ Local taxation limits.

2) Expenses on freebies / subsidies ⟹ Telangana and Punjab huge deficit

3) Expenses on salaries, pensions make up 60% of budget

4) Industrial development poor leading to poor wealth ⟹ Gujarat gets taxes from industries.

5) Corruption and diversion of funds

6) GST → destination based tax so

Producing countries get lesser revenue.

7) Bihar loses income on 'Alcohol' tax
   due to Prohibition   excise

Way forward

→ 1) 16ᵗʰ FC to have consultation
      with state
      (NK Singh recommends links
       between GST council and
       finance commission)

→ 2) State specific demands to be
      adressed (4) Taxation, deficit

→ 3) New revenue streams
        ⅏ Municipal Bond, social
           impact bond.

→ 4) Developmental schemes need
      greater decentralization.

→ 5) Borrowing power of states to be
      increased   (3%.) to (5%.)

Only until fiscal prudence is the
goal and reforms are taken. States' finance
will suffer. FC must adress this and
Niti Aayog foster 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)

The recent instances of 'Bribes for votes' in 'Mahua Moitra' case and the Supreme Court judgement in 'Sita Soren' case have thrown light on the working of 'Ethics committee' and 'privileges committee'

Comparison of both Committees. →

A) Ethics Committee	Privileges committee.
1) Deals with violation of ethics and any case of misconduct as referred to by the house / speaker.	1) Deals with cases of 'breach of Priviledges' by any member.
2) Flexible in its working and can examine on 'merit'	2) Strict adherance to 'Rules of procedure'

3) Issues of moral violation, bribery etc come under ethics committee	3) Issues of illegal conduct, deliberately misleading house come under it's purview.

Complement each other.

1) Both deal with same kind of issues and there is 'overlap' of cases.

2) They recommend measures / actions to the house ⇒ Ethics committee recommend that Mahua Moitra be expelled.

3) A case of breach of privilege or violation of moral code can be taken up by either committee → thus no strict seperation of functions.

4) Ensure discipline and deterancy in the house is maintained.

Issues

1) Partisan politics

2) Recommendatory nature

3) Lack expertise and trained evaluators.

