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NEXT IAS

GS MAIN ADVANCED COURSE 2024

(To be filled by candidate)

TEST CODE : GSMAC2402

Name of Candidate: D. Vinay Mobile No. [REDACTED]

Roll No. : PTTp220124 Start Time 9:00AM End Time 12:10 PM

Date of Examination: 7/08/2024 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 10 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 अश्वसनीय तथ्यों को न लिखें / न ही चिह्नित करें।

REMARKS:

FOR OFFICE USE ONLY

Student Concerns / Query	Evaluator's Feedback / Response
1	1
.....	
.....	
2	2
.....	
.....	
3	3
.....	
.....	

MARKING SCHEME *			
Marks Per Ques	Below Average	Average	Above Average
10 Marks	Below 3.00	3.00 - 3.75	4.00 and above
15 Marks	Below 4.50	4.50 - 5.75	6.00 and above

* Subject to change without prior notice.

IMPORTANT QR CODES	
 Topper's Copy	 Common mistake and Correct Filled QCAB
 Copy Scanner App	 Next IAS Test Centre Location

MACRO COMMENTS

The Purpose of evaluation@nextias.com is to provide constructive suggestions on 'How to improve Answer Writing and thereby score better marks.

STRENGTHS OF THE CANDIDATE

AREAS OF IMPROVEMENT

IMPROVEMENT SUGGESTIONS

- 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)

The Supreme Court in 'Keshavan-
anda Bharati Case (1973) held that
Judicial review constitute basic structure
of Constitution

Judicial review - most important aspect

- ① In line with Article 13 → laws inconsistent with fundamental rights are liable to be struck.
- ② puts rational restrictions on Art 368 - Amending power of parliament.
- ③ Curtails the executive and legislative enthusiasm (eg): 37th CAA held invalid which modified powers of prime minister.
- ④ Judicial review protects the separation

Of powers (eg): R.C. Cooper Case on ordinances

⑤ protect the right of vulnerables and minority population (eg): S.C in Davinder Singh Case upheld subcategorisation

⑥ upholding Constitutional morality.

Concerns with Judicial Review.

↳ ① Judicial overreach. → leading to infringing on rights of executive

(eg): Banning liquor on highways

↳ ② No clear standard operating procedures

↓
③ Excess powers on Judiciary vis-a-vis other organs (eg): Struck down NTAC

Other important basic structures → ① Rule of law - Meyaka Gandhi case
→ ② secularism & federalism } S.R. Bommai case.

Hence Judicial review helped in ensuring right of citizens as well as limiting arbitrary exercise by legislature & executive.

Q2. दिल्ली के उपराज्यपाल की शक्तियों और अधिकारों की तुलना, विशेष रूप से मंत्रिपरिषद् 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)

Article [239 AA] provides for special rights of lieutenant governor and NCT Act, 2023 guides the functioning in Aid and Advice to COM

Comparison of Delhi's lieutenant governor with governors of state.

Lieutenant governor	governors
① Appointed by president of the India ② reports to <u>president</u> about functioning of government. ③ <u>Agent</u> of <u>president</u>	① Appointed by <u>President</u> ② <u>Not an agent of Centre</u> ↳ has <u>discretionary powers</u>. granted by <u>Constitution</u>

- | | |
|---|--|
| ② Ultimate power lies with the Centre over <u>state matters</u> | ③ Governor is independent and constitutional functionary.
(Hargobind Pant case) |
|---|--|

In terms of aid and advice to COM:

- ① Governors had to act in aid and advice as per parliamentary model of functioning in states.
- ② LG can take "Independent decisions" and has control of matters like - land, police, law & order.
- ③ Can Counters the COM and refer the matter to President Assent,
↳ Not possible in Governor of state.
- ④ wider powers to (LG) in maintenance and control over "bureaucracy"
↳ Conflict with state government of Delhi

Hence, It is clear that LG powers led to tussle between Centre and Delhi government. Constitutional morality

should guide the functioning as per democratic

- 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 को 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)

Supreme Court in Shirur Murti Case (1953) gave "Doctrine of essential practises" in navigating tightrope of right to religion and Constitutional morality.

Role of Judiciary in navigating tensions.

- ① Supreme Court in Sabarimala case upheld right to equality (Art 14) over social morality
- ② protection of Human dignity (Art 21) by reforming social evils and ill.
- eg: Entry of dairies
- ③ In Shah Bano judgement → Right to maintenance of muslim women in Case of divorce
- ④ SC upheld the essentiality of

Santara tradition in Jainism.

- ⑤ Reforming the religion practises like declaring Tandava as not a essential part of pushtimarga sect.
- ⑥ Ensuring protection of religion from frequent intrusion of executive and legislative laws.
- ⑦ Shayara Bano Judgement → Need for ban on Triple Talag in muslim laws

Concerns → ① Judiciary cannot decide what is essential or not essential in religion

- ② going against Article 26 → Right to manage religious affairs.

A Caution should be there while interfering in religious matters but there should be upholding of right to equality and ensuring Justice (preamble)

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)

Seperation of powers is the independent functioning of three organs - Executive, legislature and Judiciary sanctioned by Constitution of state. This theory originated in John Locke.

