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GENERAL STUDIES (TEST CODE : 853)

Name of Candidate	VIBHOR AGGARWAL	Registration Number	25047
Medium Hindi/Eng.	English.	Date	25/09/2017
Center			

INDEX TABLE			INSTRUCTIONS
Q. No.	Maximum Marks	Marks Obtained	1. Do furnish the appropriate details in the answer sheet (viz. Name, Registration Number and Test Code). उत्तर पुस्तिका में सूचनाएं भरना आवश्यक है (नाम, प्रश्न-पत्र कोड, विद्यार्थी क्रमांक आदि)। 2. There are TWENTY questions printed in HINDI and ENGLISH. इसमें बीस प्रश्न हैं तथा हिन्दी और अंग्रेजी दोनों में छपे हैं। 3. All questions are compulsory. सभी प्रश्न अनिवार्य हैं। 4. The number of marks carried by a question/part is indicated against it. प्रत्येक प्रश्न/भाग के अंक उसके सामने दिए गए हैं। 5. Answers must be written in the medium authorized in the Admission Certificate, 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. प्रश्नों के उत्तर उसी माध्यम में लिखे जाने चाहिए जिसका उल्लेख आपके प्रवेश पत्र में किया गया है और उस माध्यम का स्पष्ट उल्लेख प्रश्न-सह-उत्तर (क्यूसीए) पुस्तिका के मुख्य पृष्ठ पर अंकित निर्दिष्ट स्थान पर किया जाना चाहिए। उल्लिखित माध्यम के अतिरिक्त अन्य किसी माध्यम में लिए गए उत्तर पर कोई अंक नहीं मिलेंगे। 6. Word limit in questions, if specified, should be adhered to. प्रश्नों में शब्द सीमा, जहाँ विनिर्दिष्ट है, का अनुसरण किया जाना चाहिए। 7. Any page or portion of the page left blank in the Question-Cum-Answer Booklet must be clearly struck off. उत्तर पुस्तिका में खाली छोड़ा हुआ पृष्ठ या उसके अंश को स्पष्ट रूप से काटा जाना चाहिए।
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20	12.5		
Total Marks Obtained:			
Remarks:			

75, 3rd Floor, Old Rajinder Nagar Market, Near Axis Bank, New Delhi – 110060

103, 1st Floor, B/1-2, Ansal Building, Behind UCO Bank, Dr. Mukherjee Nagar, Delhi – 110009

EVALUATION INDICATORS

1. Alignment Competence
2. Context Competence
3. Content Competence
4. Language Competence
5. Introduction Competence
6. Structure - Presentation Competence
7. Conclusion Competence

Overall Macro Comments / feedback / suggestions on Answer Booklet:

1.

2.

3.

4.

5.

6.

All the Best

Answer all the questions in NOT MORE THAN 200 WORDS each. Content of the answers is more important than its length. All questions carry equal marks.

12.5X20=250

1. Discuss the issues relating to surrogacy that have been arising in India. To what extent does the Surrogacy (Regulation) Bill, 2016 addresses these issues?

भारत में सरोगेसी के संबंध में अब तक उठने वाले विभिन्न मुद्दों पर चर्चा कीजिए। सरोगेसी (विनियमन) विधेयक, 2016 इन मुद्दों को कहां तक संबोधित करता है?

Ans. India has been one of the few countries to allow commercial surrogacy. This grew into one of the rising markets bringing into India much foreign exchange, giving employment opportunities to women and parenting joy to numerous childless parents. However surrogacy has raised many prominent issues

- Commercialization has led to exploitation of unemployed and poor women by surrogacy industry.
- ~~Rare~~ Largely unregulated market has led to unsanitary practices and multiple surrogacies adversely affecting the biological mother's health.
- Unpredictable future for the child due to non-responsibility of commissioning parents. Cases ^{like} ~~where~~ where a baby was left unadopted by its Japanese parents has raised questions about the commercial and unregulated nature of surrogacy in India.

Finally, questions have been raised over ethical nature of commercial surrogacy itself.

Thus, Indian government came out with Surrogacy (Regulation) Bill, 2016 to effectively put stop to exploitative aspects of surrogacy in India and realize goals of DPSP to ensure health.

→ Bill prohibits commercial surrogacy and only allows Indian married couples to become commissioning parents and close relative to be biological mother.

→ A woman can become surrogate only once to avoid health-risk in case of multiple surrogacies.

→ Only authorized institutions will be allowed to carry out surrogacy to keep effective check.

Thus Surrogacy Bill ^{aims} ~~tries~~ to end women exploitation, an uncertain future for the child and remove unethical elements from the practice.

However, there are still lacunas in the bill which need to be addressed:—

- Bill does not talk about family pressure and domestic exploitation to coerce female into surrogacy.
- Bill has been criticized for being discriminatory against single parent and same-sex couple thus undermining Article 15 of constitution.
- It undermines the livelihood of large number of women and subdues the entire surrogacy industry thus undermining Right to Livelihood and employment.