4) Delayed functioning causing lack of deterrance.
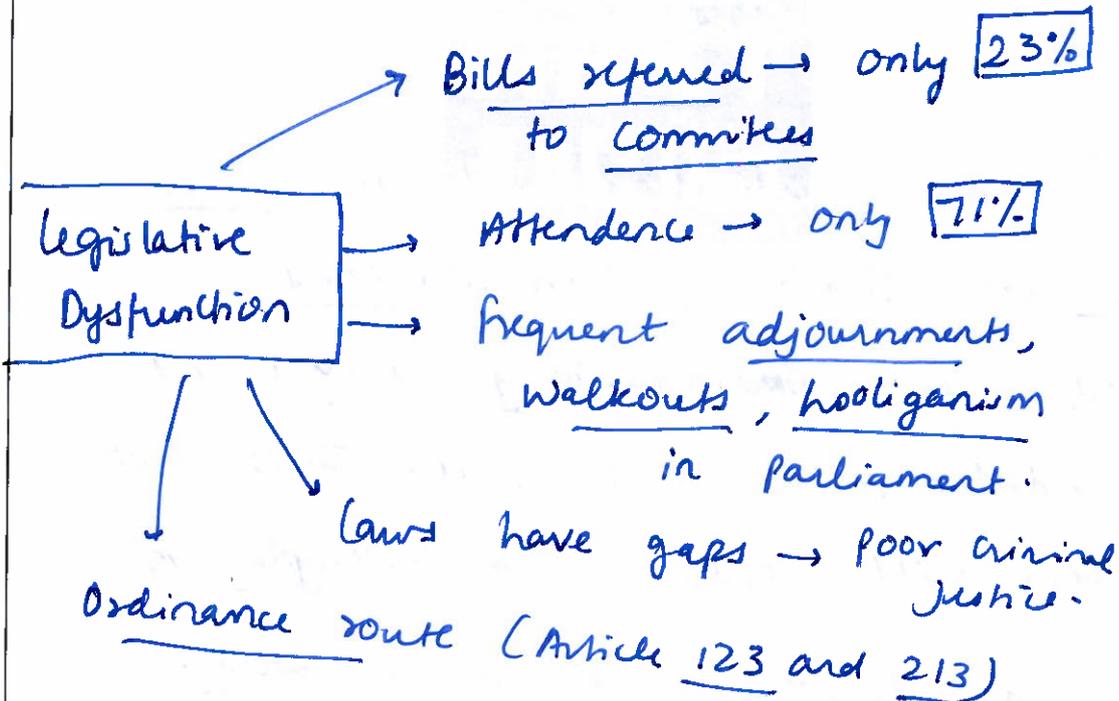
5) Action not taken in many cases
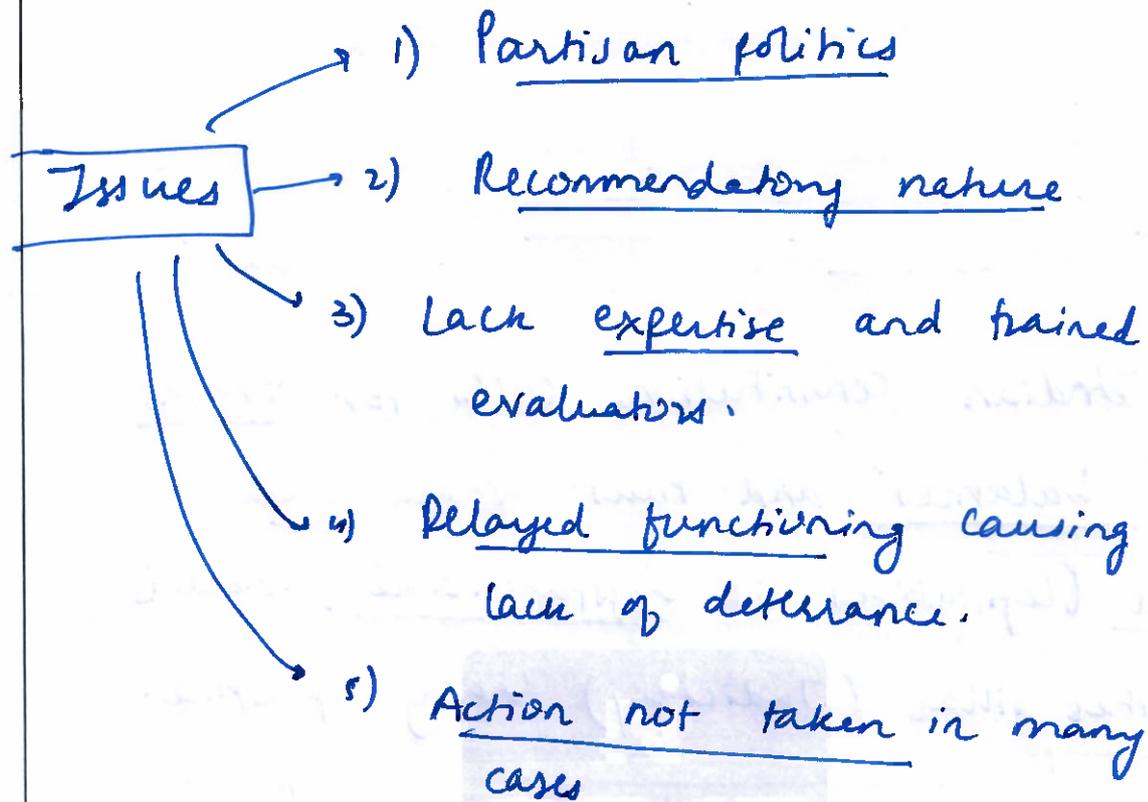
Supreme Court has held in 'Sita Soren' case that parliamentarians should show parliamentary conduct and not indulge in immoral acts. These two committees will ensure that 'temple of democracy' delivers its mandates well.

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)

Indian Constitution calls for 'Checks and balances' and thus when one pillar (legislative) is dysfunctional, there is another pillar (Judiciary) taking up space.

Legislative Dysfunction
→ Bills referred → only 23%
to Committees
→ Attendence → only 71%
→ frequent adjournments, walkouts, hooliganism in Parliament.
→ laws have gaps → poor Criminal Justice.
→ Ordinance route (Article 123 and 213)

This has led to 'Judicial Activism' in shaping public policy and governance It is when judiciary through its review doctrine (Article 13, 32) take up positive role.

Effectiveness

A) Adressing Governance gaps.

1) Directing to the executive to take certain actions for citizen's welfare.

2) Curbing corruption and fostering transparency

⟹ In T.S.R Subramaniam Case it called for 'Civil Services Board' for transfers - postings.

3) Working in domain where legislative is not active ⟹ Environmental cases Like Oleum gas leak case, Vellore citizens welfare case, MC mehta case led to 'National Green Tribunal'

B) Safeguarding Citizen's rights.

1) Women's rights and protection
⟹ Vishakha vs State of Rajasthan. led to 'POSH Act' (Sexual harassment at work place)

2) Rights of vulnerable sections protected.

☞ | Olga Tellis case | → Rights of slum
        and pavement dwellers.

☞ | Buddhadeb Karmarkar | → Rights of prostitutes/
        sex workers.

☞ | NALSA Case | → Transgenders rights →
        Creation of National Council.

