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NEXT IAS

GS MAIN ADVANCED COURSE 2024

(To be filled by candidate)

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

Name of Candidate: AAKASH. Mobile No [redacted]

Roll No. : NIS2024 67986 Start Time 9:00 am End Time 12:00pm

Date of Examination: 14-07-2024 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	
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 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 ही सभी 20 प्रश्नों के उत्तर-लेखन का प्रयास करें।
4. प्रत्येक उत्तर, प्रवेश के समय चुनी गयी भाषा के माध्यम में ही लिखे 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: .....

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

Copy Scanner App

Next IAS Test Centre Location

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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

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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)

Judicial Review (Art 13) ensures that every law and action is taken according to constitution of India (Rule of law) while law provides for judicial review

↓

Both are Part of Basic Structure (BSD) of constitution (Kesavananda Bharti case 1973) and are interdependent

MINERVA MILLS case

Judicial Review – most important aspect of BSD

(i) Protects Fundamental Rights from arbitrary legislations and executive actions.

(ii) Protect Secularism and Rights of minorities

(eg) Shah Bano Case, Sabarimala judgement

(iii) Protects Constitutional morality basic thinking behind constitution

(eg) MC Mehta case – Right to clean environment

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(iv) Maintain Checks and Balances
i.e Judicial check over Parliament and executive

(v) Maintains Rule of Law
Procedure of making Law should be followed and Due process of law to be seen (Kharak Singh Judgement)

Judicial Review - no the most important

(1) others are also important
(eg) Rule of law - which gives power to judicial review

(2) free and fair elections → supplements democracy and Rule of law

(3) Federalism - protecting states power against union

Judicial Review Challenges
- Judicial Supremacy → decrease checks and balances
- Judicial overreach cases (eg) Ban on BS IV vehicles
- Escapist tendencies = (eg) Stay on farm Bills rather than constitutional check

Supreme court being (Custodian of Constitution) needs judicial review but it should use it with caution

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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)

Delhi's Lieutenant governor (LG) gets his power from 69th Constitutional amendment, Article 239AA, Government of National territory Act (GNCTD)

Differences in Powers of Delhi LG

Delhi LG Powers	Other Governor Powers
(i) Day to Day Administration has to be with LG's consent.	(i) No consent is required
(ii) Any law incidentally falling outside purview of Legislature reserved for President	(ii) Only laws affecting high court powers, DPSP, fundamental rights ↓ reserved.
(iii) ~~Gov~~ LG can control transfers of civil servants (Decision of NCCSA to be passed by LG)	(iii) Under CM and council of ministers control

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(iv) Government anywhere means LG

(v) No power of legislation on Land, Police etc

(vi) aid and advice of COM - not binding on LG

(iv) Government signifies Governor, CM, COM

(v) Full control present

(vi) binding on LG.

Challenges
- LG acting as agent of centre
- LG not accountable to the people → against democracy
- alleged to be against trilateral accountability
- Delay the bills to be passed.

Way Forward

1. Washington/Canberra - model can be followed. - specific territory of city under - union control
2. Decentralisation of governance
   - e.g. SYDNEY Model - 31 local governments present

More than these, there is a need of cooperative federalism in Delhi.

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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)

Constitutional Morality - signifies the ideas behind making of provisions of constitution and applying to present circumstances.

Tension between Right to Religion (Art 25-28) and Constitutional Morality

- Talaq issue in Muslim community
- Mutilation of Body Parts in name of religion
- non entry of women in temples
- Polygamy allowed

Role of Judiciary: Navigator

(i) Essential Religious Practice test

(a) Shirur Mutt Case - origin applied in Hijab case

(ii) Use of Doctrine of Constitutional morality

(eg) Sabarimala case - entry of women in Temples

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(iii) Social Justice - Right of women to be protected
- (eg) Triple Talaq case (Shayra Bano case)

(iv) Promotion of idea of Uniform Civil Code
- (eg) supreme court recommended formation of UCC → protect women from injustice

(v) Hadiya case - disallowed forced mutilation of female body in name of religion

(vi) Church of God case - use of loud speakers for Namaj - disallowed causes Noise pollution

Challenges → Subjectivity - (eg) Sabarimala case (4:1 judgement) !/ both used constitutional morality doctrine
- alleged to be morality of few judges only
- can hamper secularism and affect religious minorities.

