

NEXT IAS

CSE (MAINS) TEST SERIES - 2024

(To be filled by candidate)

Name of Candidate : Raj Kumar Mahto

Roll No. : MT 24 PSIL 1009 Date of Examination : 22-07-2024

Mobile Number : [REDACTED] E-mail : [REDACTED]@gmail.com

Exam Centre : Old Rajinder Nagar ☐

Online ☒

Test-03

**POLITICAL SCIENCE &
INTERNATIONAL RELATIONS**

Dated : 14-07-2024

Time Allowed : Three Hours

Maximum Marks: 250

QUESTION PAPER SPECIFIC INSTRUCTIONS

(Please read each of the following instructions carefully before attempting questions)

There are EIGHT questions. Candidate has to attempt FIVE questions in all.

Question no 1 and 5 are compulsory and out of the remaining THREE are to be attempted. Among these THREE questions, one should be from each section.

Answers must be written in the medium authorized in the Admission certification which must be stated clearly on the cover of this Question-cum-Answer (QCA) booklet in the space provided. No marks will be given for answers written in medium other than the authorized one.

Word limit in questions, wherever specified, should be adhered to.

Attempts of questions shall be counted in chronological order. Unless struck off, attempt of a question shall be counted even if attempted partly. Any page or portion of the page left blank in the answer book must be clearly struck off.

(For filling by Examiners only)

Q. No.	Page No.	Max. Marks	Marks	Total	Signature
1. (a)	4	10			
1. (b)	6	10			
1. (c)	8	10			
1. (d)	10	10			
1. (e)	12	10			
2. (a)	14	15			
2. (b)	17	15			
2. (c)	20	20			
3. (a)	24	15			
3. (b)	27	15			
3. (c)	30	20			
4. (a)	34	15			
4. (b)	37	15			
4. (c)	40	20			
5. (a)	44	10			
5. (b)	46	10			
5. (c)	48	10			
5. (d)	50	10			
5. (e)	52	10			
6. (a)	54	15			
6. (b)	57	15			
6. (c)	60	20			
7. (a)	64	15			
7. (b)	67	15			
7. (c)	70	20			
8. (a)	74	15			
8. (b)	77	15			
8. (c)	80	20			
Grand Total					

Remarks

Observations:

SECTION-A

Write the following question in about 150 words.

1. (a)

Discuss the Radical Humanist perspective of the Indian National movement

(10 marks, 150 words)

Indian National movement is a long drawn movement which is analysed through various perspectives.

Liberal perspectives form the hegemonic perspective while the Radical Humanist perspective of MN Roy has able to provide an alternative perspective.

MN Roy was critic of Gandhi and Indian National Congress. According to Roy, the Nationalist were joined hands with the Imperialist. He also criticised them as representative of bourgeoisie and their movement only for political freedom.

MN Roy perspective was radical Humanist. Radical because his

perspective was different from earlier traditional philosophical method and Humanist because he focused on the human as the centre of his perspective.

The Indian national movement is not just political freedom of the country but also the freedom of the man the individual from superstition and development of scientific temperament and Rationality.

The aim of the national movement should also include the social reforms to transform the Indian society into a modern rational and scientific society.

He called for International proletarianism

Though his perspective faced various challenges and was not fruitful, but is significant because of the focus on development of human (freedom of individual)

1. (b)

How did the constitution framers' emphasis on (national unity) influence the decision-making process regarding India's political structure? (10 marks, 150 words)

Candidates must not write on this margin

There was a greater debate in the constituent assembly regarding the India's political structure.

The political parties like Hindus Mahasabha wanted a unitary form of government with a powerful union. According to them a strong union is necessary to maintain the national unity.

On the other hand, there were members who wanted to have a strong federation with state autonomy.

As a result, Pt. Nehru and Ambedkar went for Indian federation but with a strong union. Article I calls India as a union of state (emphasis on national unity).

Similarly, there was debate of of Parliamentary model or Presidential model.

Presidential model would ensure strong centre, but this time Dr. Ambedkar emphasised on Responsibility than stability. As a result Parliamentary model was adopted.