3) Expanding domain of citizen's rights.
   for holistic living

   ☞ Maneka Gandhi case → Due process
        Article 21 → Expanded.

   ☞ Puttaswamy → Privacy

   ☞ Navtej Singh Johar → Section 377 decriminalised.

While they are effective, there is a need
for 'Judicial Restraint'

)(SC in | DS Nakra | case → Courts do not have
   legislative powers → Need restraint.

2) Adhere to | Article 50 | → Seperation of powers.

3) Parliament to improve its' functioning
      and take reforms, training.

      This will ensure effective governance
and healthy democracy.

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)

Political Parties are important institution in 'Representative democracy' and perform the function of 'Interest Aggregation' and 'Articulation' serving as 'Link between State and Citizen'

Internal democracy within parties and impact on System. →

1) Allow 'merit' based candidates to be in competition as elected xpresentatives.

2) Inclusive → Accepting diversity and multiple opinions. → Women only 77 elected in 18th Loksabha

3) Healthy competition among parties ↓ Decent electoral system'

u) Check on <u>corruption</u> and financial <u>impropriety</u> eg> Recent SBI data on Bonds.

Challenges of inadequate intra-party democracy. →

---

1) Elite and Strongman Capture of 'party' → No timely elections.
   → Nepotism

2) <u>Corruption</u> → Diversion of <u>funds</u>

3) Nexus among <u>Business - Parties</u>

u) <u>Criminalization of politics</u> (Padmanabiah committee)
   ↳ Tickets on <u>winnability factor</u>

s) <u>Caste</u> and <u>Patriarchal</u> dominance in membership → Exclusive.

c) Mobility restricted.

7) <u>Adversarial politics</u> and '<u>Defections</u>'
   eg Maharashtra → <u>Shivsena</u> and <u>NCP split</u> → major reason poor '<u>intra party democracy</u>'

<u>Reforms to address</u> . ⟶

1) Germany Best practice of 'Political <u>Parties Act</u>' ⟶ Giving <u>constitutional</u> <u>recognition</u> ⟶ <u>more Compliance</u>

2) Amending <u>RoPA 1951</u> (Representation of People's Act)
   ↳ Power to <u>deregister</u> party.
   ↳ Election Commission <u>more scrutiny</u> on timely <u>elections</u> and intraparty compliance.

3) <u>Zipper System</u> ⟶ for candidate <u>selection</u> to be more neutral

4) Reform of <u>Anti-Defection</u> laws (Dinesh Goswami committee).

5) <u>Electoral</u> and <u>Political party funding</u> transparent ⟹ Voucher System.

Thus, reforms for intra-party democracy are must. However parties must also <u>foster a culture</u> of inclusivity, free speech and adherence to Constitutional principles.

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)

The NHRC was created in 1992 by adhering to 'Paris principles' of human rights and passing 'statutory act'
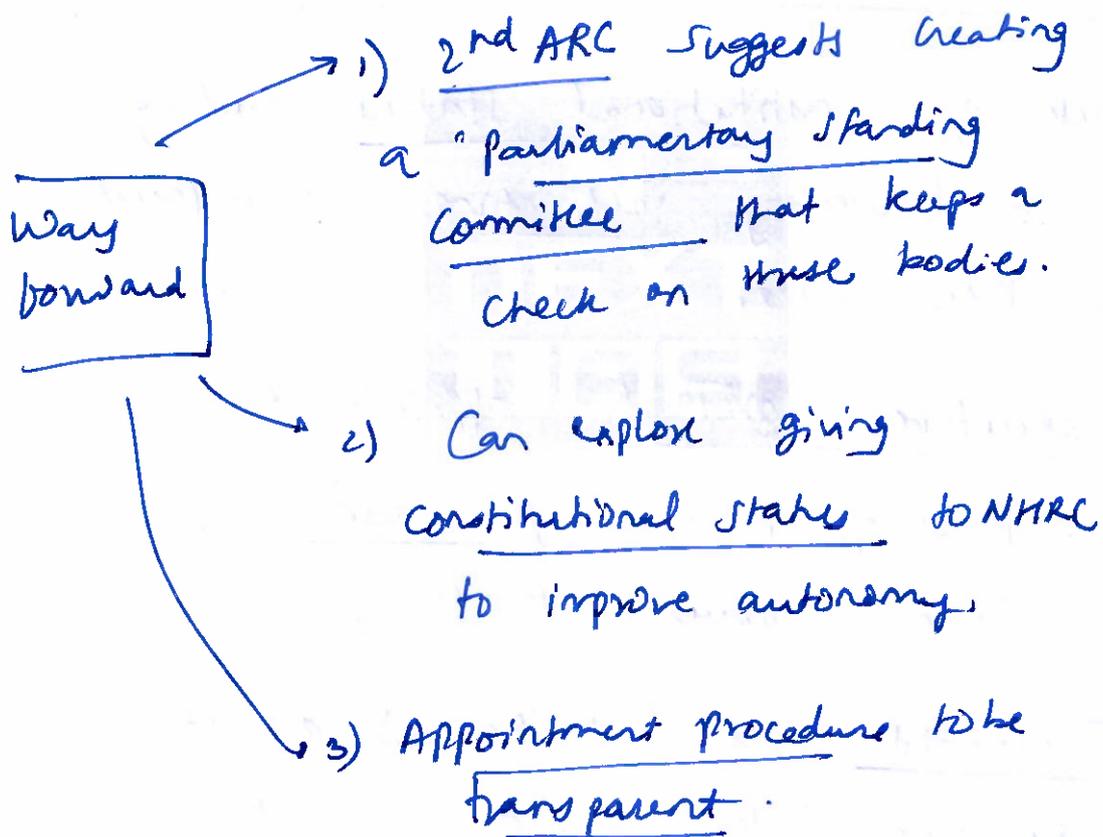
Role and Mandate.