Differences between India & US Sep

India	USA
① goes for <u>parliamentary</u> form of government	① <u>presidential</u> form of government
② No <u>strict</u> <u>seperation</u> . ↳ <u>executive</u> part of <u>legislature</u>	② <u>strict</u> <u>seperation</u> of powers. (eg) : president and senate.
③ Council of ministers responsible to <u>Lok Sabha</u> (eg) <u>Art 75</u>	③ functioning through <u>recruited</u> <u>bureaucracy</u>

Advantages of check and balance over rigid separation of powers

- ① prevents Authoritarianism → Judiciary using Judicial review.
- ② Continuous monitoring of proceedings of one branch (eg): Question hour in parliament
- ③ Rigid separation leads to Coordination issues → governance will be suffering
- ④ Checks and balances ensure protection of fundamental rights of citizens.
(eg): Right to speech in Shreya singhal Case.
- ⑤ Accountability ensured. of all 3 organs
- ⑥ protection of Rule of law over Rule by law.

Supreme Court in Ram Jawaya Case held present fluid separation of powers worked well for democracy in India

- 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 of Constitution guides the administration of tribal regions, 10 in number, in states of Assam, Meghalaya, Tripura and Mizoram.

Sixth schedule - fostering development.

- ① Autonomous district Councils → elected through votes of tribals
- ② participative governance → wider powers to ADCs like Collection of mineral taxes.
- ③ Development by respecting tribal way of life (eg): Eklanya schools teaching local traditions
- ④ [Gram Sabhas] in 6th schedule areas.

Role in Controlling expenditure

(eg) : PESA Act 1996.

⑤ Bottom-up approach in planning according to traditional customs and needs

(eg) : Bodoland district Council.

⑥ Role in regulating money lending and other traditional trade activities

(eg) : Ban on timber extraction by forest rights act

⑦ Regional Councils → To represent each minority among tribals.

⑧ Reservation in Council of ministers.

④ Awareness lacking among tribal citizens

② Demands from ladakh to include

Concerns

① Interference of state executive

③ lack of funds and functionaries

"Bhuria Committee" held the importance of 6th schedule and should be strengthened by Tribal panchsheet

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 are non governmental organisations aiming at promotion of welfare of citizens and protection of environment (World Bank)

Partnership b/w CSO and Government helping in development goals :

① policy formulation → based on participation of CSOs

(eg) : RTI by activism of MKSS

② educating citizens about democratic rights (eg) : ADR ensured criminal disclosure

③ ensuring voice to the voiceless.

(eg) : child care India for child rights

④ protection of citizens from social ills (eg) : NAT foundation

led to Transgender rights Act, 2016

- ⑤ feedback on schemes and policies.
↳ Tailor made for local needs

(eg) : Tribal areas

- ⑥ Social Audits to ensure accountability
of executive (eg) : Meghalaya Audit law.

- ⑦ Civic society → Connect to fringe areas
(eg) : Ambulance services in naxal areas.

- ⑧ Women empowerment → through
awareness about domestic violence Act

(eg) : Kudumbashree in Kerala

- ⑨ political participation of women →
elections to panchayats.

- ⑩ skill development → SEWA group.