The bill despite a step in positive direction need to regulate the industry effectively to address existing issues and checks to prevent it from developing into underground industry

2. It has been argued that many civil servants rise to higher levels of incompetence as their career advances. Examine the statement and discuss how far lateral entry and premature retirement can address the inadequacies of the bureaucracy.

यह तर्क दिया जाता रहा है कि अधिकतर सिविल सेवकों का करियर जैसे-जैसे आगे बढ़ता है, वैसे-वैसे वे अक्षमता के उच्च स्तरों पर पहुँच जाते हैं। इस कथन का परीक्षण कीजिए और चर्चा कीजिए कि पार्श्व प्रवेश (लैटरल एंट्री) और समय पूर्व सेवानिवृत्ति कहाँ तक नौकरशाही की इन कमियों का समाधान कर सकती है?

Ans. Civil servants or the bureaucracy has been the bulwark of governance in our country since the time of British Raj. The legacy of high and uniform standards of administration was also coupled with institutionalized corruption into independent India further exacerbated by centralization till pre-1991 times.

There have been further criticisms of rising inefficiencies and non-expert qualifications of bureaucrats. Thus it has been argued that with career advancements, bureaucrats are entrenched with higher level of corruptions, inefficiencies and political nexus. Thus critics like Sharli Thacker have advocated lateral entry and premature retirement.

This proposal will help in following ways:-

- Lateral entry will introduce competition and ~~for~~ thus raise standards and quality of administration.
- Lateral entrants coming from private fields and domains of social and political field will bring ~~higher~~ better practices and experience in administration raising the quality overall.
- Premature retirement will end the sense of complacency and carefree attitude which bureaucrats come to possess.

Thus, the argument is certainly in progressive direction, but it has to be ensured that the morale of ~~the~~ honest and sincere officers is not lowered due to such measures. Further, lateral entry and premature retirement can lead to political interference and coercion which may institutionalize corruption further.

Bureaucracy has been ~~was~~ the pillar of governance and link between the government and governed.

In India, officers have carried out commendable tasks and have carried on the weight of daunting tasks of realizing socio-economic goals of country.

The need of hour is to effect reforms in existing career cycle of officers such as, periodic evaluations, transparent processes and effective channels of accountability.

3. What are the different institutional arrangements in India to promote cooperation between the Centre and States? Critically analyse the role of Inter-State Council to enhance cooperative federalism in India.

केंद्र और राज्यों के बीच सहयोग को बढ़ावा देने के लिए भारत में विभिन्न संस्थागत व्यवस्थाएं कौन-सी हैं? भारत में सहकारी संघवाद को बढ़ावा देने में अंतर्राज्यीय परिषद की भूमिका का आलोचनात्मक विश्लेषण कीजिए।

Ans. Federalism as envisaged in our constitution is 'cooperative federalism'. The constitution institutionalizes various arrangements to effect it:-

→ Governor: Sarkaria Commission has called governor the 'lynch pin of cooperative federalism'. Governor's task is to bring national perspective into states and communicate local aspirations to centre.

→ Inter-state council: Article 263 calls for enactment of inter-state council serving as a platform for collaboration between centre and state and to further common interests between them. On the recommendations of Sarkaria Commission, a permanent council was established in 1990.

→ Inter-state water dispute tribunals: Keeping in mind the political nature of water-disputes, constitution envisaged a separate tribunal for the purpose under article 262. Till now, more than 14 tribunals have been established.

→ Finance Commission: Established under article 280, finance commission has been defined as balancing wheel of fiscal federalism and determines devolution of taxes and funds from centre to state.

→ Niti Aayog: Though it is a non-statutory and non-constitutional body, Niti Aayog has taken the spirit of cooperative federalism to new levels.

Inter-state council is one of the most effective institutions existing currently to ^{constitutionalize} ~~legitimize~~ and the platform for centre-state cooperation. But, the institution suffers from neglect. Till far, only minimum ~~no~~ number of meetings have happened.

No ~~to~~ efforts have been taken to regularize the meetings and appropriating greater role to ~~the~~ ISC.

Keeping in this spirit, Sarkaria and Punchhi commission have also recommended giving larger functions like appointment of governors, their removal as well as using it to solve inter-state water-disputes.

Thus, greater role of ISC is the need of hour to give more impetus to realize the ideals of cooperative federalism.

4. In view of the idea of holding simultaneous elections to the Lok Sabha and State Legislative Assemblies, discuss the advantages that its implementation would lead to and the concerns that it raises.

लोकसभा और राज्य विधान सभाओं का चुनाव एक साथ कराने के विचार के आलोक में, इसके कार्यान्वयन से होने वाले लाभों और इससे उपजने वाली समस्याओं पर चर्चा कीजिए।

Ans. Elections are a means to realize political democracy in our country. For this, simultaneous elections used to be held until they were done away during regime of former PM Indira Gandhi. Recent debates call for recalling the system mainly due to following advantages:-

- Resource-saving as well as time-saving to organize all country-wide elections at same time.
- Allow the governments to better direct their energies in policy-making rather than election-campaigning owing to frequent elections.
- Better efficiency from Election Commission in conducting and administering elections.
- Saving time of citizens and increase in productivity as participation leads to loss of day's work.