1) Suo-motu Cognizance of human rights violation in any part.

2) Enquire into abuses by State, institutions, private parties.

3) Powers of civil court → Summon, investigate.

4) Adress concerns of citizens and Create awareness ⇒ HRC Net Portal

5) Report to parliament via President.

6) Guide the centre to give relief to the aggrieved.

Composition and functioning
→ Appointed by president.
→ Based on executive discretion
→ Chairperson + 2 VCs and includes members of other commissions (NCSC, NCST etc).
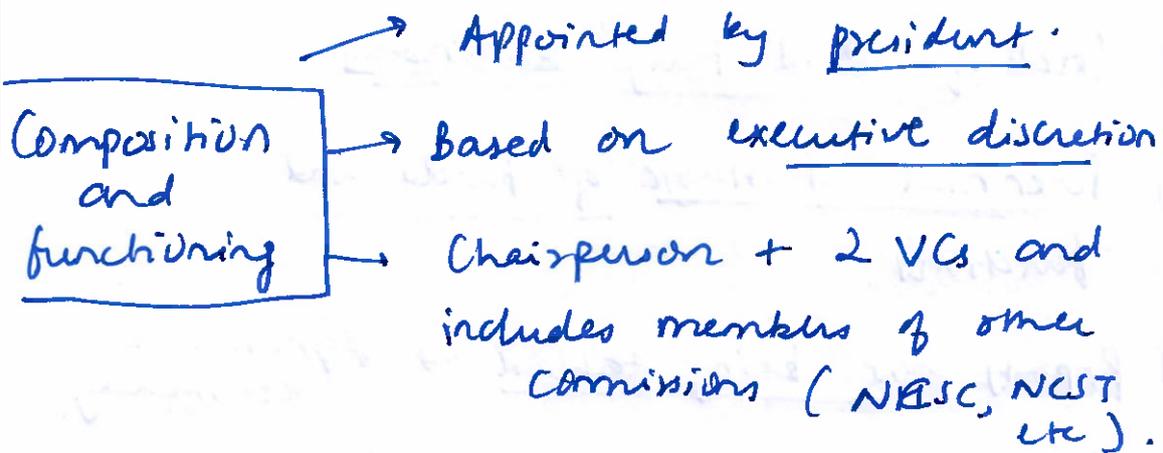
Independence and effectiveness: Challenges.

1) Lack of constitutional status leading to it becoming ineffective as compared to other bodies.

2) Executive controlled appointment
   ↳ Place of political patronage for those favourite to party.

3) Toothless tiger (H L Dattu) as it does not take action against government

4) Role in recent Manipur crisis was criticized due to delayed cognizance.

5) Lack of Budgetary autonomy

6) Perennial shortage of funds and functions

7) Reports not being tabled → Ignored as recommedatry

8) Lacks powers to give relief

Way forward

1) 2nd ARC suggests creating a "parliamentary standing committee that keeps a check on those bodies.

2) Can explore giving constitutional status to NHRC to improve autonomy.

3) Appointment procedure to be transparent.

Thus, creating robust capacities of institutions is necessary to ensure those who are marginalized and silenced get justice.

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)

WHO defines health as not just absence of disease but a complete stage of physical, mental wellness. India however continues to show poor health outcomes (Just 1.6% GDP on health)

Health equity Challenges → Barrier in Universal Health Coverage.

1) High OoPE (Out of pocket expenditure) → 57%

2) Doctor : Patient Ratio: Poor
WHO- 1:1000 , India 1:1700 .