- ⑪ promoting Constitutional morality
of equity and Justice

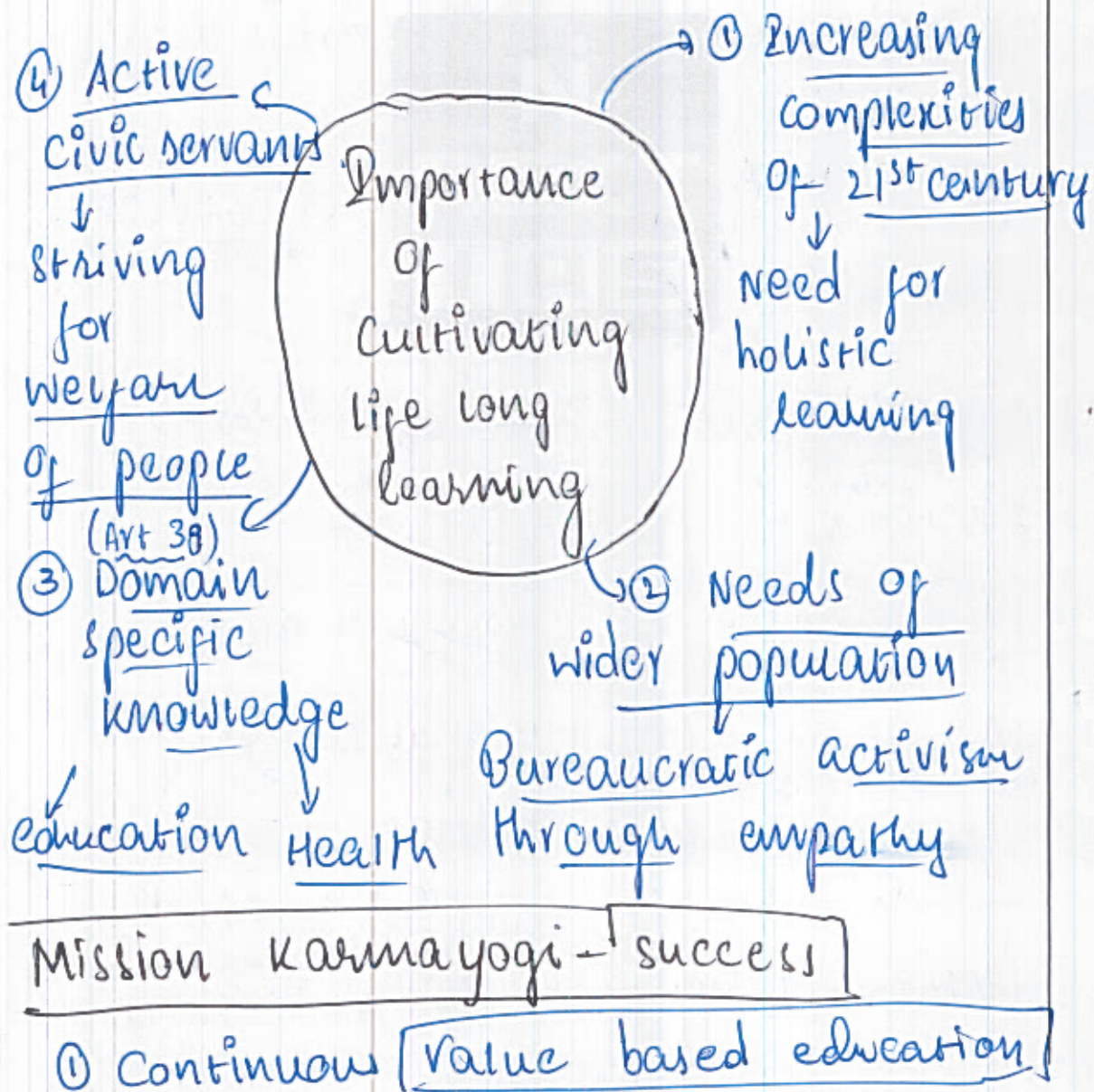
Hence CSOs play a crucial role
in Government's strive for Viksit Bharat

by ensuring Sabka Saath, Sabka Vikas.

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)

"Hota Committee" on Civic Service reform Call for life long learning to ensure democratic and knowledge based bureaucracy.



- ①: Tolerance towards various religions.
- ② Holistic integration of subject matters
↳ ①: One Health approach
- ③ Education and training on emerging fields ①: AI in governance
- ④ Regular workshops and mid career trainings ①: Surinder Nath Committee.
Recommended MISC.
- ⑤ Lateral entry into domain specific areas started.

- Issues
- ① Need for percolation of Karmayogi training to lower level bureaucracy
 - ② Inter departmental Coordination lacking
 - ↳ ③ Non Compliance with 360° appraisal

Hence, Above Concern should be addressed through strong leadership and Incentives like Civil services awards.

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)

Multi dimensional poverty
reduced from 21% of population (2011)
to around 12% in (2013) as per
NITI Aayog MDPI India report.

Redefining
Poverty
Line

→ ① Helps in better
reflection of ground
realities. (eg) Region wise
poverty

→ ② New targets to improve

Social mobility → women

→ ③ ensuring tailor made

schemes for the vulnerable

(eg): Tribals (8%) and SC population (16%)

→ ④ Inclusion of transgenders
and other disabled vulnerable

(eg): strengthen Right of person with
Disability Act, 2016

⑤ poverty line ensures better livelihoods through government efforts to reduce poverty.

Challenges
with
redefining
poverty
line

→ ① more Complexities deviating from C. Rangarajan recommendations

→ ② poverty line concept is itself controversial

⑥: Doesn't address Multi dimensional poverty

↳ ③ Can lead to distortion in present beneficiaries of schemes and policies.
↳ Time taking process

Need of
the
hour

→ ① Human development along with economic growth.

→ ② Skimming of poor → [K.V. Kamath Committee]

→ ③ Address poverty Holistically
Education Health Nutrition

[SDG-1] calls for ending poverty by 2030 and we have to make rapid strides

- 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)

Deepening political divisions
in Western states is a result of
skewed globalisation and the
rise of rest with decline of west
(fareed zakaria)

Impact of deepening pol. divisions
on global governance and international
Cooperation

① UN becoming [paralytic] → NO
Outcome on Russia-Ukraine war,
Gaza Conflicts.

② Threat to [Rule of law] → China
free riding in South China Sea.

③ Disruptions to [Supply chains]
→ impact on global south,

- ④ Dysfunctional WTO appellate mechanism
(eg): US blocked appointment since 2019
- ⑤ lack of Climate Justice → disruptions
in loss & damage fund

India Navigating to advance National
Interest :

- ① Strategic Autonomy → India aligning
to its own interests (eg): Import of
Oil from Russia (43%)
- ② Bilateral engagement → with all the
key players — Russia
— EU
— USA.
- ③ Multilateral membership → member of
both QUAD and SCO
- ④ voicing the concerns of global south
and leadership (eg): G20 → G21 (+AU)
Hence a deft foreign policy
help us achieve Asian Century with
India as vishwa Guru.

