Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

NEXT IAS

GS MAIN ADVANCED COURSE 2024

(To be filled by candidate)

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

Name of Candidate: PRIYANSHU MISHRA Mobile No [redacted]

Roll No. : 0845090 Start Time 12:00 End Time 3:00

Date of Examination: 18/08/2024 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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Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

Student Concerns / Query	Evaluator's Feedback / Response
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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

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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 ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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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 although not explicit has been crucial in placing system of checks and balances through constructive interpretations of Supreme court.

Sources of Judicial Review
- Article-13 - Laws to be void in violation of part III of Constitution.
- Article-32 - writ jurisdiction
- Article-142 - Power to do complete justice

Significance of Judicial review -

i) - Filling Legislative vacuum - It has been crucial in filling of legislative vacuum.

Example - Emergence of Vishaka guidelines.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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ii). Preventing executive authoritarianism. -
Through methods of constitutionally reviewing laws and constitutional ammendments.

iii) - Power as final interpretor - of constitution of Supreme court, ensures constitutionality of the legislations passed by Parliament.

iv) Safeguarding rights - Through power of Judicial review, Supreme court has been able in Safeguarding rights.
Example - Shreya Singhal Judgement → Freedom of speech and expression.

v) - Guiding of Parliament - in light of constitutional morality.
Example - Supreme court's directive on implementation of uniform civil code.

However, this power sometimes leads to Judicial overreach leading to distortion in Scheme of Separation of power. At such times Judicial restraint becomes essential.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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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)

Governors under article 163 of Constitution and Lieutenant governor under article 239 (AA) of Constitution are envisaged to play role of bridge between central and local governing entities.

Difference between two -

Governor	Lieutenant Governor
i). Constitutional - Provided in original Constitution under Article 163.	ii). Constitutional - Added with 69th Constitutional ammendment
iii). Scope of power - Explanation over subject of Schedule VII's State List.	iii). Scope of power - Apart from State subject, it's power also have jurisdiction over law and order, land and policing.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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iii) - Discretion - There is lower scope of Constitutional discretion, but greater scope of situational discretion.

(iii) - Discretion's scope is wider compared to Governor of the State.

iv) - Local bodies - Nominations should be on aid and advise of Council of ministers.

iv) - Local bodies - nomination can be done according to his own discretion.

v) - Government - of the setup to elected government of the day.

v) - Government of the day refers to Lieutenant governor of UT's (Example) - Delhi's recent ammendment to NCT act.

Although differing in functions, method of appointment, removal, and functioning of governor and Lieutenant governor remains similar, causing constraints on federal relations between State, Union, and union territories.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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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)

Constitution of India envisages for a secular country under various articles of Part III and part IV. Apart from this, through articles 13, 32 and 142 it envisages a independent judiciary.

Judiciary and constitutional morality -

i) - **Basic structure doctrine** emerged after Keshavananda Bharti case has been instrumental in resolution of cases pertaining to religion and rights.

ii) - **Essential practices doctrine** emerged in Shirur mutt case has been crucial in determining religious places disputes

iii) - **N.A.L.S.A and Nalz foundation case**

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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under these cases. Supreme court in light of constitutional morality, ruled in favour of right of self recognition.

iv)- [Sabarimala Judgment]. Discriminatory restrictions on women entering the temple was set aside, favouring rights against religious practices.

v)- [Shah Bano Judgment] - ensured right to get compensation which was not in accordance to muslim personal. this was also in favour of right against religion.

vi)- [Hadiya case] - Right to marriage was upheld in light of constitutional morality against social morality.

vii)- [Triple Talaq Judgment] - A major boost to rights of muslim women.

Thus Supreme court through it's constructive interpretation has tried to maintain Constitutional morality in case of conflict with religious values.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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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 doctrine can be traced back to works of Locke ensuring limited government however, Montesque came up with comprehensive doctrine of Separation of power.

Differences between Indian and American System -

Indian System	American System
i) - Parliamentary government - Thus allowing concept of dual membership. Example - Ministers part of Legislature and executive.	i) - Presidential government - There is no scope of dual membership, rather concept of kitchen cabinet.
ii) - Doctrinal - follows procedure established by law. Example - Article 21	ii) - Doctrinal - follows due process of law.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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iii) - No watertight separation of power among legislature, judiciary, and executive.

iv). Judicial intervention - is frequent due to system of checks and balances.