However, this step would need lot & more analysis owing to certain constraints in its implementation

- Scenarios where State government or union government gets dissolved. This will lead to imbalance in election cycle.
- Cases of by-elections will also have to be taken into account.
- Larger question of free and fair elections as, central party wave will undermine regional parties.
- Undermining of regional issues and aspirations under national debates.

Thus, the measure although helpful in better resource and time management needs more thoughtful analysis and ensuring that it does not create class and undermines the ideals of political democracy.

5. Proliferation of Ministries and Departments in the government not only leads to weak coordination and integration but also fragmentation of functions. Comment in the context of India.

सरकार में मंत्रालयों और विभागों का प्रसार न केवल समन्वय और समेकन को कमजोर करता है, बल्कि प्रकार्यों के विखंडन का भी मार्ग प्रशस्त करता है। भारत के संदर्भ में टिप्पणी कीजिए।

Ans. Cabinet has seen an increasing number of Ministries and Departments. While it has led to increased focus on specific aspects of social and political life and specialization of each department, it has also led to fragmentation of function leading to overlapping of laws, weak coordination and lack of inter-ministerial dialogue.

Various laws which have multi-disciplinary dimensions see themselves stuck between implementation through different department. Ex → while foreign contribution to NGOs is handled through FCRA under Home Ministry, few NGOs come under FERA under Finance Ministry.

Similarly, Ministry of Women & Child Development and Ministry of Health and Family Welfare have seen ~~of~~ overlapping laws & conflicting jurisdictions.

The need of the hour is better usage of platforms like Niti Sayog to effectively coordinate the steps and rules to be implemented.

A good example is coordination between Ministry of Water Resources and Ministry of Sanitation in integrating Namami Gange with Swatchh Bharat Abhiyan.

With increasing complexity of socio-economic problems, any targeted policy will have multiple dimensions and only through proactive engagement and coordination can ~~these~~ the goals of good governance be fully utilized.

The Reduction in number of departments or ministries will have least effect in integration and successful implementation, but will rather lead to generalized approach to each solution.

6. The judiciary has been actively encroaching on the powers of legislative and executive authorities in India and in doing so has been doing a disservice to governance in the country. Discuss with examples.

भारत में न्यायपालिका सक्रिय रूप से में विधायी और कार्यकारी प्राधिकरणों की शक्तियों का अतिक्रमण करती रही है और ऐसा करते हुए यह देश में गवर्नेंस (शासन) को क्षति पहुंचाती रही है। उदाहरण सहित चर्चा कीजिए।

Ans. Indian constitution envisaged 3 pillars of governance, viz. executive, legislature and judiciary in a ~~not~~ closely integrated fashion of checks and balances. Such intricate system has been defined on the philosophy of separation of powers, i.e., each arm working within its own sphere.

However, ~~as~~ there have been ~~recent~~ cases to suggest that there has been an encroachment of judiciary in sphere of legislature & executive.

→ In Keshavnand Bharti Case, (1973) itself judiciary was criticized as super-legislature for changing form of constitution under 'basic structure'.

→ Innovation of PL has been criticized by many as ~~excessive~~ encroachment in sphere of executive.

→ Recent orders of judiciary (SC) to ban entry of diesel vehicles in Delhi and ban on registration of high-end vehicles.

→ Judiciary has been taking cognizance of inter-state water disputes which has been field of central government.

While critics point out this as case of overreach and disservice to the principles of governance, there have been appreciations also calling it activism desired for socio-economic advancement of country. Various cases showcase this view.

→ SC enacted Vishaka Guidelines to prevent harassment at workplaces. Although a sphere of legislature, this move was widely lauded.

→ Through PIL, SC has passed many progressive judgements in ending labour exploitation, child labour, gender discrimination etc.

→ SC recently passed guidelines for giving life of dignity to transgenders.

Indian constitution itself gives law-making power to judiciary under article 141 thus making it most activist court in world. It will be incorrect to say that actions are disservice to the country.

However, it is also needed to exercise judicial authority with restraint. As SC itself pointed out that 'restraint' & 'discipline' are golden virtues of judges.

Executive and legislature also need to proactively pursue policies and become responsive to mitigate any need for intervention.

Unlike water-tight separation of powers, constitution envisages principles of interdependence and coordination. Thus, all 3 organs need to cooperatively work in tandem for effective governance.

7. Examine the reasons behind the government's decision to dismantle the plan-non-plan classification of expenditure. How will the new classification of schemes into 'core of the core', 'core' and 'optimal' address the shortcomings of the earlier classification?