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)

The melting of Arctic ocean as a result of global warming leads to reinvigorated India's Arctic policy to play a role as a global player.

India's Arctic policy aligning with broader foreign policy :-

- ① Role as a Net security provider and as an Asian pivot
- ② leader of global south → need to protect the mineral and trade route interests of 3rd world
- ③ Strategic Autonomy → engagement with Russia against western Sanctions in Eastern Economic Summit

④ Role in Scientific exploration of Arctic to study climate change and ecosystems

Collaborations in Arctic Council :

① Role as a Observing member

↓
Protection of Democratic interests



fig : India and Arctic Council

of all nations without conflict.

② Ensuring sustainable economic exploration. (eg) : Trade routes

③ Role with Russia → Investments by ONGC to explore energy resources

④ Chennai - Vladivostok dialogue

⑤ Connectivity → INSTC and

⑥ Regional Cooperation Through EU & Norwegian Countries.

Hence Arctic policy opens up new vistas to make India a global player and achieve rightful place in Community of Nations

- 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)

16th Finance Commission was recently constituted with Aravind Pangaria as chairman to submit report in 2016-26.

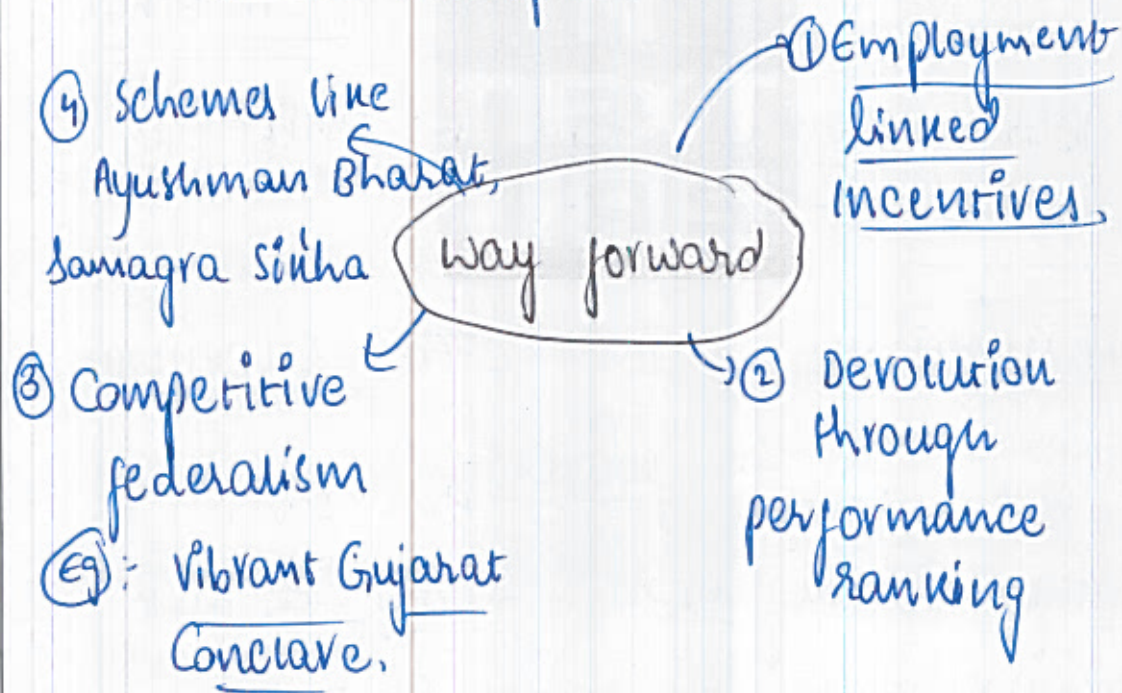
Difference in Terms of reference:-

- ① opinions of states sought for the first time by executive.
- ② explicit mention of concerns of climate change and achieving SDG goals
- ③ Called for greater allocation of financed to local bodies → participative governance.
- ④ Ensuring wider conservation with, potential GDP in mind.

Factors propelling economic disparity
despite progressive devolution :

- ① 14th FC $\rightarrow$ 42% devolution | 15th FC $\rightarrow$ 41% but on ground only $\sim$ 35% due to advisory nature of FC report.
- ② Greater share to Bihar and up-states
 $\hookrightarrow$ However poverty due to lack of governance (eg) : poverty - 38% in Bihar
- ③ lack of economic base in states like Jharkhand and Bihar.
- ④ Urbanisation $\rightarrow$ Tier 1 cities concentrated only in certain pockets.
- ⑤ Internal migration $\rightarrow$ due to lack of opportunities in poorer states
(eg) : North to south for Jobs.
- ⑥ lack of internal resource generation capabilities $\rightarrow$ dependence of devolution

- ⑦ Human resources → Not strong due to health and education lagging
- eg: out of pocket expenditure at 68%.
- ⑧ freebies and other populist schemes
- eg: loan waiver by Telangana government
- ⑨ less emphasis of social mobility and skill development.



Hence finance Commission lived upto its mark as balancing wheel of fiscal federalism but onus on States to ensure equity in spending.