India follows positive secular model and needs to balance it with moral principles of present day.

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Q4. 'शक्तियों के पृथक्करण' का सिद्धांत अमेरिकी संविधान की एक प्रमुख विशेषता है। इस संदर्भ में तुलना करें कि भारतीय संविधान में शक्तियों का कार्यात्मक पृथक्करण अमेरिकी प्रणाली से किस प्रकार भिन्न है। शक्तियों के कठोर पृथक्करण की तुलना में नियंत्रण और संतुलन प्रणाली के क्या लाभ हैं? (150 शब्द, 10 अंक)

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

Separation of Power (SOP) as per 'Montesquieu' is the distribution of power between executive, legislature and judiciary

Key feature of American Constitution

Differences

USA SOP	Indian SOP
(1) Strict separation	(1) No strict separation
(eg) executive and legislature totally separate	(eg) executive selected from legislature
(2) Very less checks and balances	(2) Checks and Balances present
(eg) tough impeachment process	(eg) Art 13 judicial review of legislature and executive
(3) Executive not responsible to legislature	(3) Executive responsible to legislature
(4) more stability in government.	(4) more responsibility in government

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Advantages of check and balance system over rigid SOP

(i) More responsibility - less arbitrary actions (eg - NJAC struck down (4th judges case) judicial review

(ii) Avoid Concentration of power in single hands
(eg) Trump Dictatorial tendencies

(iii) More Democratic - multiple stakeholders are listened to

(iv) Help in decision making - more efficient and better decisions

Disadvantages → crossing/ blurring of lines (eg) Judicial overreach
→ against Principle of Natural Justice
(eg) executive majority in legislature

Therefore, Dr Ambedkar has said India prefers responsibility over stability. that's why checks and balances are required

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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)

Sixth schedule provides for welfare of scheduled areas and tribes in states of Mizoram, Assam, Tripura, Meghalaya

- Mizoram → Autonomous District council
- Assam → Public Participation
- Tripura, Meghalaya → Decentralisation of governance.

VI schedule – fostering development

(i) Autonomous District Council - fund devolution for development of areas

(ii) Public Participation @ Gram Sabhas are formed.

(iii) Self rule for tribals - @ 3/4th seats reserved for tribals.

(iv) More powers - @ No plan can be passed for land acquisition without consent of ~~Gra~~ tribals

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VI Schedule - respecting traditional governance and cultural practices

(i) Self-institutions - to do governance activities, even judicial activities

(ii) Non-encroachment over cultural rights - (eg) Forest → protected under Forest Rights Act

(iii) Society Rules - (eg) Liquor Ban to be made by tribals only

Challenges
- State's reluctance to devolve funds
- Huge bureaucratisation
- Lack of skills / awareness among tribals
  - (eg) Korba case
- parallel bodies developed.

Tribals are also Indians which needs to be integrated in nations development but slowly and cautiously

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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 (CSOs) are voluntary organisations, coming together for specific objectives generally to pressure the government or increasing public awareness

Methods

- Lobbying
- Social media
- Protest
- Petition
- Nataks, plays
- awarene
- Partner with government

Partnership : development goal contributor

(i) Collect Data of grass roots – help in data based governance

e.g. ASER Report – Pratham NGO

(ii) Help in Disaster Management

e.g. enhancing COVID vaccine awareness along with government

(iii) On ground – dissemination of information

e.g. about Swachh Bharat Abhiyaan

Community tactics

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(iv) Increase penetration of schemes
CSOs act as a bridge between government and public

(v) send public demands to government
(eg) MKSS demand for RTI
Majdoor Kisan Shakti Sangathan.

(vi) Decentralised politics
(eg) NGO Parivartan - training future politicians.

(vii) Providing food and education
(eg) Akshay Patra → Mid day meal
Foundation

Challenges → financial details not filed
(eg) CBI - only 10% has filed
Anti India development protest
(eg) Pingsa tod - Anti CAA protest
Foreign interference
(eg) Kundakulam Power Plant protest

Vikas kumar committee of light but tight regulations can be followed by government

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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)

Indian Civil Servants gets their power from Article 312, they have to work for citizens throughout their carrier.