But, provisions were also allowed in the constitution to accommodate diversity. Constitution makers adopted asymmetric federalism. Example - Article 371A (special provision for Nagaland), schedule 5 and VI (schedule areas and tribal areas).

Thus National unity was maintained by not only having a strong union but also through allowing diversity that shaped India's political structure.

1. (c)

Discuss the socialist perspective on Indian National Movement.

(10 marks, 150 words)

Candidates
must not write
on this margin

Socialist perspective forms the counter hegemonic perspective on the Indian National movement which is dominated by the liberal perspective.

Socialist perspective try to understand the role of the peasant class, the working class from different perspective.

According to the Subaltern scholars Gandhi was unable to understand the class contradictions. Gandhi and Congress rejected the class contradictions to have a class unity for national consciousness and a nation based movement -

Scholars like Ranajit Guha, Tapan Dasgupta, Ayan Pandey has said that the peasant and workers movement were

mainly independent in character.
Congress unable to
top their movements like Nationalist
fold.

Similarly, Partha Chatterjee said that
women movement were never the
prime goal of the National movement.
Congress mobilised National women for
national movement.

The Socialist criticize Congress for
not sharing power with the Subaltern.
They accused Congress of withdrawing
after the Chauri Chaura incident, the
non-cooperation movement, because
masses were taking power or lead
the movement.

However, Bipan Chandra said that
Indian national movement was an
inclusive movement with different
sections equally participating in it.

1. (d)

What are the key criticisms of the constitutional amendment procedure in India?

(10 marks, 150 words)

Candidates
must not write
on this margin

The Constitutional Amendment procedure is a judicious mix of rigidity and flexibility.

The Constitutional amendment can be done either by simple majority (outside Article 368) and by special majority (as per Article 368).

The Constitutional amendment process is criticised for being Anti-federal. The States argue that Union does greater powers vis-a-vis States in amending the constitution.

Since many of the constitutional provisions can be amended by simple majority (Article 3, Schedule 4), States do not have any say.

Only in certain features which can affect federalism, there is

provision of special majority along with taking ratification from half of the states. example, changing the nature of election of President.

There are other criticisms like there is no provision of joint sitting. amendment can be unilaterally initiated by the Union government (except in certain cases).

Thus, there are demands, that a separate body should be established for amending the Constitution. The role of the states should be increased provisions like joint sitting should be allowed.

Amendment is necessary to keep the Constitution in tune with changing needs, thus amendment proceedings need to be fair.

1. (e)

Difference between judicial activism and judicial overreach. (10 marks, 150 words)Candidates
must not write
on this margin

The distinction between judicial activism and judicial overreach is a contested and subjective concept.

What is judicial activism for one is judicial overreach for another.

However, theoretically, judicial activism means when judiciary takes active role to protect the rights of the individual and provide justice to its people. It is opposite to judicial restraint.

Judicial activism requires the judiciary to come out of its traditional role and take actions where the other two organs, executive and legislature failed to act.

Example - Vishalika guidelines for prevention of sexual harassment.

Example - Brahmachari Singh guidelines for police reforms.

Judicial overreach can be said as an unintended form of Judicial activism, where judiciary breaches into the normal functioning of legislature and executive.

Example - Judiciary directing the executive to act in particular cases during COVID-19 crisis, thus violating separation of power.

~~According to~~ According to P. N. Bhagwati, judiciary will not be a mere spectator and will take active participation in the social revolution of the country. Hence judicial activism is required but it should not lead to judicial overreach.

2. (a)

The success of Mahatma Gandhi lay in transforming Indian Politics into a Mass Politics during the Indian National movement. Discuss. (15 marks, 200 words)

Candidates must not write on this margin

Indian National movement is a long drawn movement which witnessed different political strategies from constitutionalism to mass Satyagraha.

Before the advent of Gandhi; constitutionalism by moderates and Passive resistance by extremists were the two prominent strategies of the Indian National movement.

The moderates did not believe in masses and the extremists tried to reach to masses but were not that successful in bringing the masses in the Indian National movement.

It was only after the advent of Gandhi, that the Indian politics were able to transform into a

Mass politics.