3)

Tertiary
Secondary
Primary
But Inverted
T
S
P
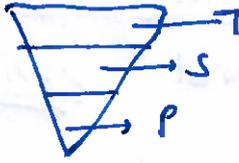
Primary Healthcare → weakest link and thus poor foundational health

4) Rural : Urban divide

    ↳ Rural 70% population yet 60% of
    health infra, beds in urban areas.

5) Curative health focus → Preventive
                               not focus.

6) Village level → Asha workers
        underpaid   ↗↘ low skilled → Pressure.

Role of Public and private sector →

A) Public Sector

1) Ensuring robust primary health care
   and Universal health coverage.
      ▷ Jan Arogya Yojana

2) Combining health and nutrition and
   delivering basic needs. ▷ PM Poshan

3) Immunization ▷ Mission Indradhanush
   and UWin portal

4) Access should be free and available
   ▷ Creating mobile health vehicles (odisha model)

5) Cheap medicines to be made available

⑤ PM BJP - Bhartiya Janavtadri pariyyin

B) Private sector

1) Tertiary healthcare to be as per international best practices.

2) Doing CSR and giving poor access to facilities.

3) Bringing modern equipment , doing R&D ⑥ Tata memorial hospital and CRISPR technology

4) Increasing access by making fees/ costs Sustainable.

Way forward
→ 1) National Health Policy (2017) $\boxed{2\%}$ + GDP spending

→ 2) Bhore Committee on Primary health care to be strengthened for healthy India.

→ 3) Focus on holistic health outcomes.
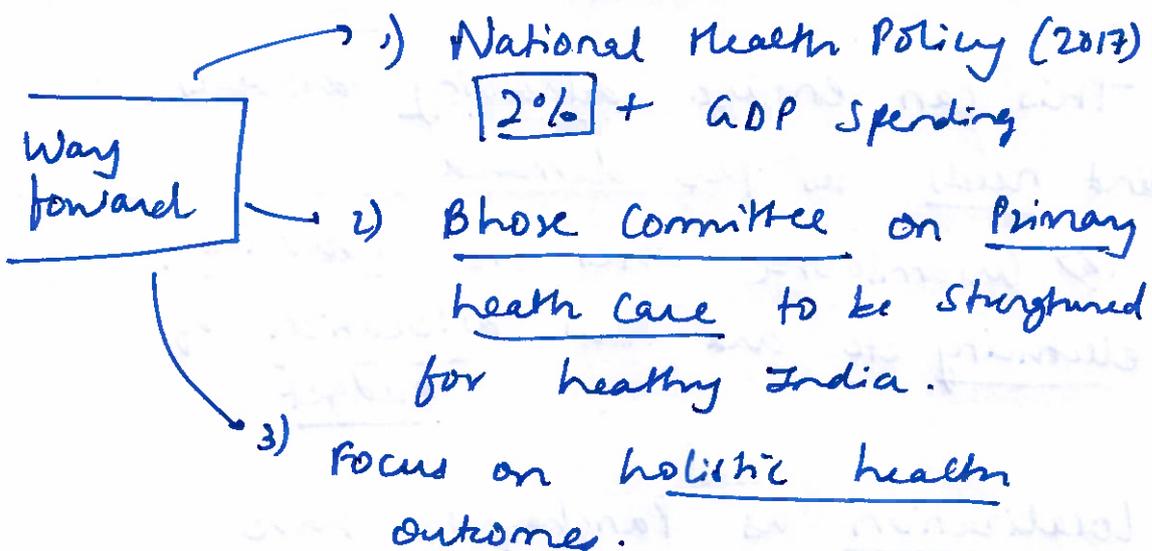
' The future of India depends on the health of Indians today' — PM modi

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 grassroot development and advancing sustainable development.(250 words, 15 marks)

Niti Ayog has also emphasized on 'Localization of SDGs' at grassroots level by leveraging Panchayats to deliver outcomes and faster growth.

Role of Panchayats as catalysts →

1) 'Democratic Decentralization' → Through Gram Sabha → deliberation → discussion

2) This can ensure addressing resources and needs as per demand
   → Gramsabha votes on reservoirs, electricity etc and thus allocation of budget

3) Localization as Panchayats have 'social mapping' and can identify gaps that need intervention
   → Health outcomes ↗ Malnutrition in Bihar

4) Bottom - up approach

↳ GPDP - Gram Panchayat Development Plan created and forwarded to Districts.

5) Social Audit can be done to ensure accountability and transparency.

6) Sustainable use of local resources keeping community, Culture in mind @ PESA protects tribal resources

7) Utilizing government schemes as per targets set ↳ Education by Aanganwadi leads to 'foundational library'.

8) Infrastructure Creation by MGNREGA leads to Capacity building and local employment.

9) Periodic accountability by elections in Panchayats create grassroot leaders and development.

10) Women empowerment → 33% reservation ↳ Majhe Warkhede - UN global award.