Example - Basic structure doctrine.

iii). Watertight separation of powers is followed.

Example - President is not part of legislature.

iv). Lesser scope of judicial intervention as there is complete separation.

Advantages of checks and balances system -

i). Allowing harmonious working - Between three parts of administration

ii). Check on authoritarianism - in not complete separation.

iii). Logjam is avoided - as seen in case of complete separation.

Thus system of checks and balances ensures middle path between complete and no separation of powers.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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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 Schedul of constitution ensures autonomy in governance to four states - Assam, Meghalaya, Tripura and Mizoram.

Sixth schedule and Governance

i) - **Ensures participation** - Through provisions of **Autonomous district Councils.**

A.D.C { Elected — 21 — U.A.F
Nominated — 04 — by governor

ii) - **Consensus oriented** - Governance is promoted through method of universal adult franchise.

iii) - **Control over resources** - of forest through formulation of rules by A.D.C on minor forest produce.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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iv) - **Reflecting traditional governance** - modelled on tribal councils.

Example - Naga councils playing role in Autonomous district council of Mizoram.

v) - **Autonomy over cultural laws** - tribal population has autonomy over deciding cultural laws of marriage, divorce ensuring cultural autonomy.

vi) - **Safeguarding from central laws** - That affects governance or traditions of tribal population.

Example - C.A.A, N.R.C excludes implementation in 6th schedule areas.

vii) - **Enforcement of trust** - Due to development with preservation of culture approach.

Thus 6th schedule has been instrumental in attaining good governance in 6th schedule areas.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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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 and non-government entities act as bridge between government and citizens

Role of Civil Society organisation -

i) - **Awareness** - About civilians constitutional rights.

Example - P.U.C.L spreading awareness about civil liberties.

ii) - **Legal support** - These civil society organisations provide legal support to vulnerable section of society.

iii) - **Gathering of data** - with its expansive reach, civil society organisation, gathers data, helping in quality policy formulation

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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(Example). Data from Pratham N.G.O has been useful in improving quality education.

iv). Increased reach - with help of civil society organisations, govt can ensure benefits of scheme to remote areas.

v) - Participatory governance - Civil society organisation can ensure participatory governance.

Example - civil society organisation aiding citizens in mechanism of social audit of schemes.

vi). Providing expertise - These civil society organisations and N.G.O's provide functional specialisation to policies of government

Example - IAMAI in formulation of revised I.T act.

Thus civil society org. with their functions can enhance governance and increase public trust in governance

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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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)

Civil Servants regarded as steel frame of India by Iron man of India, Sardar Patel, are instrumental in governance objectives and ensuring quality service delivery.

Importance of life long learning culture -

i) - Changing nature of governance - As witnessed in transformation of governance ~~from~~ to E-governance.

ii) - Improving the service delivery - With passage of time, coming better on expectations of people.

iii) - Increasing trust and efficiency - Through learning of new methods, efficiency of governance as well

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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as trust in service delivery can be enhanced..

Contribution of mission Karmayogi -

i)- Capacity building of civil servants.
Being primary objective of mission Karmayogi through inclusion of workshops.

ii). Competency framework - For assessment of performance of civil servants on service delivery parameters.

iii). I.G.O.T platform - To monitor and improve the performance of civil servants, with increase in their learning timely and skilly.

iv) - Building future ready - Civil servants to deliver according to changing needs of people.

most important in modern times is removing bureaucratic attitude and instilling of democratic attitude among civil servants.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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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 recent U.N.D.P's multidimentional poverty indus, India has successfully halved its poverty rate to 16%.

India's current poverty line -

i)- **Tendulkar committee** - Current poverty line of India is based on recommendation of Tendulkar committee.

ii) - **Consumption Basket** - currently basket for urban and rural areas remains the same.

iii) - **Components** - Apart from food, housing, and clothes, it includs health and education.

iv)- **Measure** - It moved from calorie based poverty line given by Y.K Alagh committee.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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Benefits and challenges of revision -

Benefits

i) - Alignment - with contemporary needs of society,

ii) - Adding - new components according to modern consumption patterns.

iii) - Removal of outdated and updating the existing one,

iv) - Moving from absolute to relative poverty,

v) - change in Consumption basket for urban and rural areas.

Challenges

i) - Political will - to revise the current poverty line is a challenge.

ii) - Increased - number of poor due to revision of poverty line.

iii) - Absence of data - due to delay in Consumption survey and census data.