Importance of life long learning culture

(i) Dynamic Problems - Problems are changing rapidly therefore needs mindset change
- eg LGBTQIA rights issue -

(ii) Advent of Technology - needs learning increase efficiency
- eg Artificial intelligence

(iii) Advanced threats to Indian Security
- eg use of drones

(iv) Climate Issues rising
- eg GLOF, flash draughts in country

(v) Huge diversity in the country learn to balance every opinion

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(vi) Developing ethics - to avoid corruption and maintain neutrality

(vii) Foreign Impact on country - Rising
(eg) Crude oil price rise

(viii) Cultural diplomacy rising
(eg) Op Kaveri - Sudan

Mission Karmyogi Contribution

(i) Ethical development - among the civil servants
(eg) Compassion to the oppressed

(ii) Grass root exposure
(eg) Village exposure programme

(iii) Fluence in technology
(eg) iGOT platform

(iv) Access / learning about diversity
(eg) Bharat Darshan

(v) Awareness about Internal security
(eg) Border attachment

Challenges → short modules
→ may not change innate biases among individual
→ no regular trainers

Hota committee recommended regular training and assessment of civil servant, should be following

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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)

According to UNDP Multi Dimensional Poverty India, India has pull out 25 Cr Indians out of poverty line in last 10 years

Poverty line - is income line based on consumption Survey, below which person/family is considered poor and given support by the government.

(based on Rangarajan committee)

Redefining Poverty line - Benefits

(i) Churning Poor can be included who come in and out of poverty line

(ii) More inclusive support to poor

(e.g.) PDS support to more people.

↓

Decrease malnourishment (Hidden hunger)

(iii) Enhances GDP per capita

Decrease inequalities

(e.g.) Now Gini coefficient (>0.5)

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(iv) Ensure Gender justice and child growth many can be benefitted

(v) Enhances Global image - and take us one step towards Developed economy

Challenges

1. Enhance Fiscal Burden (eg PDS - 80 Cr Indians already)
2. Needs new criteria to be developed.
3. Can cause Inflation in the economy
4. Problem of inclusion due to discrimination may not be solved

Way Forward

Policy making after data analysis

Multiple stakeholder to be involved

"Poverty is the worst form of injustice" - it must be solved

Martin Luther King

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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)



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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's Arctic policy deals with inclusive and sustainable use of Arctic region

India has developed research station there named Bharti

Alignment with Foreign Policy

(i) National Interest - supreme

Arctic rich source of minerals, and India's interest

(ii) Climate support - non hampering of climate.

(iii) Multilateralism - development of good relations with Russia

e.g. Chennai Vladivostok Corridor

(iv) Relations with Scandinavian countries - enhancement

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Collaboration and Agreements

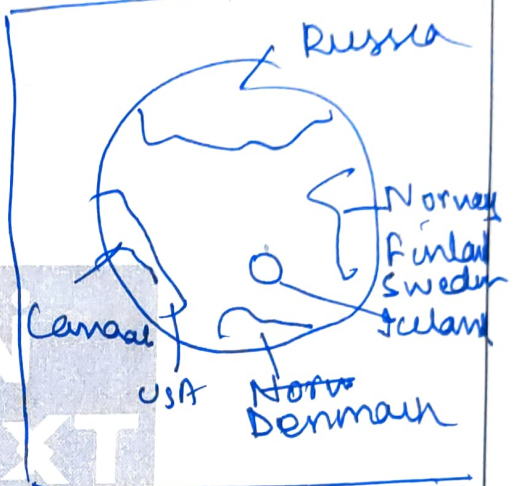
(i) India - regular observer state in Arctic council meeting

(ii) Svalboard ~~Station~~ Seed Bank developed in Norway.

(iii) Good relations with Arctic council countries.

(iv) Enhanced connectivity (Chennai - Vladivostok, INSTC.)

(v) EFTA negotiations with Norway, Iceland, Liechtenstein, Switzerland.



Arctic circle is the future resource whoever controls it, will develop faster. India must ensure its role in its inclusive utilisation.