- 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)

Parliament represents the will of 'we the people' and hence democratic functioning with debates and discussions is crucial to ensure welfare of people.

Ethics Committee	Privileges Committee
① looks into <u>Cases</u> of <u>breach</u> of <u>ethics</u> (eg): <u>Cash</u> for <u>query</u> <u>scam</u> against <u>Mahua Moitra</u> ② <u>Consists</u> of <u>members</u> who take up <u>Cases</u> against <u>complaints</u> by <u>outsiders</u>	① looks into <u>Violations</u> of <u>Article 105</u> → <u>Privileges</u> of <u>house</u> and its <u>members</u>. ② Only take up <u>complaints</u> from <u>MPs</u> of <u>Lok Sabha</u>

- | | |
|---|---|
| ① Lok Sabha has <u>separate ethics committee</u> with Rajya Sabha | ③ <u>privilege Committee</u> is common to both Lok Sabha and Rajya Sabha. |
| ④ <u>protects the ethical conduct of members of house</u> and <u>Promotes Integrity</u> | ④ <u>protects the dignity and authority of the house</u> |

Committees Complimenting each other:

- ① Ensuring Rule of law & over rule by law.
(Eg): suspension of mps for gross violation of rules → Bribery
- ② protects the Integrity of the house representing voice of the people → ③ Discussions on citizen welfare rather than ruckus and Sloganeering.

④ protecting the efficiency of houses away from partisanal politics and ensuring legislative passages.

⑤ Role of [speaker] → crucial to take final decision as the leader of the legislature and ensuring dignity of house.

Concerns
with
parliamentary
functioning

→ ① Efficiency of [LS] only 71%.

→ ② 86% budget passed without discussion through quintine

→ ③ criminalisation of politics → 43% MPs

→ ④ lack of referral to Parliamentary Committees (only 13% in 17th LS)

Apart from the administrative Committees, "Departmental Committees" should be empowered as per "NCRWC" to ensure proper debates and improvement

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

(250 शब्द, 15 अंक)

In the context of persistent legislative dysfunction in India, analyze the evolving role of judicial activism in shaping public policy and governance. Using examples from landmark court cases, evaluate the effectiveness of judicial interventions in addressing governance gaps and safeguarding citizens' rights.

(250 words, 15 marks)

"Indian Constitution envisages an active judiciary taking part in Social Revolution"
- J. Nehru

Judicial Activism refers to courts stepping out of traditional devolution of powers and ensuring protection of rights and good governance.

Evolving role of Judicial activism in shaping public policy :

- ① Curbing legislative vacuum due to partisan politics
- ② Moral force in ensuring Constitutionalism under Coalition inefficiencies
- ③ Role evolved from Judicial legalism

to positive interpretation of powers.

④ Article 142 to ensure Complete Justice

④ Article 136 → special leave petition to
interfere in tribunals (quasi-judicial)

Effectiveness of Judicial interventions in
addressing governance gaps :-

① Memaka Gandhi case → wider inter-
pretation of Art 21 through due process of law.

② Vishakha guidelines → preventing sexual
harassment at workplace. → led to POSH Act,
2013

③ M.C. Mehta Case → protection of
Taj Trapezium from Air pollution

④ Olga tenuis case → Right to shelter
for the destitute → SMILE scheme.

Safeguarding citizen's rights.

① Ranjith Singh case → ensuring

Right to healthy environment under
Article 21

- ② Unnikrishnan vs So Ap → Right to education as fundamental right
- ③ NALSA Judgement → Transgender as 3rd gender in society
- ④ Nartej Singh Johar Case → Sexual rights by decriminalising section 377 of IPC
- ⑤ Hadiya Case → Right to choice in marriage

④ Burden of cases

⑤: 4,7 cr cases pending.

Issues

① Judicial overreach

⑤: Ban on fire crackers

③ Against the Constitutional separation of powers.

② Judiciary lags in administrative intricacy knowledge.

Hence Judiciary should ensure restraint protecting the powers of other two organs as well as ensuring the rights of citizens.

- 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)

In present times, there is a rising phenomena of Catch all parties with no concern for ideology and parties becoming power catching machines (Otto von Kiechheim)

Level of internal democracy → Impacting functioning and legitimacy of party system

① presence of Internal democracy leads to :-

- a) voices of dissent ensuring Course correction in party procedures.
- b) Regular elections leading to motivation for party workers
- c) ensure legitimacy in the public with transparency of funding

d) prevents cases of Nepotism and money power in politics.

However, lack of Internal democracy leading to ÷

a) leaders becoming despots → strict control over party

b) Illegal sources of political funding
(eg) ÷ Nexus of "Crony Capitalism"

c) Criminalisation of politics
↳ chance of 15% greater for voters to elect criminals.

d) lack of dissent leading to Authoritarianism.

e) Party system affected by Narrow Interests

Reforms to address above issues

① powers to (ECI) to deregister political parties lacking democratic methods.