सरकार द्वारा व्यय के योजनागत और गैर-योजनागत वर्गीकरण को समाप्त करने के निर्णय के पीछे के कारणों का परीक्षण कीजिए। योजनाओं का 'कोर ऑफ द कोर', 'कोर' और 'ऑप्टीमल' (इष्टतम) के रूप में नया वर्गीकरण किस प्रकार पूर्ववर्ती वर्गीकरण की कमियों को दूर करेगा?

Ans. Government decided to dismantle the plan-non-plan classification of expenditure from budget 2017-18 owing to following reasons:-

- Greater emphasis given to plan expenditure due to political reasons.
- Emphasis on plan lead to implementation of infrastructure without any emphasis on maintenance and augmentation.
- Plan-non-plan classification further gave fragmented approach to policy-making and necessitated a different classification.
- Owing to dismantling of Planning Commission, plan-non-plan classification itself became redundant.

Henceforth government decided to implement a new classification of 'core of the core', 'core' and 'optimal' to better prioritize the urgency and importance of policies and to make the implementation an integrated whole and holistic.

8. The amendment to do away with the domicile requirement for elections to the Rajya Sabha has militated against the very purpose that guided the Constituent Assembly to create the Council of States and reduced it to a mere revising chamber. Critically analyse.

राज्य सभा में निर्वाचन हेतु अधिवास (डोमिसाइल) की अर्हता हटाने वाला संशोधन राज्यसभा बनाने के लिए संविधान सभा को निर्देशित करने वाले मूल उद्देश्यों के प्रतिकूल है और ऐसा करके इसे मात्र पुनरीक्षण सदन बना दिया गया है। आलोचनात्मक विश्लेषण कीजिए।

Ans. Rajya Sabha or the 'upper house' of parliamentary democracy comprises of members elected by state legislatures and is considered as upholder of state interests in parliament. This can be gauged from the special functions attributed to it viz. states like proposing new All-India service and allowing central legislation on state subject.

The purpose for this house as envisaged by Constituent Assembly were:-

- Protector of state interests.
 - Acting as 'house of reason', it can act to contain the passions originating in 'lower house'.
- Thus, it has been given almost equal powers

in enactment of laws.

→ Through nomination, it can give platform to civil-society representatives who cannot hope to participate in the election process.

In light of these functions, the move to do away the domicile requirements came under heavy criticism. After the amendments, the Rajya Sabha members need not be resident of the state which they seek to represent. Points of criticism are:-

→ Non-residents cannot properly represent state aspirations owing to their alienation from local issues.

→ Rajya Sabha would thus be reduced to platform for card unsuccessful candidates in Lok Sabha elections.

→ Further exacerbate the politicization of the chamber where ruling party seeks majority and opposition seeks to balance out lack of majority in Lok Sabha.

While the concerns are legitimate, the reduction of house to a mere revising chamber may be exaggeration owing to important role Rajya Sabha has historically played in balancing out majoritarian tendencies in Lok Sabha and provide a sobering touch to policies.

9. Discuss the significance of the concept of Office of Profit as enshrined in the Indian Constitution. Why has it been embroiled in controversies for a long time? Analyse the role played by judiciary in this regard.

भारतीय संविधान में यथा प्रतिष्ठापित लाभ के पद की अवधारणा के महत्व पर चर्चा कीजिए। यह लंबे समय से विवादों में क्यों बना रहा है? इस संबंध में न्यायपालिका द्वारा निभाई गई भूमिका का विश्लेषण कीजिए।

Ans. 'Office of Profit' refers to post under government which produces conflict of interest with the duty of legislature of an MP. Indian constitution does not define 'Office of Profit', but lays down following provisions:-

→ An MP holding 'office of profit' shall be deemed to be eligible for disqualification.

→ It is upon Parliament to define the contours of what constitutes as 'Office of Profit'.

However, this provision has remain ambiguous since the very beginning, embroiling it into controversies.

→ Issue of parliamentary secretaries.

↳ Parliamentary secretary is a post under GOI with remunerations. However many state legislatures have exempted the post under "Office of profit".

↳ Recently Delhi government attempting to make amendment in NCT Act to make similar exemption sparked the debate again.

→ Thus, there is no defined criteria as to what will constitute as "Office of Profit" and this has left the provision open for manipulation.

Judiciary has over the years tried to define "Office of Profit" in definitive terms.

→ It upheld the cancellation of membership of MP Jaya Bachchan on her holding office of profit.

→ It also cancelled West Bengal's attempt at appointing member of legislatures as Parliamentary Secretaries. However, any substantive definition of term is still left and open to interpretations.

Thus, it is imperative for legislature to enact a bill for the same setting out clear guidelines on what should and should not come under the "Office of Profit".

10. The provisions of the Sixth Schedule of the Constitution devolve some essential powers to the lower levels in order to cater to the needs of the tribal community. Discuss, while examining the modern day challenges faced by the institutions set up under the Sixth Schedule.