Although revision have challenges but revision of poverty line will serve great good of improving living standards of Indian people

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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)

Present global order can be considered as post-war global order shaped by victors of world-war-2.

Causes behind deepening of political divisions

i) - Global north and South - Divide reflecting developed and developing countries conflicts.

ii) - Climate justice - non recognition of historical responsibilities by western countries.

iii) - Dysfunctional - Status of global governance structure due to ambivalent attitude of west

Eg:- D.S.B of W.T.O remains dysfunctional.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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iv) - Weaponisation of human rights - as a tool to interfere into internal affairs by western countries.

Impact on global governance -

i) - Weakening - of fight against global problems such as climate change, global warming.

ii) - Terror threats - may arise due to non-cooperation on this transnational problem.

iii) - Rule based international order - under threat due to dysfunctional status of governing bodies.

How India should navigate

i) - Adherence - To rule based international order.

ii) - Sovereignty and integrity - must not be compromised through any alliance.

iii) - Strategic autonomy - must remain intact.

Apart from above, multilateral, bilateral interactions regarding global issues can help in navigating double times.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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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)

With melting of Arctic ice and increasing span of ice-free summer in Arctic circle, this regions has come to assume significance.

India's policy in Arctic -

i) - membership - of important bodies such as Arctic council where India is currently observer member

ii) - Scientific explorations - with coordination from N.C.P.O.R under Ministry of earth sciences.

iii) - Base stations - such as Himadri at Svalbard.

iv) - Cooperation - with countries of Arctic region such as Scandinavian

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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and Russia.

Collaborating and agreements with Arctic council -

i). Observer membership - India got its observer membership renewed, in arctic Council.

ii). Scientific cooperation - with Countries of arctic council.

iii). Research towards - Solving the problems of global commons. such as - research towards addressing problem of global warming and climate change.

iv). Ensuring peace - in the arctic council region through dialogue and deliberations.

with China declaring itself as near arctic state and possibility of northern sea route India can hardly keep itself away from this region.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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)

With melting of Arctic ice and increasing span of ice-free summer in Arctic circle, this regions has come to assume significance.

India's policy in Arctic -

i) - membership - of important bodies such as Arctic council where India is currently observer member

ii) - Scientific explorations - with coordination from N.C.P.O.R under Ministry of earth sciences.

iii) - Base stations - such as Himadri at Svalbard.

iv) - Cooperation - with countries of Arctic region such as Scandinavian

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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and Russia.

Collaborations and agreements with Arctic council -

i). Observer membership - India got its observer membership renewed, in arctic Council.

ii). Scientific cooperation - with Countries of arctic countil.

iii). Research towards - Solving the problems of global commons. such as - research towards addressing problem of global warming and climate change.

iv). Ensuring peace - in the arctic council region through dialogue and deliberations with China declaring itself as near arctic state and possibility of northern sea route India can hardly keep itself away from this region.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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 Constitution provides for formation of Finance Commission that plays crucial role in maintaining fiscal federalism

Structure and provisions

i). Chairperson - Appointed by President of India, along with the other members.

ii). Tenure - Generally 5 years, however extendable.
Example - Tenure of XV th FC extended by 1 year.

iii). Functions - Recommending on fiscal devolution

Devolution — Horizontal — States - States
Vertical — Centre - States

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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Differences between 16th and other finance commission -

Previous F.C	16th F.C
i). Population data of previous finance Commissions except 15th was census 1971 or earlier.	i). Population data of 2011 census is getting used.
ii). Share of states - generally remained below 35%, only after 14th F.C. it increased.	ii). Share of states - At 41%, further increment of devolution is under consideration.
iii). Tax reforms - were not emphasised enough.	iii). Tax reforms - are prioritised with it's inclusion in XVth Finance commission
iv). Environmental concerns did not reflected in terms of references.	iv). Environmental Concerns are reflected in terms of references.
v). Chairmanship - has always differing. XVth F.C - N.K Singh.	v). It is headed by former C.E.O of NITI Aayog - Arvind Panagariya

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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Factors propelling economic disparity -

i). **Central control over finance**
- Through F.R.B.M act, capping fiscal deficit of states.
- Article 293 - Enables central govt to place borrowing restrictions.

ii). **Divisible pool** - does not accounts cess and surcharges - which share in gross tax revenue is at 41%

iii). **Balanced regional growth** - missing leading to empowerment of some, deprivation of other states.

iv). **G.S.T reforms** - has led to erosion of fiscal powers of States.

v). **Investment** - from abroad is concentrated among few States.