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

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)

Recently 16th Finance Commission was set up by President under Art 280 of constitution headed by Mr. Arvind Pagariya

TERMS of Reference of 16th FC different from previous

(i) Balancing COVID slowdown - which have to be looked upon now

(ii) ~~Dema~~ Weightage of Demographic Performance can be increased for Southern States' increased share

(iii) Use of climate action / forest cover has one of the factor for devolution

(iv) Increase in shared tax devolution (41% → 45%.)

(v) Consideration of Jammu & Kashmir 1% is kept for J&K + tax devolution.

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Increasing Progressive tax devolution
- 41% → 45% in 15th FC
- use of demographic performance
- Increase in centrally sponsored schemes
- Grants in aids to the state

Factors Propelling Economic Disparities

(i) Historic Development - Some states are better performing in terms of GDP numbers from earlier
(eg) Kerala vs Bihar
good GDP growth — Poor economy.

(ii) Skilled Labour presence - in some states leading to more productivity.
(eg) Tamil Nadu.

(iii) Better Demographic Performance with more literacy - better allocation and utilisation of resources.
(eg) in Kerala - max literacy rate

(iv) Misutilisation of funds for populist policies, corruption.
(eg) BIMARU states
56% of Raj GSDP revenue - pensions and salaries

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(v) Infrastructure Presence - more in economically well states

Virtuous cycle

Better infrastructure → more investment → more employment (Human capital) → more products → economic growth → ↑ tax revenue → better infrastructure

Fig Virtuous cycle

(vi) Stable Politics

Some States have unstable polity leading to derailment of investment

(eg) Maharashtra, Bihar

Way forward

(i) Inclusive growth - with more devolution to underdeveloped and needy states

(ii) Performance linked devolutions

(eg) more devolution to States with better ease of doing businesses

(iii) States acting as a model

(eg) Delhi model of education learned by Tamil Nadu CM.

India is a socialist country and Art 39 of DPSP aims to minimise inequalities; so to make India 'ek Bharat, Shreshtha Bharat' we need cooperative federalism

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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)

Parliamentary standing committees are formed from among members of parliament, have media free discussions and give recommendations to Parliament

Powers and Working

Ethics Committee

(1) Look into unethical conduct by any member of Parliament
(eg) taking gifts or gratification

(2) Can lead to expulsion of member

(3) Rajkumpal Case
if deliberations are extra constitutional under judicial scrutiny

Breach of Previliges

(1) Look if any previlg is violated by any member ~~or person~~
(eg) Parliamentary disruption

(2) Can lead to suspension and in severe cases expulsion

(3) Matters can't be discussed in any court
Art 124 | Art 211

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④ Act as civil court in power, can ask for evidences and documents -

⑤ checks corruption cases like Horse trading

④ Look into the breach by any member if severe in nature

⑤ Promote smooth functioning of Parliament

Committee complementing : Parliamentary Discipline

(i) Smooth Process of Parliament is promoted.

eg MP Rahul Gandhi punished by Privilege Committee for controversial words against President.

(ii) Promote ethical discussion

eg Mahua Moitra case - case of taking gratification - caught by Ethics committee

(iii) Promote National Interest

i.e. issues of national importance to be discussed

(iv) Checks over the conduct of members as judiciary has no role.

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(v) Increase public trust in 'temples' of Democracy i.e Parliament

(vi) Some cases can overlap for both committees (eg) Disrupting discussions after taking bribes

↓

Both committees will take action

Challenges to working
- only Recommendatory bodies
- Alleged to be biased against opposition parties
- Inadequate membership present
- Lack of expertise of members in investigation of case.

depend on Presiding officer for cases

Way Forward

(i) Recommendations can be made binding
(ii) Expert involvement in process can be done
(iii) Increasing functionaries
(iv) Allow suo moto take up of cases

Norway model of Parliamentary appointment committees having binding recommendat can be followed in India also

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

(250 शब्द, 15 अंक)

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)

Recently, winter session of Parliament saw record high suspensions - 150 with Parliamentary productivity decreasing by 40% (Lok Sabha) in 16th LC (PRS Report)

Therefore, judicial activism gains importance in shaping public policy and governance

Art 142 — Supreme Court can do 'complete justice'

Evolving Role - in Public Policy & Governance

(i) Making guidelines for social upliftment

eg Vishakha guidelines → POSH act was made

(ii) Power of Judicial Review (Art 13)

eg NJAC struck down due to question of independent judiciary

(iii) Environmental legislations

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(eg) MC Mehta case - Right to fresh (Oleum gas leak case) air