However, Panchayats have certain
Challenges

1) Limited funds, functions, functionaries
                                    (3Fs)

2) Elite captured → Caste, Patriarchy
                        ↳ Pati Sarpanch.

3) Devolution of power from 11th schedule
   only indicative.

4) Finance Commission, Selection Commission
   (243Z, 243k) only toothless.
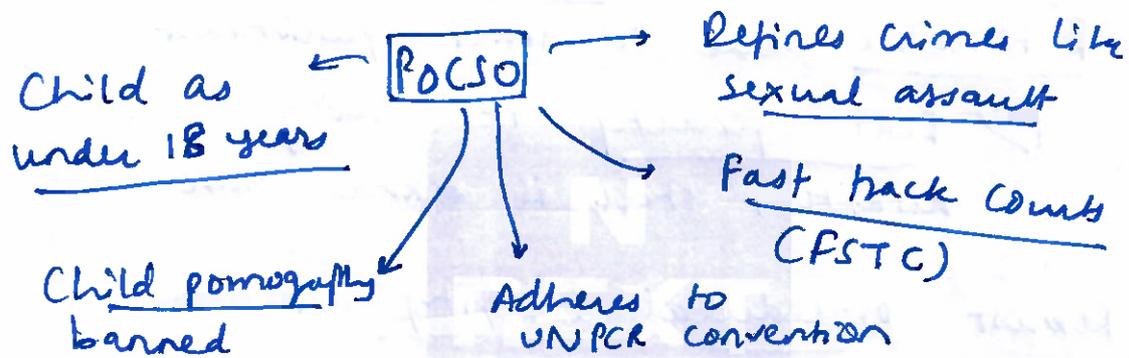
┌─────────┐   →1) 2nd ARC → Activity mapping
│ Reforms │   via Subsidiarity principle
│ Required├──→2) Manishankar Aiyer Committee
└─────────┘   ↳ Video Conferencing of meeting

              →3) Schemes like GPDP (Development plan)
                 to have Stakeholder participation.

              →4) Social Audit to be strengthened.

Only via localization, decentralization,
ve can ensure genuine emancipation and
sustainable development of India.

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)

The POCSO Act is a landmark legislation that protects the rights of children and punishes violators

Child as under 18 years ← POCSO → Refines crimes like sexual assault

→ Fast track courts (CFSTC)

Child pornography banned

Adheres to UNPCR convention

NCRB data : 50% Children subjected to abuse. Only 13% reported and 10% cases → it is known member

Implications of POCSO →

1) Avenue for seeking justice as well defined procedures

2) Strict punishment to perpetrators.

3) Provisions of fast track courts, time limits ensure speedy justice

Role in transforming legal framework →

A) <u>Success</u>

1) <u>Deterrance</u> due to strict punishment
   ↳ <u>Death penalty</u> if during disasters there is sexual abuse.

2) Robust <u>procedural integrity</u> and rules

3) Empowered <u>law enforcement</u> with necessary <u>teeth</u> to act as per need.

4) <u>No time limit</u> to file case.

B) <u>Challenges</u>

1) " The deterrance is not based on act but how it is applied "

2) <u>POCSO</u> → failed to act as check
   ↳ High pendency (60%.)
   ↳ Crimes increasing

3) Fast track courts

↳ Vacancies (only 900 active out of 1800 sanctioned)

↳ Poor Infrastructure

↳ Lack technical expertise

4) Police → Lack of sensitization, poor forensic techniques

Way forward

→ 1) Malinath committee reforms on revamping criminal justice.

→ 2) Empower fast track courts
   ↳ fulfill mandate
   ↳ funds, functionaries.

→ 3) Legal Awareness → leverage NGO, civil society.

'Justice delayed is Justice denied' POCSO is a good act. But it requires proper on ground implementation for it to be an effective deterrent.

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

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)

'Every human is born free and equal in dignity and worth'

— UNCHR - Article 1.

Human rights, available to all by virtue of being equal and human and democracy → 'the dominant form of government' are contentious issues between USA → oldest democracy and India → largest democracy.

Influence on diplomatic relationship →

1) USA raises its concerns on human rights violation of India
   Eg Manipur Issue

2) USA acts as 'moral voice' and custodian of 'global human rights'

3) India calls for 'USA to not be involved in India's democratic and internal process.'

(eg) India recently raised concerns of USA during Obama administration violating human rights in 'middle east'.

4) India calls for 'cultural relativism' and for 'non-involvement' in internal sovereign affairs.

> [**Affect on Bilateral arrangement**] →

1) Causes tensions (eg) Summoning of Ambassadors to raise concerns

2) Makes 'mutual distrust' a norm between two countries and they look for external partners
   (eg) India → Russia.
   USA → Pakistan.