संविधान की छठी अनुसूची के प्रावधान जनजाति समुदायों की आवश्यकताएं पूरा करने हेतु निचले स्तर पर कुछ आवश्यक शक्तियां प्रत्यायोजित करते हैं। छठी अनुसूची के अंतर्गत स्थापित संस्थाओं द्वारा सामना की जा रही आधुनिक समय की चुनौतियों की जांच करते हुए चर्चा कीजिए।

Ans. Sixth schedule of the constitution envisages tribal areas in States of Assam, Meghalaya, Tripura & Mizoram which are specimen of anthropological communities. These areas have been completely cut-off from the mainstream civilization and espound unique culture and tradition which needs to be protected from outside interference. Thus, keeping in the line of preservation, constitution devolves essential powers at lower levels to cater to the local needs in a better way. Thus ~~at~~ the areas need to be demarcated into autonomous regions constituting Autonomous District Councils and Regional councils.

The members of these councils are elected directly through population comprising the autonomous district or region.

These councils carry out varied tasks like local taxation, land reforms, regulation of customary laws, money-lending, forest produce, property transfers and others needed to safeguard the ~~and~~ interests of tribals.

However, undue interference from state executive and powers given to governors to disband the Autonomous Councils and overrule their decisions has hindered the spirit of Sixth Schedule and has undermined the tribal rights ~~again~~ in front of government agenda.

Hence, it is required to devolve more powers in the councils, ensure their independence and make governor more accountable to District Councils. Political will is required in this case which can be ensured through proper amendments.

11. The political empowerment of Panchayati Raj Institutions (PRIs) has not been accompanied by empowerment in other spheres. Comment. Also examine whether devolving functional autonomy, administrative support and financial resources to the PRIs can help in overcoming the issues related to PRIs.

पंचायती राज संस्थाओं (PRIs) के राजनीतिक सशक्तिकरण को अन्य क्षेत्रों के सशक्तिकरण से संबद्ध नहीं किया गया है। टिप्पणी कीजिए। इसके साथ ही परीक्षण कीजिए कि क्या PRIs को प्रकार्यात्मक स्वायत्तता, प्रशासनिक सहायता और वित्तीय संसाधन सौंपने से PRIs से संबंधित मुद्दों को संबोधित करने में सहायता मिल सकती है?

Ans. 73rd constitutional amendment act of India created institutions of local self-governance called Panchayati Raj Institutions.

The act constitutionally mandated political empowerment of PRIs through binding commitments on state governments, such as regular elections, mandated implementation of act, reservation of women, SC/ST and formation of State Election Commissions & Finance Commissions.

While a progressive step, it fell short of effective decentralization and consequent empowerment in other spheres:-

(*) Devolution of powers is not constitutionally mandated thus making autonomy state-specific.

- ⊗ State Elections Commissions and Finance Commissions haven't been adequately empowered and given autonomy.
- ⊗ PRIs still depend on funds from state largely and inadequate financial autonomy
- ⊗ While act does allow for reservations, it does not focus on their effective participation.
- ⊗ Attendance of SC/ST and women has generally been low.
- ⊗ Interference of MLAs and MPs in PRIs.
Thus, it is required that it be constitutionally mandatory to ensure decentralization of powers as well as finances to make the functioning more autonomous.
- It will reduce political meddling and an effective bottom-up approach will be there.
- PRIs will be able to focus efficiently on local problems and effect specific solutions.

Although, along with greater decentralization, more capacity building is also required especially

that of women and SC/STs.

- PRIs lack the capacity to formulate plans and conduct social audits.
- Role of women has largely been unclear.
- SC/ST still feel stigmatized and are abused.
- Bureaucratic control still persists.

Hence, the need of hour to realize the goal of decentralized governance is both effective devolution of powers and capacity-building.

12. While it has been argued that the judiciary should be brought under RTI, a balance also needs to be maintained between independence of the judiciary and the right of people to know. In this context, discuss the pros and cons of bringing the judiciary under the ambit of RTI.

एक ओर जहां यह तर्क दिया जाता रहा है कि न्यायपालिका को RTI के दायरे में लाया जाना चाहिए, वहीं दूसरी ओर न्यायपालिका की स्वतंत्रता और लोगों के 'जानने के अधिकारों' के बीच संतुलन बनाए रखे जाने की भी आवश्यकता है। इस संदर्भ में, न्यायपालिका को RTI के दायरे में लाए जाने के पक्ष और विपक्ष पर चर्चा कीजिए।

Ans. RTI (Right to Information) legalized through RTI act of 2005 enables the realization of transparency and accountability in governance by making government answerable to people.

However, judiciary, one of the 3 pillars of governance in our country has been kept out under its ambit with continuous resistance from its erstwhile CJs in this matter.

It has been argued that judiciary being a part of governance system should be answerable to people particularly in light of following reasons:-

→ Mode of selection of judges has been opaque with accusations of favoritism and nepotism.

NCRWC, 2001 had also recommended transparency

in this aspect.

- Delays in judicial appointments and justice delivery will now be under scrutiny and RTI will work as a proper check to bring efficiency.
- Inconsistent judgements as has been observed will be under more accountability, thus ensuring caution from judges.

But, as has been argued, bringing RTI for judiciary may not be advisable at the moment.