Need is to promote Balanced regional growth and considering cess surchargy making part of divisible pool.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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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)

Ethics and privilege committees of parliament are extra constitutional mechanisms ensuring smooth and fair functioning of parliament

Diffences between Ethics and privileges Committee

Ethics Committee	Privilege Committee
i) Origin - is of recent origin. can be traced back to early 2000's.	i). origin - is older, can be traced back to first general elections.
ii) - Scope of power. can investigate and summon member of parliament for unethical conduct	ii) Scope of power. It can also recommend suspension from house.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

iii). Ambit – It includes only members of house, not individuals.

iii). Ambit – It also includes individuals breaching privilege of house.

iv). Monitors – The ethical conduct of members.

iv). Monitors – Constitutional privileges of the House and members.

v). Breach – means member using unparliamentary language.

Example – Proceeding against Mahua Moitra

v). Breach – means providing of false information by member of parliament.

Example – Opposition calling for proceedings against Dharmendra Pradhan on NEET issue.

Committees complimenting each other's –

i). Framework – while Ethics committee

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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ensure Ethical behaviour of members of parliament, Privileges Committee ensures veracity of the house.

ii). Deterrance. Both committees together create a deterrance against violating sanctity of the house.

iii). Ensuring accountability - of the member of parliaments for their statements in the house.

iv). Ensuring fair representation - Through method of proportional representation adopted in members elected to these committees.

Thus these committees play important role in maintainence of not only procedural but also substantive democracy.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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)

According to Jawaharlal Nehru, he envisaged a active judiciary not passive one driving India's Social revolution.

Provisions guaranteeing Judicial activism

- Article 13 - laws in contravention to Part III - declared void.
- Article 32 - writ jurisdiction
- Article 131 - mediation in state-centre disputes.
- Article 142 - exceptional power to do complete justice.

Reasons behind judicial intervention -

1). Legislative vaccum - on various issues mandating judicial intervention

Example - E.C.E law.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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ii). **Interpretative purpose** - As Supreme Court is final interpretor of Constitution.

iii). **Resolving disputes** - Between two fundamental rights, or between fundamental rights and directive principles.

Judicial intervention -

Safeguarding rights

i) - M.C. Mehta Judgement - Through Constructive interpretation ruled that right to life includes right to clean environment

ii). Shah Bano Judgement - Upheld right to Compensation of muslim women against muslim personal law.

iii). NALSA and Naz foundation - Cases ensure right to equality and right to expression to

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

Transgender community.

iv). Sabarimala Judgement - upheld right to equality of women to enter temple premises.

v). Hadiya case - upheld right to marry partner of one's choice.

Governance gaps

i). Women at workplace - Supreme court came up with Vishakha guidelines.

ii). Taj Trapezium case - with intervention of Supreme court, area was cleared of harmful chemicals.

iii). N.G.T Judgement - it was after intervention of Supreme court, government established National green tribunal for environmental protections.

iv). Enabling of P.I.L - aimed at addressing governance gap in public interest.

Thus although Supreme court has played crucial role, concepts of separation of power and checks and balances must guide its institutional authority.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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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)

According to Edmund Burke political party is a group of people with similar ideology or similar objectives.

Party System in India

i) - **Multi Party System** - with concept of plurality and First Past the post system.

ii) - **Caste based parties** - Based on multiple social equations such as MY (Muslim Yadav), and KHAM etc.

iii) - **Regional parties** - predominent in their regional spheres.

Example - Naga people's front, and other parties of North East India.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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iv). Parties with modernity - while their functioning indicate modernisation, their ownership reflects bonds of traditionality.

Impact of internal democracy -

i) - Representativeness - In absence of intra-party democracy questions around representativeness of party arise.

ii) - Dynasty politics - leading to less level playing field to other members of party.

iii) - Glass ceiling - for women as otherwise politically marginalised, they further get sidelined.

iv) - Promotes groupism - In absence of intra-party democracy, party suffers from groupism and factionalism.

Example - Shivsena, N.C.P etc.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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v) - Transparency and accountability - with lack of intra-party democracy, transparency and accountability in party affairs.