- ② Bringing political parties under RTI
- ③ Dinesh goswami Committee → Need for continuous election intra party
- ④ Tarkunde Committee → state funding of elections.
- ⑤ Auditing of compliance reports of parties
- ⑥ Internal reservation to women members in party positions → Democratise functioning
- ⑦ Internal Compliant Committee → prevent sexual harassment.
- ⑧ Amend Anti defection law → TO protect dissent from defection
- ⑨ Need for internal Constitutions to ensure Code of ethics and Conduct

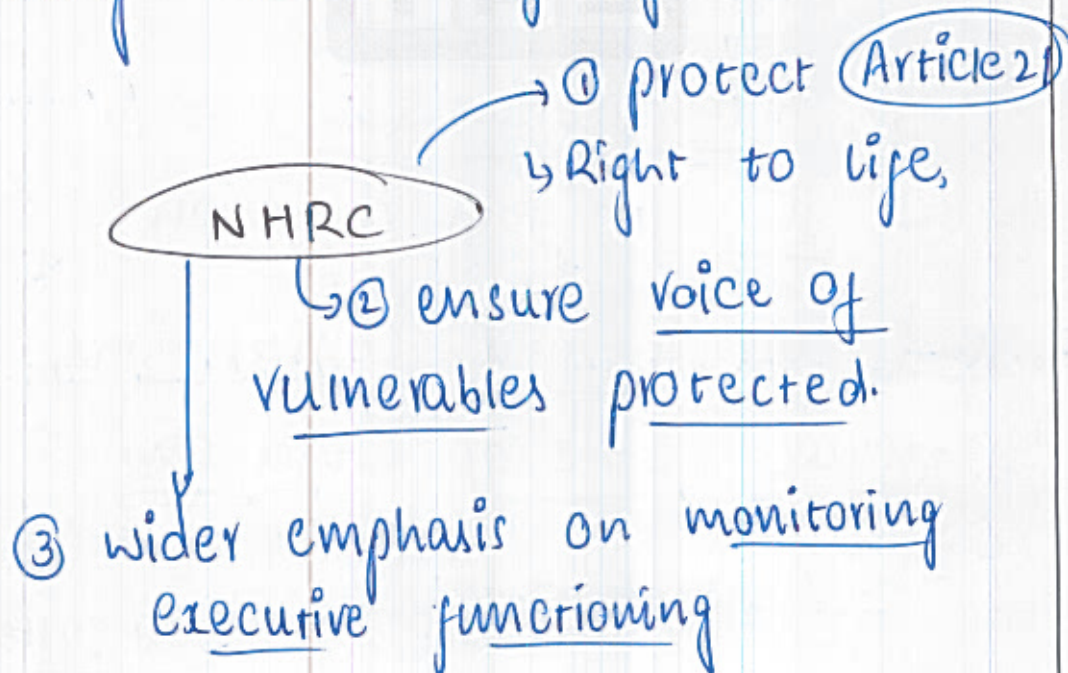
The functioning of party system bears a vital role in ensuring strength of democracy in the nation.

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)

"every state is known by
the rights it maintains" - Harold J Laski

NHRC was Constituted through
Human rights (protection) Act, 1993
and functions as beacon of hope
ensuring human dignity



Role and Mandate of NHRC :

① Role in looking into cases of

Violation of human rights

- ② suo motu Cognisance powers to investigate cases
- ③ mandate of policy guidance to states and centre in furthering human rights.
- ④ Investigating detention Centres, prisons and mental health camps
- ⑤ Coordination through International organisations and upholding UNHCR

Current Composition and functioning affecting Independence and effectiveness.

- ① Dominance of executive in recruitment Committee → Doubt of biasness of NHRC
- ② vacancy positions → mostly functioned with 50% strength.
- ③ Huge pendency of cases with staff crunch and fund shortages

- ④ Called as toothless tiger → due to no powers of ensuring compliance
- ⑤ Delays in submission of reports and its discussion in parliament.
- ⑥ Criticised for silent attitude in Manipur crisis
- ⑦ Time limitations → cases to be filed within 1 year of occurrence of crime