3) Several deals and agreements signed on a 'slow pace'.

4) Spill over in other domains
↳ WTO trade issues, weapons (fear
of CAATSA; removal from GSP
(Generalized system of preferences).

Mitigating tensions. →

1) 'Trust building exercise' through
Track II and Track III diplomacy
↳ P2P contacts, Business houses

2) Engage diaspora to make USA aware
of India's concerns and India's internal
affairs.

3) USA to 'exercise restraint' and respect
India's sovereignty.

4) India to work on strengthening it's
institutions ↳ NHRC called 'toothless
tigers'

5) Go for 'mutual exercises' like 'Cultural
exchange programmes'

India - USA partnership are strong and
robust and are now becoming 'engaged
democracies' from earlier estranged.

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)

South Asia has 21% global population, around 5 trillion economy and just 2% internal trade compared to GDP making it 'least integrated zone' in the world.
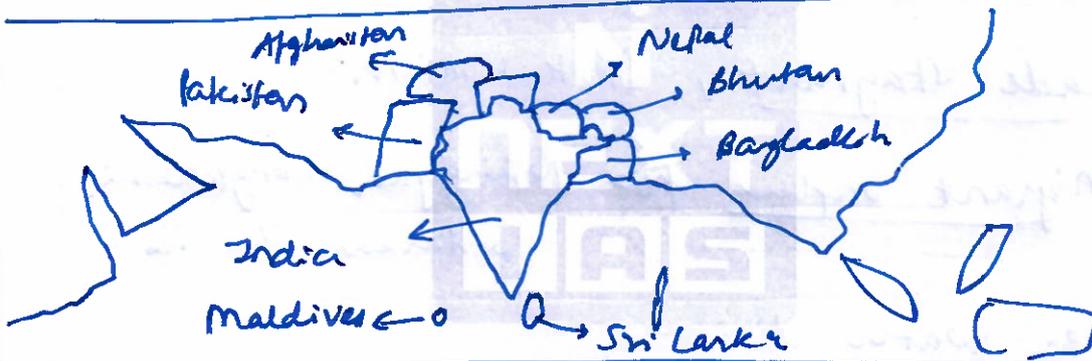
fig ① South Asian Countries.

Geopolitical challenges India faces. ⟶

1) Nuclear weapons ⟶ Pakistan has first use and rising mistrust leads to constant threats.

2) India-bashing by neighbours ⟶ due to 'power assymetry'

☞ Maldives - India out campaign.

3) China taking up strategic space

↳ With Nepal → hydropower projects

Srilanka → Hambantota port, Spy ships

Pakistan → CPEC corridor (China Pak economic corridor)

Maldives → feydoofinholu island.

4) China's 'String of Pearls', Belt and Road (BRI) initiative. and 'debt-trap'

5) Trade stagnant, Protectionism.

6) Migrant Influx ⇨ Rohingyas, Bangladeshis, Srilankan Tamils.

7) River water disputes
        ⇨ Nepal- kali, Bangladesh - Teesta.

8) Border issues and demarcation

9) Internal turmoil in these countries.
        ⇨ Bangladesh - Sheikh Hasina 'Ouster'.
           Nepal - Changing governments.
           Pakistan - failed state.

India → navigate challenges to strengthen regional leadership. →

1) Strengthening of Institutions.

☞ SAARC and BIMSTEC need to be made functional.

2) Improve **P2P contacts** → 'track II and track III' diplomacy

☞ South Asia → shared **history** and **culture** so leads to 'trust building'

3) '**Soft power**' ☞ buddhism, Bollywood leverage for ties

4) Capacity **building** and adressing delivery **deficit** → ☞ finish projects in Nepal

5) Increase funding and **DPA** (Development Partnership Agreement). ☞ IDEC.
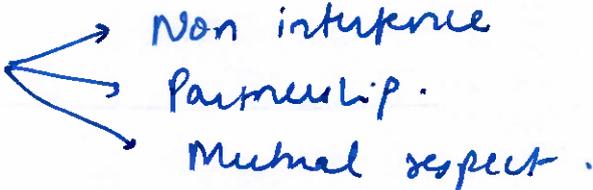
6) **Gujral Doctrine** {
→ Non interference
→ Partnership.
→ Mutual respect.
}

7) Take up role as 'net **security** provider' in South **Asia** and Indian Ocean region.