- RTI may seriously impinge on independence of judiciary.
- Judges will become politically conscious and may thus give populist judgements.
- Former CJI T.S. Thakur argued that oversight in selection and transfers may stigmatize judges for insignificant factors.
- RTI may be used as a platform by vested interests to impede judicial functioning.

What is required is a careful evaluation of the impacts of RTI. A balance has to be struck in transparency and independent functioning of judiciary.

13. Differentiate between pressure groups and political parties. It is often said that pressure groups are primarily a consequence of inadequacies of the political parties in India. Discuss the above statement in the context of rising environmental protection groups.

दबाव समूहों और राजनीतिक दलों के बीच अंतर बताईए। प्रायः यह कहा जाता है कि दबाव समूह मुख्य रूप से भारत में राजनीतिक दलों की अयोग्यता का परिणाम हैं। पर्यावरण संरक्षण समूहों की बढ़ती संख्या के संदर्भ में उपर्युक्त कथन पर चर्चा कीजिए।

Ans. Pressure groups are informal or formal groups aiming to achieve their particular ends by influencing public policy. Political parties on the other hand are formal groups aiming to gain power to formulate public policy. Primary differences are further :-

Pressure Groups	Political parties
→ Do not aspire to gain power and form government	→ Major aspirants to form government.
→ Influence policy making	→ Undertake policy making
→ Mainly aim at fulfilling particular interests.	→ Aim at aggregating diverse interests

→ Examples are NGOs, corporate groups, cooperative etc.

→ They form an interface between citizens & government.

→ Ex. → BJP, Congress, AAP, CPI etc.

→ They are themselves aspirants to become government.

Since the era of 1970s, India has seen rising activities of pressure groups including environmental movements. Chipko Movement followed by Narmada Bachao Andolan were just the beginning. Now international NGOs ~~are~~ like Greenpeace are actively trying to persuade public policy.

It is often said that the rise is due to inadequacies of political parties owing to following reasons:-

→ Parties left their movement aspects

and increasingly became electoral machines -

→ Political parties have become elitist institutions with no scope of individuals with humble background participating.

→ Parties have lost their democratic nature and have become hierarchical in nature.

→ Further increasing criminalization of politics has eroded their legitimacy.

Thus, civil society movements gained force owing to ceding of space by parties. However, it ~~go~~ can be said that democracy of country, globalization & rising rights awareness among citizens is also a reason for their rise.

14. Give an account of the factors responsible for the limited success of Lok Adalats. What measures are required to ensure that Lok Adalats function as an effective dispute redressal mechanism?

लोक अदालतों की सीमित सफलता के लिए उत्तरदायी कारणों का विवरण दीजिए। लोक अदालतें प्रभावी विवाद निवारण तंत्र के रूप में कार्य करें, इसे सुनिश्चित करने के लिए क्या उपाय किये जाने आवश्यक हैं?

Ans. Lok Adalats are examples of 'alternative dispute resolution' mechanism which came into force under NALSA Act to provide cheap, quick and effective redressal to citizens, thus removing load from overburdened judiciary.

However, Lok Adalats have seen limited success despite their well intention, owing to following factors.

→ Lack of infrastructure:- They often face lack of resource including land and office space to effectively carry out their task.

→ Lack of manpower:- They have often observed lack of staff and even

including short fall of judges.

→ Natural law:- Lok Adalats do not follow strictly Indian legal system and rely on natural law based on reason. This leaves them to individual interpretation.

→ No appeal mechanism:- The verdict once given cannot be appealed in higher courts & is binding to parties.

Thus, following measures are imperative for its effective functioning:-

- Increase accessibility of Lok Adalats and increase their numbers, so that more cases can be tried under them.
- Increased funding to ensure availability of infrastructure as well as manpower.
- Lack of higher appeal makes them an unattractive option which should be removed as a restriction.

→ They should follow strict legal principles like normal judicial courts.

These are few of the steps which can make Lok Adalats which have been a boon to numerous poor and disadvantaged groups, more effective.

15. What do you understand by Inner Line Permit (ILP)? Critically examine the demand of Manipuri people for the implementation of ILP in the state. What possible measures can be taken to resolve the deadlock over this issue?

आप इनर लाइन परमिट (ILP) से क्या समझते हैं? राज्य में ILP लागू करने की मणिपुरी लोगों की मांग का आलोचनात्मक परीक्षण कीजिए। इस मुद्दे पर गतिरोध का समाधान करने के लिए क्या संभव उपाय किए जा सकते हैं?

Ans. Inner Line Permit (ILP) is a special protection given to a state or a region to safeguard its inhabitation from external influences.

In India Inner Line Permit ~~is~~ has been granted to states like Arunachal Pradesh to safeguard its tribal culture and social system for a demographic change or outsiders who may exploit its well preserved resources.

Manipuris have been demanding Inner Line Permit for quite some time now. The rationale behind it is:-

→ Manipur is sharing boundary with Myanmar with which it has porous borders.