(iv) Implementing International Conventions

(eg) PK Ghosh case - Rights of Persons with Disabilities based on UN convention on Rights of Person with Disabilities

Effectiveness of judicial Interventions

(Positive)

(i) Social justice - (eg) Navtej Singh Johar Judgement for LGBTQIA rights

(ii) Protecting rights - (eg) Hussain ara Khatoon case - Right to speedy trials

(iii) take action when legislature is reluctant - (eg) Lily thomas case Corrupt practices in elections

(iv) Affirmative actions

(eg) M Nagraj case, Indira Sawhney case on Reservations.

(v) Protect minorities from majoritarianism

(eg) St Stephens Case - minority educational constitutional rights

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(vi) Protecting Secularism and gender justice
(eg) Shah Bano case, Sabarimala case

Critique of judicial activism

(i) Judicial Overreach - (eg) Arun Gopal case
time of cracker burning

(ii) Performing core legislative functions
(eg) Anoop Baranwal case - Election commissioner appointment

(iii) Lack of accountability to public unlike legislatures

(iv) Do not represent public, and only represent few individuals.

(v) May not be acceptable to society
(eg) LGBTQIA marriage case - Supriyo case

Therefore, as Hon'ble Vice President has said 'Judiciary must not cross the Lakshman Rekha and follow Judicial restraint wherever possible as seen in Almitra Patel vs UOI case.

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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)

India follows a multiparty democratic system with each party registered with Election commission. Art 19(1)(c) give right to every individual to form associations (political parties is implied)

Internal Democracy - Recommended by Dinesh Goswami - committee - i.e every opinion to be heard, decision to be taken by majority voting.

Internal Democracy - impact on functioning and legitimacy

(i) Inclusive Decision Making - wide opinion are taken into consideration

(ii) Participation of women - helps in women empowerment and increase public trust.

(iii) Better Candidates for government who are tolerant in nature -

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(iv) Decrease in defections after elections because ultimate ideology will be similar.

(v) Less Public confusion – as no Regional ideologies are promoted
↓
decrease in polarisation during election.

(vi) Increase in transparency and accountability of party

Presently, Internal democracy within political parties are lacking leading to lack of all above points

(eg) – Family inheritance, Nepotism going on among political parties

(eg) Mass defections in Maharashtra Recently

(eg) Women participation below par only used as dummy candidates at places

(eg) huge communalisation during recent elections

(eg) NOTA votes in elections increasing

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Reforms addressing challenges

(i) political Parties - to be under RTI act - as recommended by supreme court

(ii) Ethical leaders of parties - to be promoted

(iii) Increasing public awareness - holding parties accountable

(iv) NOTA votes to be counted and if they are >50% - re-election to be conducted

(v) Reservation for women - intra party and SCs and STs.
(eg) FRANCE and UK Models

(vi) Transparent party manifestos and websites depicting the dissents

'Dissent is the safety valve of Democracy' - this needs to be inculcated in parties too for preparing the elected candidates to be democratic too.

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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)

NHRC was made based on Paris Principles. It is statutory body acting as a watch-dog for human right violations and protecting the minorities and oppressed

Role and Mandate of NHRC

(i) Look into human right violations can take suo moto ~~actions~~ cases
(eg) Sonbhadra case.

(ii) Powers of civil court - can arrest, seize or call upon any evidence or witness.

(iii) Use of other investigation agencies like State police can be done.

(iv) Take up cases from other authorities
(eg) Bilkis Bano case from Gujarat Police

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(iv) Power of enquiry into the case

(v) Recommend courts and shares the findings on which punishment can be given

(vi) Bring out cases of non fulfilment of human right Obligation

eg Ambu Jothi Ashram case - Internal complaints Committee were not made

(vii) Tell rights of prison inmates - for bail

current composition and functions
- Composed of Retired judge as chairperson
- At least one member to be woman
- Representation to marginalised classes
- maximum age = 70 yrs
- functions along with State HRC and take up of suo moto cases
- can't take up cases greater than 1 yr old