Reforms needed for intra-party democracy -

i) - Implementing Supreme court's directives -
- Regarding bringing political parties under R.T.I.
- Also promoting measures for intra-party democracy.

ii) - Legislation - from parliament aiming at uniformity in provisions regarding intra-party democracy.

iii) - Global best practices - Examples from American system (Republican, Democrats) or British System (Conservative, Labours) can be taken.

iv) - Free-Fair timely polls - can be ensured with intervention of election commission of India.

Without intra-party democracy, realisation of true democracy is not possible as political parties are the block of democracy.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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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)

In persuant to international covenant on human rights, India came up with protection of human rights act 1993, leading to institutionalisation of human rights regime in India.

Structure -

i)- Two tiered - with National human rights commission and State human rights commission.

ii)- Members - Total five members including chairperson

iii)- Appointment - By President of India, through a search-cum-selection committee led by prime minister of India.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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iv) - **Eligibility** - Retired judges of Supreme court or high court can be chairperson.

v) - **Tenure** - 3 years in service or 70 years of age.

Role and mandate -

i) - Monitoring role - Monitoring cases of human rights violations, ensuring implementation of human rights act.

ii) - Investigative role - Commission can investigate cases involving human rights violations.

iii) - Power to summon - Having power of civil court, N.H.R.C can summon officials in cases pertaining to human rights violations.

iv) - Safeguarding - the constitutional rights guaranteed to the citizens as well as aliens or foreigners.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

v). Advisory — It plays advisory role if any issue is referred to it by President of India.

Independence and Effectiveness —

i). Toothless tiger — Remained by the Paris, as it lacks Punitive powers of Criminal courts.

ii) — Appointment method — dominated by executive raises questions over autonomy of institution.

iii). Enforcement powers — In lack of implementary powers, Enforcement becomes difficult.

iv). Selective interventions — shows political partisanship.

Eg: Eg. Inaction in Hathras, or 2002's Gujrat case.

In order to realise a society that guarantees human rights to all, NHRC has to become from toothless tiger, to biting shark through its empowerment.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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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 refers to covering entire population under health security cover. It is of special significance in country like India, where affordability of health care has always been issue.

Disparity in heath care in urban-rural -

i). **Availability of doctors** - 1:1500 against WHO's recommended 1:1000.

- Also reluctancy among doctors to serve in rural areas.

ii). **Quality Healthcare** - while urban area has quality doctors, and quality infras, rural area suffers with reliance on Primary health care sector.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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iii) - **Increasing burden** - of diseases and rise in cases of non-communicable diseases.

Example - NCDs accounting above 60% deaths.

iv) - **Availability of hospital beds** - It varies between rural and urban areas due to private hospitals prioritising urban spaces.

v) - **Affordability** - with more than 1/4th population below poverty line and more than 40% population earning less than 5$ daily, access to quality healthcare is difficult.

Role of public-private sector -

i) - Increasing numbers of doctors -

- private medical colleges can ensures increasing number of doctors.
- public sector can frame policy

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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regarding doctors serving in rural areas.

Example - U.P govt. order on mandatory service in rural areas.

iii). Improving infrastructure -

- using private sector capacity in building quality healthcare infrastructure

Example - Apollo - Fortis - may help in building quality rural health infra.

iii). Funding -

- Private sector can crowd in funding in healthcare ensuring increasing accessibility to rural areas.
- Government can increase health expenditure from 1.4% to 2.5% in accordance to National health policy.

iv). Establishment of joint ventures - on lines of Rangarajan Kolmet in rural areas with burden sharing.

P.M. JAY Ayushman Bharat has been 'good example of public private partnership in healthcare sector, need is to increase scalability & ensure everyone quality healthcare.