India is '**big**' and India is a '**brother**' should be the message it should convey and take up leadership to x-integrate, x-energize '**South Asia**'

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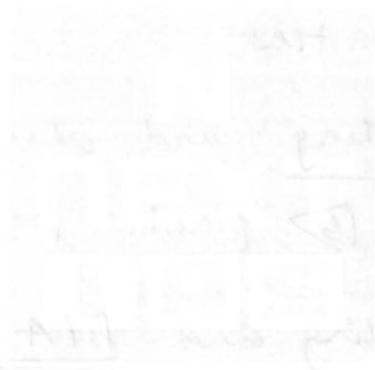
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Space for Rough Work

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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 pages from your QCA Booklet, if you find any page missing do not fail to notify the supervisor/invigilator.
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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.
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5. If you wish to cancel any work, draw your pen through it or write "Cancelled" across it, otherwise it may be evaluated.
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2. Please scan the QCA booklet in ample light. Copies scanned under moderate light can hamper evaluation quality.

3. Any page/pdf having shadow needs to be rescanned. Please make sure that the pdf that you upload is as clean as possible.

4. **Candidates not using the QCA booklet** must mention their details on the front page. And leave the next page blank for the macro comments. It must be understood that the answer should start from Page no. 3 in of the scanned pdf.

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महत्वपूर्ण निर्देश

अभ्यर्थियां को निम्नलिखित निर्देशों को ध्यानपूर्वक पढ़ना चाहिए। किसी भी निर्देश का उल्लंघन करने पर दण्डित किया जा सकता है।

क्या न करें-	क्या करें-
1. इस प्रश्न-सह-उत्तर पुस्तिका के भीतर कहीं भी अपना नाम या पंजीकरण संख्या न लिखें।	1. कवर पृष्ठ पर दिए गए निर्देशों को ध्यान पूर्वक पढ़ें और उनका सख्ती से पालन करें।
2. अपनी QCA पुस्तिका में कहीं भी प्रश्नों के वास्तविक उत्तरों के अलावा कुछ भी न लिखें।	2. QCA पुस्तिका के कवर पृष्ठ पर दिए गए स्थान पर अपना पंजीकरण नंबर और अन्य विवरण लिखें।
3. अपनी QCA पुस्तिका से कोई भी पृष्ठ न फाड़ें, यदि आपको कोई पृष्ठ गायब लगे, तो पर्यवेक्षक/निरीक्षक को सूचित करना न भूलें।	3. स्पष्ट और पठनीय तरीके से लिखें। खराब/अपठनीय लिखावट में न लिखें।
4. अपनी QCA पुस्तिका को अपनी टेबल पर न छोड़ें, परीक्षा समाप्त होने के पश्चात इसे निरीक्षक को सौंप देना चाहिए।	4. रफ नोट्स या गणना के लिए, इस पुस्तिका के अंतिम दो खाली पृष्ठों का उपयोग किया जाना चाहिए। रफ नोट्स को बाद में क्रॉस कर देना चाहिए।
	5. यदि आप किसी कार्य को रद्द करना चाहते हैं, तो उस पर अपना पेन चलाएं या उस पर "रद्द" लिखें, अन्यथा उसका मूल्यांकन किया जा सकता है।
	6. परीक्षा हॉल छोड़ने से पहले अपनी QCA पुस्तिका व्यक्तिगत रूप से निरीक्षक को सौंप दें।

ऑनलाइन सुविधा का लाभ उठाने वाले अभ्यर्थियों के लिए विशेष अनुरोध

1. QCA पुस्तिका को ठीक से स्कैन करें। हम चाहेंगे कि आप स्कैनिंग के लिए कैमस्कैनर ऐप (CAM SCANER) का प्रयोग करें। (यह कोई प्रमोशन नहीं है)।

2. कृपया QCA पुस्तिका को पर्याप्त रोशनी में स्कैन करें। कम रोशनी में स्कैन की गई पुस्तिकाएं, उनके मूल्यांकन की गुणवत्ता को बाधित कर सकती हैं।

3. स्कैन के दौरान छाया वाले किसी भी पृष्ठ/पीडीएफ को फिर से स्कैन किया जाना चाहिए। कृपया सुनिश्चित करें कि आपके द्वारा अपलोड की गई पीडीएफ यथा संभव स्पष्ट हो ।

4. QCA पुस्तिका का उपयोग नहीं करने वाले उम्मीदवारों को अपना विवरण पहले पृष्ठ पर देना चाहिए और मैक्रो टिप्पणियां के लिए अगला पृष्ठ खाली छोड़ दें। यह समझना चाहिए कि उत्तर स्कैन की गई पीडीएफ में पृष्ठ नंबर 3 से शुरू होना चाहिए।

5. QCA पुस्तिका का उपयोग नहीं करने वाले उम्मीदवारों को प्रश्नपत्र के अनुसार उत्तर के अनुक्रम का पालन करना चाहिए।

6. कृपया स्कैन किए गए संस्करण में उत्तर के अनुक्रम और कुल पृष्ठों की संख्या की जाँच करें। सुनिश्चित करें कि यह उसी के भौतिक संस्करण के अनुरूप है।