Above ~~thrice~~ Affecting Independence and effectiveness

(i) Depends on investigative authorities

Toothless tiger

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(ii) Can't punish – can only Recommend punishment

(iii) Appointment – indirectly in control of government. Committee members PM / Leader of opposition / MHA / CJI

(iv) Lack of required workforce
Huge pendency of cases

(v) Low Conviction Rates = 25% because of lack of powers and functionaries

(vi) Can't take up cases of greater than 1 yr old

Way Forward → more functionaries to NHRC
→ power to Punish
→ use of resources such as CBI / CVC.
→ SHRC to be strengthen alongwith independent functioning (no executive interference)

NHRC has solved cases worth > 1 Bn but there is still huge scope. It needs to transform from 'toothless tiger' to 'powerful lion' to protect rights of marginalised

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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)

Universal Health Coverage (UHC) - part of DPSP Article 41 - is to provide health services to all which is equitable, affordable and is of good quality.

Challenges to UHC
- Affordability - eg 49% out of pocket expenditure (NFHS 5).
- Rural-Urban divide - eg - 80% of Doctors working in urban areas
- Presence of quacks - eg 50% of rural doctors no medical qualification

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Role of Public sector : health access and outcomes

(i) Accessibility - Presence of Primary Health care can provide health access to all.
eg Mohalla clinics and U-PHCs in Delhi

(ii) Increase Affordability - Public health care is very low cost
eg Aarogya Mandirs - free of cost

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under Ayushman Bharat

(iii) Maintaining quality of hospitals with adequate drugs and staff.

(eg) Comprehensive care under Ayushman Bharat

(eg) Yoga, ENT care, rehab

(iv) Decrease Rural-Urban Divide → because no profit motive.

↓

Decrease quacks

Challenges → lack of doctors and paraclinical staff - 0.74 / 1000 doctor (recommended WHO = 1/1000)

→ Lack of infrastructure - In Haryana (500/1000 PHCs required - formed till now)

→ Lack of Drugs and investigation facilities → patient has to go out → high prices

Role of Private sector

(i) High level Patient care - with better treatment outcomes.

(ii) Supplement public health care.

(iii) Affordable through insurance facility

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(eg) PM Jan Arogya Yojana

(iv) More in urban areas - because of better standards of living

Challenges
- lack of insurance penetration
  - (eg) 20% Health Insurance penetration
- variation in prices
  - (eg) non implementation of Clinical Establishment Act
- Duping practices by corporates (eg) during COVID 19 Remdesevir scam
- inequitable treatment

Way Forward

(i) Implementation of Clinical establishment act across all states

(ii) Increase infrastructure, open more medical colleges, better R&D and insurance penetration

(iii) Strict guidelines for private hospitals

(iv) Better standard of living in rural areas - will attract Doctors

Bandhua - Mukti Morcha Case - Right to health for all should be the goal which should be achieved as early as possible

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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 (SDGs) 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)

SDGs are released by the UN for a period of 2015 to 2030, will help in sustainable growth (preserving resources even for the future generations as well)

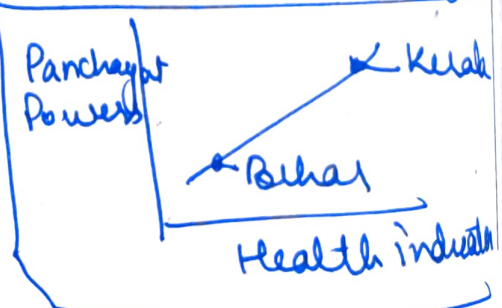
Regional context
- Energy transformation and climate action where social indicators are good
- local situations - education for all - decrease hunger where social indicators are poor

Panchayats – 73rd ~~and~~ 74th Constitutional amendment – Schedule XI of constitution of India

Role of Panchayat: catalyst for grassroot development

(i) Health for all – Democratic decentralisation has showed better results in improving health indicators.