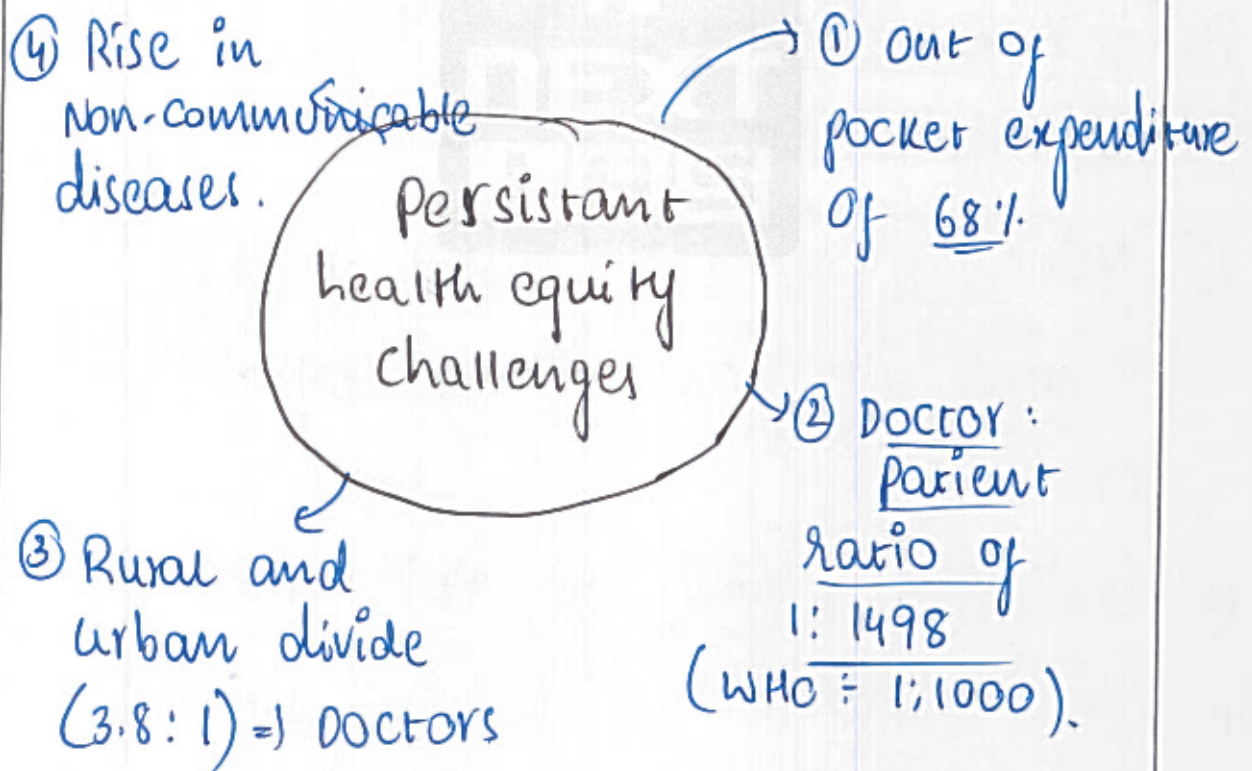
way
forward

- ① A.M Ahmadi Committee,
 - ↳ seperate military and paramilitary forces → NHRC can investigate
 - ↳ ② seperate parliamentary committee to discuss the reports (2nd ARC)
 - ↳ ③ ensure Independence with power to recruit own staff
- NHRC has key role in ensuring fundamental rights and to limit the tyranny of majority (J.S. Mill).

- 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)

Supreme Court in Bandhua Mukti Morcha case held that Right to health comes under Article 21 and hence achieving Universal health Coverage is a fundamental right of citizens.



Role of public sector in ensuring adequate health access :-

- ① poverty of 25% (MDP) → Hence

majority needs catered by public hospitals,
(~58% as per NFHS)

② penetration of health services to
Rural areas → Transforming PHCs
into Health and wellness centres.

③ Insurance penetration → only 20%
of households as of now.

④ Ayushman Bharat scheme → 10 crore
households benefitted.

⑤ Mental health → policy of 2017
ensured PHC as 1st access point
for care.

⑥ Reducing MMR of 97/1 lakh
and IMR of 28 to SDG targets

⑥: Janani Suraksha Yojana.

⑦ protection of elderly with
many Comorbidities

Role of private sector:

- ① Provision of critical and emergency care with state of art technology.
- ② ppp models in Tier-2/3 cities to ensure regional access → At present 60% of superspecialities in 4 southern states
- ③ Making India as a health hub
↳ soft power of medical tourism.
- ④ Investment potential in niche sectors like Cosmetics and mental health.

④ Awareness through fit India



① spend 3% of GDP rather than present 2.1%.

③ case study of Mohalla Clinics of Delhi

② Tribal health (T. Anand Committee)

[SDG-3] calls for strong health outcomes and needs a collaborative approach between private and public sector.

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

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

[NITI Aayog] Call for localisation of SDG goals to achieve Social mobility by 2030 as promised by India in Rio+20 Summit.

Role of panchayats as Catalysts for grassroot development. :-

- ① [Democratic decentralisation] → mobilise people at grassroots.
- ② [Gram Sabha] → becoming voice of local concerns. (eg) : meenangadi in Kerala
- ③ [Bottom-up approach] through panchayat development plans.
- ④ Adequate amount of public consultation.
↳ feedback to schemes like [MGNREGA]

- ⑤ Voice of vulnerable sections → women and SC/STs (eg) : Article [243D] → reservation
- ⑥ Tailormade efforts according to local needs (eg) : PESA provides for strong Gram Sabha

Advancing sustainable development :-

- ① ensuring awareness creation on climate change (eg) : Himachal Pradesh panchayats on net zero plans
- ② sustainable production and consumption (eg) : Sikkim as organic state.
- ③ promoting individual changes in lifestyles (eg) : Life Mission through grass root empowerment
- ④ using Tribal knowledge for conservation (eg) : Traditional Knowledge Digital Library.
- ⑤ Promotion of Circular economy (eg) : Bio gas plants for waste usage.

⑥ Localising SDG evaluation and Course Correction.

⑦ Strong people movement

④ Lack of adequate Infrastructure

↳ 20% don't have office building

② percolation of Corruption

(Manishankar Dyer Committee)

Issues with Panchayat performance

① lack of funds and functionaries

③ Bureaucratic Apathy

③ power to regulate own Cadres.