The Non cooperation movement was considered as the first mass movement at the pan India level. But before launching the movement, Gandhi tried to bring the different classes and section of the society together.

According to RC Majumdar, during nineteenth century, there were Bengalis, Marathas but no Indians.

According to Bipan Chandra, the Indian National movement was an inclusive movement with involvement of all sections of the society.

Gandhi brought the concept of Satyagraha which is a non violent political struggle against the

British rule, based on the idea of ahimsa and truth.

This enabled masses to participate from all sections. Women able to break the chains of patriarchy and participated in Non cooperation, civil disobedience and Quit India movement.

Shriutany, peasants, students were participated in huge numbers in Gandhi led mass struggle movements.

With the advent of Gandhi, the spirit of Nationalism reached to rural roots. However there are critics from subaltern schools like Benyit Acha, Syfan Kabi's who tell that Gandhian movement was not inclusive and Gandhi was mascot of bourgeoisie.

But Gandhi was successful in transforming the Indian politics into mass politics during Indian National movement.

2. (b)

Discuss the pardoning power of the President, referencing various judicial judgments.
(15 marks, 200 words)

Candidates
must not write
on this margin

Under Article 72 of the Indian constitution President has pardoning powers

The pardoning powers is necessary to prevent any miscarriage of justice by the judiciary and it opens the scope of any course correction.

However, there has been many questions related to the pardoning powers. Whether the President can exercise this power as discretion, whether the ~~for~~ right of of the accused to seek pardon is a matter of right or not.

To clear such questions, Judiciary through various judgments has tried to settle the debates.

Supreme court in Ram Jawaya case held that President is just a constitutional head. Real power lies with the prime minister.

Supreme court in U.R. Rao case held that Article 74 is always mandatory. There is no situation where the President can act without the aid and advice of the council of ministers.

Thus the above judgement cleared the matter that the pardoning power of the President is not a discretionary power. The President has to act as per the aid and advice of the council of ministers headed by Prime minister.

The judiciary also through various judgements told that seeking pardon is not a matter

of right of the accused. Apart from that there is also no right of the accused to ask for oral hearing.

The decision of the President to grant pardon or not is also subject to judicial review and can be questioned on grounds of arbitrariness (clarified by judiciary through various judgements).

The court has also clarified that there is no time limit for the President to decide on pardon request, but unnecessary delay would have a psychological impact on the accused thus violating Article

21

Pardon power is an important power given to the elected head in a democracy across the world, to get the accused a second chance.

2. (c)

Critically evaluate the transformation in the interpretation of Article 21 of the Indian Constitution through landmark judgements and the emergence of the doctrine of 'due process of law'. (20 marks, 250 words)

Candidates
must not write
on this margin

Article 21 of the Indian constitution provides for right to life and personal liberty to every persons.

The right to life and personal liberty cannot be taken from an individual arbitrary except procedure established by law.

This subject is one of the most important subject in the Indian constitution. The courts have interpreted this subject multiple times and now it is a broad right which encompasses different sets of rights which protect not only right to life but also dignity.

In the Ak Gopalan Case, the supreme court has narrowly interpreted the provisions under Article 21.

However, in Maneka Gandhi case, the supreme court has

taken a very wide interpretation of Article 21 and made it all powerful and all encompassing.

The court in Maneka Gandhi's case adopted "Due process of Law". According to Due process of Law, the court not only question an arbitrary executive action but also an arbitrary legislation which is irrational, discriminatory etc.

This has increased the power of the judiciary to even question the legislative power of the parliament. This is sometimes criticised as violation of Separation of power, as the judiciary breaches into the power and functions of the legislative.

Apart from this, the court in Maneka Gandhi also interpreted the right to life and personal liberty

in its widest possible term. The court held that right to life is not just an animal existence but also life with dignity (Kantian idea of human dignity)

The judgement has widened the scope of life with dignity and personal liberty. It has opened the Pandora's box and now after multiple courts interpretation the Article 21 has become very wide.

The judgements like Mc Mehta Case, Great Indian Bustard case has also incorporated right to environment and freedom from climate change under Article 21.

Court in KS Puttaswamy case included the Right to privacy under Article 21. In Hadiya case, right to marry is also a right under Art 21.