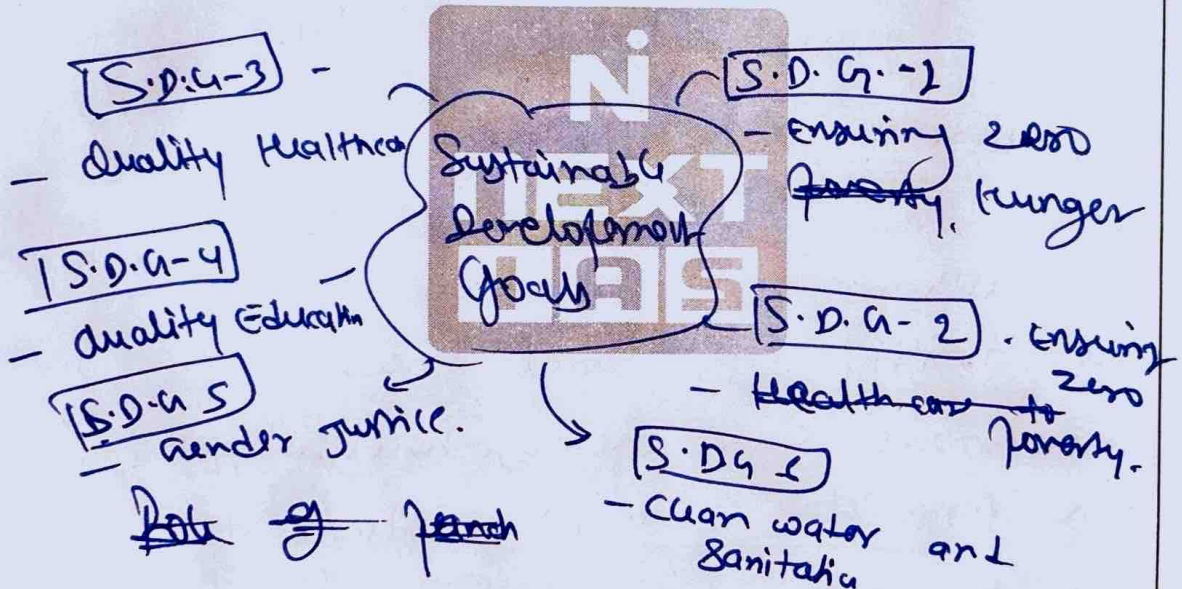
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Q17. सतत विकास लक्ष्यों (SDGs) की प्राप्ति के लिए क्षेत्रीय संदर्भ और स्थानीय परिस्थितियों पर विचार करना आवश्यक है। इस कथन के आलोक में जमीनी स्तर पर विकास और सतत विकास को आगे बढ़ाने के लिए उत्प्रेरक के रूप में पंचायतों की भूमिका का परीक्षण करें। (250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

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

Sustainable development goals are a set of 17 goals under 169 subgoals aimed at Rio+20 Summit of 2012.



India has institutionalised local governance system for rural areas through 73rd Constitutional amendment. These provision also offer scope for functionalisation of Sustainable development goals.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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Role of Panchayats -

i) - **Delivery of services** - Panchayats can ensure grassroot delivery mechanism ensuring progress towards attainment of S.D.G.

Example - Food distribution through fair price shops - realisation of zero hunger and addressing poverty.

ii) - **Better targetting** - Reducing exclusion and inclusion errors, serving real objectives of schemes.

Example - M.G.N.R.E.G.A. scheme.

iii) **Participatory governance** - Through participatory governance, Panchayats may be instrumental in enforcing rule in social Contract.

iv) - **Boosting accountability** - Being an

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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accessible institution, panchayat can be instrumental in attaining accountability.

v)- **Ensuring transparency** - Panchayats through system of panchayat meetings and participatory mechanism may ensure transparency.

vi)- **Gender justice** - Though reservation of 1/3rd seats to women, objectives of Gender justice under sustainable development goal can be addressed

Challenges -

i)- Functions - Lack of devolution of powers from state government

ii)- Fund - Issues regarding revenue sufficiency. - currently at 4%.

iii)- Functionaries - Either understaffed or faces bureaucratic apathy.

There is, hence need of second generation reforms to enable local governance body playing role of catalyst in attainment of S.D.Gs

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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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)

Children forms vulnerable section of society. According Constitution has provided with safeguards under article. P.O.C.S.O act is aimed at addressing menace of sexual exploitation of childrens in India.

Provisions of P.O.C.S.O act -

i) - **Definition** - of children is any children below the age of 18.

ii) - **Categorisation** - of sexual offences against childrens.

Example - Penetrative sexual assault, aggravated penetrative sexual assault and children pornography.

iii) - **Nature of offence** - is non

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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Cognizable and non bailable.

iv) - Punishment - Ranges from life imprisonment to even death sentence in case of sexual assault and murder.

v) - Special courts - Act also has provisions regarding establishment of special courts for speedy justice.