↳ Tamil Nadu

Way forward

① Kerala model

Panchayat Ombudsman

② 2nd ARC - Activity mapping.

Panchayats play a key role in achieving SDGs and Panchamrit targets so Above issues should be addressed progressively

- 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 aims at protection
of children from sexual offences
and ensuring the welfare of young
citizens.

Implications of POCSO Act on the
rights and welfare of children in India

- ① Awareness generation in schools
about Good touch and Bad touch.
- ② protection of children of vulnerable
communities by stringent provisions
↳ offences are "Cognisable and non
bailable"
- ③ wider definition of child → anyone
below [18 years] — Born male
and female
- ④ ensuring child protection and
proper healthy childhood.

- ⑤ fight against violence against children. → around -9.6% cases (NCRB)
- ⑥ Education of parents about democratic parenting.

Role of pocso in transforming legal framework for child protection.

- ① Boost to Article 23, 24 → protection of children from trafficking
- ② Compliance with International Covenant on child rights.
- ③ Fast track courts → to ensure swift and deterrant Justice.
- ④ Juvenile Justice Boards → to try 16-18 age violators as Adults. (9) :- Hyderabad rape case

⑤ Accordance with Maimark Committee

↳ Training of police personnel to deal with sensitive children

⑥ synchronising women, child and vulnerable protection

↳ SABLA
↳ SAKSHAM

④ lack of awareness among Dalits → Harass Incident

Issues

① pendency of cases even in FICs

③ spirit side of law implementation missing

② Deterrence haven't established
↳ Daily cases of violence

Way forward → ① Continuous evaluation and course correction.

→ ② Mulla Committee on prison reforms for child prisoners

→ ③ P.M. Rajput Committee → on women rights

Article 39(f) calls for progressive and democratic childhood and has to be ensured by above measures.

- 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 & U.S.A relations are called a most defining partnership of 21st century (modi) rooted in democratic values of tolerance, equality and plurality

Influence of Democratic values and Human rights issues:-

- ① India - largest democracy and USA - oldest democracy → stands for Rule of International law
- ② promotion of free & open sea lines of communication on oceans
(eg) : south china sea
- ③ Both aim at settlement of disputes through peaceful means

- ④: position on Russia - Ukraine war,
- ① strong diaspora connect with democratic Credentials - Sikhs and Hindus in USA.

Human right issues : affecting bilateral engagements :

- ① position of USA - freedom of religion report
↳ Holds India as Country of significant concern.
- ② popular voices of senate → concern over Kashmir issue (eg): visit after Article 370 abrogation.
- ③ Recent Controversy over assassination attempt on Pannun and Nijjar killing
↳ shows the cleavages in relationships.

Way forward to Mitigating tensions :-

- ① Respecting each other's sovereignty and not interfering in Internal affairs

② Avoiding narrow interests of Canada and Pakistan in Bilateral partnership between USA-India.

③ Usage of QUAD → To secure the democracies of third world against Chinese debt trap

④ Internal governance → ensuring freedom of press, rights of minorities

eg: Blacks in USA, SC/ST in India.

⑤ Reforming Multilateralism and strengthening global watchdogs like UNHRC, ICJ and ICC.

USA and India holds key position in present geo-politics and Cooperation such as ICET, Defence partnerships like F-419 engines, Civil nuclear agreement are guiding lights.

- 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 is referred to as the least disintegrated region of the world with intra-trade of only 5% as per World Bank.

Geopolitical Challenges
for India :-



① Rise of dominance
of China in neighbourhood

(eg) :- pakistan-china axis in northern borders.

② Concern of Two-front war with
Nuclear neighbours

③ Maldives → India out Campaign
due to electoral politics.

④ Myanmar → coupe d etat against
democratic government of Aung San Suu Kyi

- ⑤ Opportunist political of Nepal → accusation of Big-brotherly attitude of India
(Eg): Blockage of goods in 2016
- ⑥ Bangladesh Crisis → oustage of Sheikh Hasina and Anti India protests
- ⑦ Dysfunctional SAARC → last Summit on 2014

India - navigating challenges to
strengthen leadership

- ① Neighbourhood first policy since 2014
Outreach to neighbours.
- ② Revision of Treaty of peace and friendship with Nepal.
- ③ solving land disputes → Kalapani with Nepal - Confidence building as responsible brother
- ④ Multilateral connect through

BIMSTEC → "SAARC - Pakistan"

⑤ Diplomatic engagement with new government of Bangladesh.

↳ Connectivity projects like BBIN and electricity (7000mw) supply.

⑥ part of [SCO] → To avoid it becoming anti-India alliance

⑦ [Bhutan] → Regular high level summits, Hydro Cooperation and port connectivity to land blocked country.

⑧ Sri Lanka → Resolving fishermen issue
↳ Non interference in Internal affairs

Hence India's aim of becoming Vishva guru starts with regional leadership under the light of [Gujral Doctrine].

NEXT IAS

Space for Rough Work



NEXT IAS

Space for Rough Work



NEXT IAS

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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 SCANNER) 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।