This broad interpretation of Art 21 has
able to curtail the civil liberties
of individuals and also protect the
fundamental and basic human
rights. It acted against the tyranny
of the government.

But, this wider interpretation
has also burdened the government
and administrative machinery. It
has brought various debates like
balancing liberty with security,
development and environment
conservation.

This has also increased the
burden of the judiciary. More people
are seeking judicial route under
Article 226 and Art 32, thus increasing
pendency of cases.

However, such transformation of
Article 21 by judicial intervention has
protected the individual from the tyranny
of the majority and the government.

3. (a)

The Non-Cooperation Movement highlighted both the potential and limitations of mass participation in the Indian national movement. Discuss this statement.

(15 marks, 200 words)

Candidates must not write on this margin

The non-cooperation movement was the first mass struggle led by Gandhi at the pan India level after the Rowlatt Satyagraha.

It marked the era of Gandhi's led mass struggle which is based on the principle of Satyagraha.

It is considered the first mass struggle in its true sense because of the mass involvement of women, peasants and students across the India. Women played active role in participating in Boycott movement, students left and boycotted schools and colleges and took admissions in national schools and colleges.

The movement also witnessed the mass participation of Peasants who were hitherto not affected by any ~~mass~~ struggle led by the earlier moderates and extremists. This changed with advent of Gandhi

The movement also witnessed remarkable Hindu-Muslim unity. The Punjab wrong was clubbed with the Khilafat wrong.

Thus, The non-cooperation movement highlighted the potential of mass participation which further helped Gandhi to use them in future movements like Civil disobedience and Quit India movements.

However, the movement also reflected the weakness of mass participation. The Chauri Chaura incident where the masses

become violent shown the unpreparedness among the masses for non-violent led mass Satyagraha of Gandhi.

Similarly, there was Moplah rebellion where the movement witnessed Hindu-Muslim communal tensions despite having a pan India unity.

The objective of Gandhi to attain Swaraj within a year ~~for~~ was not fulfilled.

But such limitations should not be seen as a failure despite learning experiences for Gandhi and Congress. It was a test for Gandhi to test the readiness of the masses for such struggles. The success gained were used in later movements.

3. (b)

Discuss how the judiciary, through various judgments, has established that Fundamental Rights and Directive Principles of State Policy are not in conflict with each other but rather complement each other.

(15 marks, 200 words)

Candidates must not write on this margin

Since the inception of the constitution in 1950, there has been a conflict between fundamental rights (part II) and directive principles (part IV).

In the Champakam Dorairajan case (1951), there was a question whether Fundamental Right (FR) or Directive principles (DPSP) is superior.

The court through harmonious construction has tried to balance between the two. The court said that FR is superior to DPSP, but the parliament can amend ~~DPSP~~ FR to complement DPSP. (thus maintaining harmony)

However, in Golaknath case, the judiciary has broken this harmony between the two

In the Golaknath case, the judiciary said that Fundamental Rights are fundamental because they cannot be amended by the Parliament. The amendment under Article 368 also part of law under Article 13 and can be questioned on the grounds of judicial review. This judgement tilted the balance in favour of Fundamental Rights.

In between the Parliament passed 24th and 25th Constitutional amendment act to overcome the judicial interpretation in Golaknath case thus restoring balance.

In Kesavananda Bharati case (1973), the 24th and 25th amendment were questioned in which the court declared the amendment as constitutionally valid.

The court also gave the concept of Basic Structure according to which the parliament cannot amend those fundamental rights which are Basic structure to implement DPSP (thus restoring Balance).

Finally, in Keshavnanda Bharati case the judiciary settled the debate. By declaring 42nd Amendment which tries to tilt the balance in favour of parliament as unconstitutional, the court said that the balance between fundamental rights and directive principle is Basic structure.

Thus, the Keshavnanda Bharati case restored the harmony between the two which is now part of the Basic Structure.

3. (c)

Examine various reasons for the demands of autonomy in India. Discuss the provisions in the Indian constitution to respond the same. (20 marks, 250 words)

Candidates must not write on this margin

Autonomy in India can be understood in increasing the power of the units vis-a-vis the States.