Thus, there is huge illegal immigration.

→ Manipur has tribes like Nagas, Kukis etc who want to safeguard their livelihoods from people of other states.

→ Manipur already has vast inequality in terms of hill tribes and valley population as well as huge unemployment and backwardness. This is being exacerbated by outside settlers.

However such a demand though genuine from their perspectives, has some shortfalls:-

→ Isolation from rest of the country. Manipuris will become culturally as well as technologically separate from rest of country.

→ This won't be good for country's unity too.

→ Also, granting Manipuris will enke similar demands from other states/regions

Thus, Inner Line Permit (ILP) even though granted should only be a temporary measure. In long term following steps have to be taken:-

- Better employment opportunities in government sector for Manipurians
- Boost small enterprises and developing entrepreneurial culture among tribals.
- Safeguarding porous border & its better management.
- Boosting tourism
- Equitable development & promoting sustainable growth of region.

16. Government advertisements have often been viewed as misuse of taxpayer's money for enhancing the image of political parties. Discuss in the light of recent SC rulings. Also enumerate the recommendations made by the Twentieth Law Commission to address the issue of paid news and political advertisements.

सरकारी विज्ञापनों को प्रायः राजनीतिक दलों की छवि का महिमामंडन करने के लिए करदाताओं के पैसे के दुरुपयोग के रूप में देखा जाता है। सर्वोच्च न्यायालय के नवीनतम निर्णयों के आलोक में इस पर चर्चा कीजिए। इसके साथ ही पेड न्यूज और राजनीतिक विज्ञापनों के मुद्दे का समाधान करने के लिए 20वें विधि आयोग द्वारा की गई अनुशंसाओं का उल्लेख कीजिए।

Ans) Supreme Court in its recent judgments has termed government's advertisements as a form of electoral malpractice. Election Commission has also called for termining paid news as electoral offense.

These advertisements have following implications:-

→ Misuse of tax-payer's money for personal gains amounts to misappropriation of funds.

→ It is disadvantageous for opposition parties and disturbs a level playing field.

→ This essentially by-passes Moral Code of Conduct before the elections.

Thus SC's ruling to only allow image of President & Prime Minister on government advertisements is a progressive step.

In this light Twentieth Election Commission made various recommendations:-

- To make paid news an electoral malpractice.
- To convict not only the offending party but also news channel which is taking remuneration.
- To set up a commission of esteemed members to check and report on any such malpractice.

Electoral Reforms are considered

as 'mother of all reforms'; It is imperative to curb any unhealthy proliferation which impinges on realization of democracy in its spirit.

17. In a paradigmatic shift from the command and control approach of the past, NITI Aayog accommodates diverse points of view in a collaborative, rather than confrontationist setting. Comment.

प्रतिमानी परिवर्तन (paradigmatic shift) के तहत, पूर्ववर्ती कमांड एंड कंट्रोल (कमान और नियंत्रण) के दृष्टिकोण से परे नीति आयोग अब टकराव की बजाय सहयोगी विचार के साथ विभिन्न दृष्टिकोणों का समायोजन करता है। टिप्पणी कीजिए।

Ans. NITI Aayog was mooted in 2014
as a replacement of erstwhile
Planning Commission as an advisory
body to direct country's progress
towards socio-economic development.

This marks a paradigmatic
shift from Planning Commission's
command & control approach which
was raising following concerns:-

→ Planning Commission in its model of
centralized planning had completely
disregarded regional concerns restricting
choice of states.

↳ It had adverse implications on
cooperative federalism

- Planning Commission had become a super-legislature undermining departments and parliament.
- Plan-based budget had shifted focus from maintenance and had given rise to lopsided development.
- PC was also being used by central government to boost the ruling parties governed states, thus promoting regional disparities.
- It had undermined Finance Commission, which is a constitutional body.
NITI Aayog on contrast takes the paradigm towards a more collabora-
tive approach:-
- It makes states equal partners in planning process and not just recipients of central dictates.

- States now have greater flexibility in implementing schemes and tweaking them according to their own needs.
 - NITI Aayog is just an advisory body and ~~not~~ if this will not under-
mine other constitutional bodies
 - It will promote greater inter-ministerial cooperation leading to holistic development
- : Thus, NITI Aayog is a shift towards more cooperative pattern of federalism. Care has to be taken that it does not end up in similar way as Planning Commission - by respecting its mandate in spirit.

18. Vast powers have been vested in the office of the Speaker to strengthen the democratic institutions of the parliamentary system, and not to stifle dissent or protest in the House. Comment in the context of India.

लोक सभा के अध्यक्ष को व्यापक शक्तियां वस्तुतः संसदीय प्रणाली की लोकतांत्रिक संस्थाओं को मजबूत बनाने के लिए निहित की गई हैं, न कि सदन में असहमति या विरोध को दवाने के लिए। भारत के संदर्भ में टिप्पणी कीजिए।

Ans. Speaker commands a pivotal role in our parliamentary democracy. He/she presides over sittings of Lok Sabha and is mandated to keep the house running smoothly as per laws & rules.