Role of P.O.C.S.O -

i) - **Creating deterrance** - Through P.O.C.S.O act, there has been creation of deterrance against children sexual offenders.

ii) - **Social awareness** - with act, there has been increased awareness among public regarding nature and consequences of crime against children.

iii) - **Ensuring punishment** with provisions

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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of strict punishment, and ensures rectificatory justice to victims.

iv) - **Stigmatisation** - of offenders under P.O.C.S.O in society, leading to increasing the penal deterrence of act.

challenges -

i) - **Implementation** - Remains low due to negligence and unprofessionalism of investigating agencies.

ii) - **Delays** - According to N.C.R.B, average delay is around 5 years.

iii) - **Reporting of cases** - despite having provisions of anonymity reporting of cases has been a challenge.

iv) - **Increasing cases** - According to N.C.R.B data, despite of strict provisions, cases pertaining to sexual assaults of children are increasing.

With the act in place, needs is of reformation of criminal justice system that can ensure justice to all.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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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)

India and U.S.A's relations has matured from estranged democracies to engaged democracies.

Rights and values as components of India – U.S.A relations –

i) - Democracy - While U.S.A is world's oldest democracy, India is world's largest democracy.

ii) - Democratic institutions - Parliament of India, and U.S congress has time and again hosted each other's head of governments.

Example - PM modi's speech to U.S congress

iii) - **Commitment to rights** - Indian regime of fundamental rights

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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is inspired from U.S.A's Bill of rights.

iv) - **Freedom of speech** - Both nation's have constitutional guarantee of freedom of speech.

Example - Article 19 of India.

v) - **Commitment to human rights** - India with protection of human rights act and U.S.A with it's own human rights regime show commitment to human rights.

vi) **Religious freedom** - India provides constitutional guarantees to religious freedom, U.S.A also ensures same with U.S C.I.R.F report.

Concerns between U.S.A and India -

i) - Weaponisation of democratic values - by U.S.A through various reports, giving India a below par ranking.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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ii). Interference in internal affairs - U.S.A in case of C.A.A and N.R.C, at the same time India is also taking issue of Black rights.

[Example] - S. Jaishankar invoking black rights issue.

iii) - Religious freedom reports - By U.S.A mentions India as country of particular concern.

iv). Human rights - Issue used by U.S.A to meddle internal affairs of India.

[Mitigation of Concerns] -

i) - Continuous engagements - Trough bilateral mechanisms such as 2+2 dialogue.

ii). Dealing concerns - Regarding non intervention in internal affairs

iii) - Respecting Sovereignity - of each others

iv) - Boosting trade relations - Between two countries which stands at 120 Bn$. If India-US have to work harmoniously in Indo-Pacific. Mitigation of these issues is of utmost importance.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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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)

According to World Bank's Half glass full report South Asia remains least integrated region of globe, in face of India's global rise.

Geopolitical challenges for India -

i) - **Political instability** - among countries of the regions.

Eg: - Regime change in Pakistan, Bangladesh and civil war in Myanmar.

ii) - **Victim of global great game** - As seen from accusations of U.S. meddling in Pakistan, Bangladesh for regime change.

iii). **Terror groups** - Pakistan using its policy of terrorism as State

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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policy.

- Instability in Afghanistan, Myanmar, Bangladesh provides scope to rise of religious fundamentalists.

iv) - China's challenge - increasing presence of China across the region

- Pakistan - C.P.E.C, defence cooperation.
- Myanmar - C.M.E.C - Kyaukpyu port.
- Srilanka - East Colombo port and Hambantota port.

v) - Cheque book diplomacy - By China in Maldives, Srilanka, shaping geo-political decisions.

vi) - Non functionalisation - of grouping such as S.A.A.R.C and B.I.M.S.T.E.C

vii) - Rising threats - To internal security of India.

Examples - increasing attacks in Jammu, and Manipur, Mizoram.

viii) - Influx of migrants - First Rohingyas

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

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and now threat of Bangladeshi Hindu refugees.

India navigating these challenges.

- Internal Balancing

i) - Managing the borders - Through proper fencing and guarding.

ii) - Boosting military expenditure - which has been stagnant at 1.6% of G.D.P.

iii) - Boosting economic growth - creating more fiscal space.

External Balancing

i) - Functionalisation - of S.A.A.R.C and B.I.M.S.T.E.C, promoting economic Cooperation.

ii) - mediation. Between Bangladesh and Myanmar regarding issues such as Rohingyas.

iii). Balancing - with U.S.A to mitigate Chinese challenge in region.

Thus through methods of internal and external balancing India can navigate through these challenges.

Next IAS ID: GSMACT24A1958, GSMAC2402, 18-08-2024 05:49 PM

Space for Rough Work