Various demands of autonomy is a direct result of increasing centralisation by the Union and growing aspirations of the regional states for power and autonomy.

Recently, the Telangana and the Bihar government is demanding 'Special category States', which will increase the autonomy of these States.

Similarly, the North East states and the UT of Ladakh demanding for greater autonomy.

to include and accommodate the diversity of such regions.

(iii) Ladakh is demanding for schedule states similar to the North states to best protect the interest of the indigenous government and protect the environment.

The North Eastern states of Nagaland is demanding for autonomy and more share in power.

The reasons of such demands are many. According to sociological approach, such demands reflect the aspirations of the marginalised sections to have greater access to economic and social resources. According to some, it may lead to good governance.

There are many provisions in the Indian Constitution to respond to such demands.

The Indian Constitution allows for Asymmetric federalism. The states can be given autonomy under Article 371, Schedule 2 and Schedule VI, where they enjoy a greater degree of autonomy vis-à-vis other regions to accommodate their demands and special needs.

Similarly, their seats can be increased in Rajya Sabha. Article 263 provides for Inter State Council to resolve inter state and center state disputes.

Finance Commission can increase the statutory grants under Article 275 to such states to enhance their financial autonomy.

Providing like special category states, discretionary grants under Article 282 can be increased.

Finance Commission should evolve 'horizontal devolution criteria' to accommodate the needs of the autonomy.

However a balance between centralisation and autonomy need to be maintained. Overcentralisation leads to blood pressure at centre and anemia at periphery (Sarkaria Commission)

SECTION-B

5. (a)

Examine how peasant movements expanded the scope of the Indian nationalist movement.
(10 marks, 150 words)

The Marxist and Socialist has contributed to the understanding of the peasant movement.

According to Bipin Chandra, the Indian National movement was an inclusive movement where different sections of the society participated including the Peasants.

The Peasant movements were the reaction to the colonial exploitative rule. The revenue settlements like Ryotwari, Mahalswami led to impoverishment of peasantry which forced them to act against the British.

The Peasant movements helped organizing the national movement in the rural areas. Since most

of the population during the colonial rule was peasantry, thus it made the movement broad base.

There was a common feeling of resentment against the British. The dissatisfaction and grievances resulted into sporadic events like Sanyasi rebellion but later was tapped under the leadership of Gandhi.

Gandhi included the peasant movement into the mass struggle of national movement. The peasant movement provided the base for Indian mass based movement.

example - Champaran Satyagrah considered the first civil disobedience movement.

These peasant movements were successful in expanding the scope of Indian national movement.

5. (b)

Discuss the provisions of legislative control over the executive in parliamentary democracy
(10 marks, 150 words)

Candidates
must not write
on this margin

Parliamentary democracy works on the principle of collective responsibility where the executive is collectively responsible to the legislature.

As per Article 74 of the Indian Constitution, the government (the executive) is collectively responsible to the Lok Sabha.

The Parliament (specially Lok Sabha) employs various methods of legislative control over the executive.

This includes Question Hour, motions like No confidence motion, censure motion, motion of thanks etc.

There are parliamentary committees like financial committees like Public Accounts Committee which examines the audit reports.

of the CAG to hold the executive accountable for any financial impropriety

Similarly the departmentally related standing committees scrutinise the demands for grants of the government.

However, because of the various problems the legislative control over executive is weakening. As highlighted by Deshkappa and Pratap Bhanu Menon in their book "Sustaining public institutions in India" like privatisation of democracy, reduced number of sitting of the parliament, bills are not referred to committees.

Thus, the recommendations of NCRWC, ~~and~~ like minimum days of working of parliament and UK model of speaker should be incorporated to increase the legislative control over executive.

5. (c)

Write a short note on the significance of the 42nd amendment (10 marks, 150 words)Candidates
must not write
on this margin

42nd Constitutional amendment is referred to as the 'mini' constitution of India

This amendment has brought many far reaching changes in the constitution.

The amendment has amended the Preamble by adding socialist, secular and integrity in the Preamble. This has strengthened the socialist and secular credentials of the government and the Indian state.