(ii) Quality and Affordable education



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to all especially in far off areas

(iii) Enhance Political Participation - increases awareness - participation at higher level also increases

(iv) Increase Social Infrastructure and decrease wastage of resources because of tailor made policies and avoiding one size fits all

(v) Enhancing inclusion - (eg) Women participation in Gram panchayats = 49%

Role of Panchayat : ~~Ecology~~ Advancing Sustainable Development

(i) Climate Action - shift to Renewable energy
(eg) Ghar ke upar solar scheme
PM KUSUM for farmers

(ii) Decreasing hunger - (eg) Midday meal scheme - implementation check by gram panchayat

(iii) SwachhBharat - Panchayat played huge role in ODF city making
(eg) making community toilets

(iv) Afforestation Drives conducted

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(v) Social justice - women empowerment

eg Beti Bachao Beti Padhao → Selfie with Daughter campaign in Bibipur, Haryana

Challenges

1. Less devolution of funds and functionaries
2. Formation of Parallel bodies
   eg Haryana Rural Development Agency
3. High Bureaucratisation
4. Prevalence of Sarpanch Pati - women not empowered.
5. Lack of infrastructure and technology
   eg only 40% Panchayats - permanent building
   only 25% Panchayat → technology present.

'Rashtriya Gram Swaraj Abhiyan' can pave the way to fulfil Gandhiji's dream of self sufficient villages and achieve our SDG goals. It encompasses increase funds, function, inclusive decision making etc

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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 is applicable for children below 18 years of age. Prevention of Child Sexual Abuse Act protects rights of the children.

Implications of POCSO Act

(i) Strict Punishments for child sexual abuse - decrease in incidences

(ii) New Institutions formed
- Juvenile Justice Boards
- Child Welfare committee
- DCPU (District Child Protection Unit)

(iii) Protection authority in schools
Separate committee for looking into cases of child abuse

(iv) Avoid human trafficking and child labour

(v) Increasing the education standards among children → Healthy growth

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Role of POCSO act – transforming India's Legal framework

(i) children made a separate category

(ii) Strictes punishments - to deter the sinners

(iii) Gender neutral - ie both for boys, girls and even for other genders

(iv) Consent doesn't matter of children

(v) Creation of Juvenile Justice courts and Fast track courts to avoid long and tough legal process

(vi) Rehabilitation for the victims of crime - Child Welfare Committee.

(vii) Adult accused will be treed as adult only

(viii) Increase among children over sexual abuse and 'good touch' and 'bad touch' differentation

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Challenges

(i) Cases of 16-18 years tried under POCSO - mostly done with consent.

(ii) Non Bailable offence and burden of proof on accused.

(iii) Delays in Juvenile Justice Board judgements

(iv) Controversial judgements by courts
- (eg) touching children over the clothes ↓ not a molestation

(v) Delay in filing FIRs
- (eg) Wrestler case against WFI President

Way forward

- Age 16-18 years can be taken out of POSCO - SC judge
- Strict deterrence and prevention of cases of child abuse
- Rapid Response team to be formed
- Awareness campaigns in every locality and school

Pt Nehru - children are the future of country, they must be protected and nurtured

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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)

USA is the first democracy in world while India is the largest and most vibrant democracy in world. So their values coalign with each others.

Influence of Human right issues and Democratic values → diplomatic Relationship

(i) Kashmir issue Comment by America
↓
led to strong resentment by Indian government
↓
Affect India's Regional interest

(ii) Biased ~~USIRFC~~ USA Reports on Fundamental Right violation (eg) Shaheen Bagh case (Anti CAA protest)
↓
stiff diplomacy

(iii) Support of Farmer Bill Protest by US
↓
India's sovereignty affected

(iv) US supporting Pakistan in 1971 war

(v) India USA - both promoting democracy

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in other countries
(eg) Afghanistan

(vi) Support institution like UNSC
→ collective Resolution of Cases

(vii) Gaza humanitarian crisis - India working
Concerns → Affected Bilateral engagement

(i) Support of Pakistan - pushed India towards Russia for help - 1971 war.

(ii) 'Freezing the Moment' issue in UNSC.
→ India trying to enter UNSC permanent membership

(iii) Volatile nature of USA Foreign Policy
i.e No permanent friend and foe.
India following multialignment

(iv) Indian Diaspora in USA - (eg) Recent increased killing of Indian origin students
India MEA talks with USA on the issue
USA assured actions

(v) Nijjar and Pannun cases - Khalistani activities
Both countries working in background to resolve and investigate the issue

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(Mitigate tensions) -

(i) Maintaining mutual political silence and non-interference - (eg) India - no comment on USA college protests for Rafah and arrest.