Due to such importance that the post commands vast powers have been imparted to it:-

→ Speaker has adjudicating powers over disqualification of MPs under Tenth Schedule.

→ Speaker can adjourn the house if condition to continue proceeding are inappropriate.

→ Speaker can make decisions over contempt of house / MP / MLAs.

- Speaker implements rules and procedures of Parliamentary proceedings and appoints chairmen of several important Parliamentary Committees.
- Speaker has command over arrests of MPs/MLAs in house premises.

These powers have been meant to strengthen democratic institution of parliament. However, it has been increasingly seen that such powers are being misused.

- Tenth Schedule has often been invoked for arbitrary disqualifications. SC had also reprimanded speaker not to misuse powers in recent Arunachal Pradesh case.
- Contempt powers have been misused to curb dissenting parliamentarians / media houses etc. Recently Karnataka Assembly issued contempt against two

media persons.

→ speaker has often resorted to arbitrary
adjustments / summonings to protect
ruling party. Ex. Recent Tamil Nadu
case.

Thus, post of speaker has been
politicized. It is imperative to take
steps like taking away power under
Tenth Schedule, relieve from party mem-
bership etc. to ensure that speaker does
not undermine the very democracy
it is entitled to protect.

19. Tenth Schedule of the Constitution and the subsequent amendments have failed at solving the problem of defections and opportunistic politics. Critically analyse.

संविधान की दसवीं अनुसूची और पश्चातवर्ती संशोधन दलबदल और अवसरवादी राजनीति की समस्या को हल करने में विफल रहे हैं। आलोचनात्मक विश्लेषण कीजिए।

Ans. Tenth Schedule of Indian Constitution was inserted by 64th Amendment Act to solve the issue of defections plaguing Indian polity in era of coalitions.

It lays out criteria over disqualification of defecting legislators and gives speaker the adjudicating powers over them.

However, tenth schedule remained elusive in its goals owing to following reasons:-

- It allowed defections of 1/3rd party members as legitimate which was grossly violated.
- Giving large powers to speakers it had no safeguards against their arbitrary ~~judgments~~ judgements. Over the

years, speakers have allowed continued defections to serve their party, such as in Telangana & AP.

→ Tenth schedule has also been used to curb any legitimate & democratic dissent from MPs -

Subsequently, an amendment made to the schedule changed the defection criteria to 2/3rd.

However owing to other structural issues, the inherent problems remain of opportunistic politics.

Nonetheless, the utility of Tenth Schedule cannot be discarded -

→ It is important to check any 'aya raam, gaya raam' tendencies during election times, i.e., tendencies of party switches & horse trading

→ It is an important tool to curb

money & muscle power & political corruption.

→ In age of coalition politics, it ensures stability of government and a continuous political system, thus ensuring political democracy.

Hence, it is imperative to take measures to check the loopholes present in Tenth Schedule, like removing powers from speaker, allowing dissent in non-important legislations which do not impinge on stability etc. Spirit of Tenth Schedule needs to be realized to ensure free & fair democracy.

20. It is the Parliamentary system, with its basis on constant accountability, accommodation and inclusion, which can best serve the needs of the country. Examine, keeping in mind the arguments that are periodically put forward for adopting the Presidential system in India.

निरंतर जवाबदेही, समायोजन और समावेश पर आधारित संसदीय प्रणाली ही देश की आवश्यकताओं की सर्वोत्तम तरीके से पूर्ति कर सकती है। भारत में समय-समय पर राष्ट्रपति प्रणाली अपनाने हेतु प्रस्तुत किये जाने वाले तर्कों को ध्यान में रखते हुए परीक्षण कीजिए।

Ans - Indian Constituent Assembly adopted Parliamentary form of democracy, which envisages dictums of responsibility & accountability. Voices in favour of Presidential system were raised. However, they were shot down owing to following reasons.

→ Accountability - Parliamentary system envisages responsibility of executive towards legislature. Presidential system has no responsibility which does not keep activities of executive fully in check.

→ Accommodation - Parliamentary system

does not entail strict separation of powers but rather a collaborative cooperation between executive & legislature.

Presidential system observes frequent spats between two bodies as seen in U.S

→ Inclusion - Parliamentary democracy is more inclusive as the cabinet is also the representative of people, thus ensuring diversity in decision making, which is not observed in bureaucratic cabinet of Presidential system.

However, in recent times with decline of parliamentary democracy and rise in civil society activism, following arguments are presented for Presidential system :-

→ Parliamentary system may turn into tyranny if ruling party has absolute majority. However, such tyranny is inherent in Presidential system swing to

zero responsibility of executive -

→ Parliamentary system undermines
professionalism in cabinet.

→ There is no continuity in policy making
and instability in policy in parliamentary
system.

→ It is against separation of power.

However, these points signify
that what our democracy needs is fixing
the loopholes in our system and make
it more inclusive & democratic such as
through electoral reforms and capacity
building.