Similarly, it has added part IVA, a set of fundamental duties on recommendation after Swarn Singh committee. This has emphasised that apart from enjoying rights, Indians should also follow some duties.

It has added some new directive principles like conservation of environment, free legal aid (Article 39A) etc which strengthened the socialist credentials of the Indian state.
(welfare state)

However there were some issues also, like adding Article 31C and increasing its power to amend any fundamental right to amend
Constitution Article 39b and 39C
This was declared unconstitutional
by Keshavnanda Bharti case

The amendment is significant
can be proved by the fact that many
amendments are still continuing
and not changed by successive
governments.

5. (d)

Discuss various provisions for secularism in the Indian constitution.

(10 marks, 150 words)

Candidates
must not write
on this margin

Secularism is a contested concept as there is difference between the western model of secularism and the Indian model.

Though originally, Indian constitution has not given the word Secular in the Preamble, it has various provisions which implicitly direct towards secular nature of the Indian state.

The Right to equality provisions from Article 14 to Article 18 which does not discriminate people on grounds of religion.

Article 19 and Article 21 allows for liberty and freedom and does not put restriction on grounds of religion.

Summary, Article 25 to Article 28 provides for right to freedom of religion. However state can interfere on grounds like public order, morality, health and other provisions of the Constitution.

This highlights the 'Principle distance model' of Indian secularism given by Prof. Rajeev Bhargava. In India, there is no strict separation between state and religion, rather there is a porous wall between the two.

The Constitution has allowed the space for social reforms (Article 25). However this has been criticised as religiosity appeasement model (Arjun Shourie) and Pratap Mann Mehta as it keeps the community fearful all the time.

5. (e)

Discuss the nature, composition, and role of the Constituent Assembly in framing the Indian constitution. (10 marks, 150 words)

Candidates must not write on this margin

The Constituent Assembly was formed as per the Cabinet Mission Plan - 1946.

The Constituent Assembly was partially elected and partially nominated body. As it was elected by the Provincial Legislatures and nominated by the Princely States.

It was indirectly elected body by the provinces.

With respect to composition, the Constituent Assembly was dominated by single party i.e. Congress, it was dominated by technocrats (as criticised by Churchill), it was dominated by legal luminaries.

Though it was representative, as it was represented by people

from diverse section of the society.
women representation like Rekha Bai
Anni B. Kaur, from depressed class
Dr. Ambedkar, from tribals Jai Prasad
Singh Munda etc.

The Constituent Assembly used
 to debate, discuss and deliberate
 over the provisions of the Indian
 Constitution. They used to decide
 with consensus and not through
 majority thus accommodating the
 different voices.

with long debates, discussion
 for more than 2 years, they
 finally gave India its constitution
 in 26th November, 1949 which
 finally came into effect in 26th
 January, 1950.

8. (a)

Write the constitutional provisions related to the election of the President of India. Analyze how the method of the President's election reflects the nature of the Indian political system. (15 marks, 200 words)

Candidates
must not write
on this margin

India adopted a parliamentary model of democracy. In the parliamentary model, the President is only the nominal head and the real powers lie with the prime minister (executive head).

The election of the President of India is an indirect election where the members of the Lok Sabha, Rajya Sabha and state assemblies vote ~~their~~ the Presidential candidates.

The Constitution has provided for indirect election and not direct election because in a parliamentary system, President is just a nominal head.

Direct election of President would have created two centres

of power, thus creating conflict between the Prime Minister and the President.

In the election of the President, only elected members take part in voting and not nominated members, because the nominated members lack democratic mandate.

As the President is the head of the State (head of the Indian Republic), therefore he should be represented by all the sections of society and political parties. This is the reason for adopting the proportional representation system with single transferrable vote system.

Here the President has to secure the quota of votes to get elected which is decided by droop quota. Every member of Parliament and assembly gives preferences to the candidates.

This ensures that every party and member have equal say in presidential election.

Such method of election of the President reflects the nature of the Indian political system, which is a parliamentary model. Here the directly elected members are accountable to the Lok Sabha.

(Article 75) - doctrine of constitutional responsibility).