(ii) Collaboration for Indo Pacific - against China's revisionist and expansionist tendencies.

(iii) Increasing Diplomatic processes - high level committees and back door diplomacies to be undertaking

(iv) Mutual understanding at global forums (eg) I2U2, Quad, UNSC.

(v) Using Diaspora as ambassador of better diplomacy

(vi) Celebrating cultural festivals, following Neoliberal views - increasing trade (eg) ICET better relations

US sees India as a net security provider and India sees 'US' as mandatory for checking China's growth, therefore both must collaborate.

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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 - comprises of countries like India, Nepal, Bhutan, Bangladesh, Sri Lanka, Pakistan, Afghanistan etc



Geopolitical challenges

(1) S. Jaishankar problem of 3Us

- Unresolved disputes
- Underexploited opportunities
- Unintegrated region
- South Asia

(2) China Factor - I2 Diplomacy - Incursion, Infiltration
- String of Pearls

(3) Belt and Road initiative - surround India
- eg Hambantota Port Srilanka

(4) Security concern
- eg Myanmar military coup, Afghanistan Taliban takeover

(5) Border infiltration and trafficking
- eg Bangladesh, Myanmar - Porous Borders

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(6) Unexploited economies
only 5% of GDPs from South Asia
(ASEAN = 25% of Asian GDP)

Global Rise of South Asia
- huge market - high population
- emerging economies - (eg) Bangladesh
- Voices of Global South - increased connectivity
- Huge diaspora abroad
- Importance of Indian ocean Region for world - minerals, connectivity
- Tackle China's influence

India - Measures to navigate challenges

(i) MEA recommendations for Neighbourhood First Policy
(Ministry of External Affairs)

- Border Management
  - Infrastructure
    - Vibrant Village Programme
  - Technology use
- Infiltration and Illegal migration
  - MHA (Home ministry) - collaborate with MEA
  - economic relations with Pakistan
  - detection and deportation

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- enhance connectivity → separate fund to be created
- enhance development Aid (eg) IMT highway
- collaborate and strengthen forums eg BIMSTEC

(ii) Double peace for Myanmar and twin track diplomacy
internal external peace.

(iii) Avoid 'Big Brother' attitude
(eg) Maldives allegations.

(iv) Political Priority
(eg) inviting for G20 summit
and swearing ceremony of PM

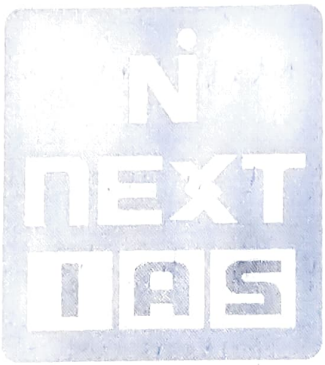
(v) Resolving disputes by diplomacy
(eg) Teesta River Linkage Project.

(vi) Suspension of Free Movement Regime

South Asia comes at intersection of Arc of instability and Arc of Communication
India should take its leadership and develop it as powerful bloc.

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4. Do not leave behind your QCA Booklet on your table unattended, it should be handed over to the invigilator after conclusion of the exam.

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महत्वपूर्ण निर्देश

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

क्या न करें-

1. इस प्रश्न-सह-उत्तर पुस्तिका के भीतर कहीं भी अपना नाम या पंजीकरण संख्या न लिखें।
2. अपनी QCA पुस्तिका में कहीं भी प्रश्नों के वास्तविक उत्तरों के अलावा कुछ भी न 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।
4. अपनी QCA पुस्तिका को अपनी टेबल पर न छोड़ें, परीक्षा समाप्त होने के पश्चात इसे निरीक्षक को सौंप देना चाहिए।

क्या करें-

1. कवर पृष्ठ पर दिए गए निर्देशों को ध्यान पूर्वक पढ़ें और उनका सख्ती से पालन करें।
2. QCA पुस्तिका के कवर पृष्ठ पर दिए गए स्थान पर अपना पंजीकरण नंबर और अन्य विवरण लिखें।
3. स्पष्ट और पठनीय तरीके से लिखें। खराब/अपठनीय लिखावट में न लिखें।
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 टिप्पणियों 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।

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