There is no such responsibility for the President. The President can be removed through the process of impeachment only on the sole ground of violation of constitution.

Thus the Election procedure is in sync with the Indian parliamentary political system.

8. (b)

Discuss the significance of the Supreme Court's Kihoto Hollohan judgment regarding the powers of the Speaker in deciding cases of disqualification of lawmakers.

(15 marks, 200 words)

Candidates
must not write
on this margin

Article 93 of the Constitution provides for the office of the Speaker. Speaker is considered as the representative of the House.

The power to disqualify the members who are charged with defection lies with the Speaker.

However, since the Speaker is a partisan member, there are some issues with respect to neutral discharge of his powers and functions.

~~Supreme~~ This also got reflected in the anti-defection cases, where the Speaker seen to favour the ruling party. To remove such issues, the Supreme Court judgement in Kihoto Hollohan case is significant.

The Supreme Court in Kihoto Hollohan case said that, the power of the Speaker to decide on disqualification is subject to judicial review.

Earlier Supreme Court was not interfering in the parliamentary functioning to uphold the separation of power. But through this judgement, Court is interfering by through judicial review of the Speaker's decision.

Thus, any decision of the Speaker which favours the ruling party or disfavors opposition will now be reviewed and the decision of the Speaker can be changed by the courts.

However, there is still issue with respect to decisions of the Speaker in disqualification cases. The Court cannot interfere before but only after the Speaker has taken a decision.

This has led to the problem of delay in taking decisions. The court cannot direct the Speaker to take decision.

As a result there are recommendations to ~~not~~ charge the decision making power from Speaker to either election commission or judiciary.

Supreme Court in Keshavn Singh case has given a time limit of 3 months within which the Speaker has to decide on anti-defection cases.

This Keshavn Singh was significant regarding clarity the Indian politics but more need to be done to truly make the Speaker the representative of the house and not of the leading party.

8. (c)

Cooperative federalism fosters a robust central government while still maintaining strong provincial governments that are not merely administrative arms for central policies. The Indian federation exemplifies this balance. (20 marks, 250 words)

Candidates
must not write
on this margin

Granville Austin gave the concept of cooperative federalism and said that Indian model is not dual system like USA.

Federalism is a political system where the political power is divided between the centre and the constituent units through a political agreement.

However there has been debates on the model of Indian federalism. According to KC Wheare Indian model is quasi federal which means, federal in form but unitary in spirit. KC Wheare has considered this as federalism as ideal.

KC Wheare has been criticised by many specially Granville Austin who said that Indian

federalism is not like USA dual system rather Indian federalism is cooperative federalism, a Swiss model to suit the needs of the Indian unique ~~needs~~ situations.

Here, the Centre and the States are not separated into a strict central tight compartments like USA. In cooperative model, both the centre and the state cooperate with each other and work on the spirit of interdependence.

Example - The States are dependent on the centre for finances and the centre is dependent on the State for execution or administrative functions.

However, as suggested by Subash Palshikar, the Indian case of federalism is strong but Indian practice of federalism is weak.

This has also been acknowledged by Granville Austin that the central

government has greater power vis-à-vis the state. Because the Indian model is a holding together model, and it is not a result of an agreement between units.

Article 1 of the Indian constitution defines India as "union of States" rather than federation of states. This is to suit the unique situation of India. As per Paul Horais, Indian constitution was not enacted in an atmosphere of hope but in an atmosphere of fear. There were many secessionist tendencies and still the country is grappling with many internal security challenges.

To maintain the Indian unity along with diversity a strong union has envisaged. But this does not mean that Indian provincial governments are reduced to

administrative arms for central police. There has been provision of Article 371A, schedule VI and VII areas which provide for asymmetric federalism.

According to Prof. Stephen Indian model is devo enabled model. It encourages democracy and diversity.

The Indian federalism is strong as the constitution guarantees it through Schedule VII, presence of independent judiciary (Art 131) and a written constitution which cannot be amended easily (Article 368).

Hence Indian federation exemplifies the balance between strong central government while maintaining the autonomy of state. S.R. Bommai judgement established that 'Federalism is Basic Structure of the constitution'.