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## GENERAL STUDIES (TEST CODE : 1049)

|                   |                        |                     |          |
|-------------------|------------------------|---------------------|----------|
| Name of Candidate | M. Mahaxandu           | Registration Number | 200072   |
| Medium Hindi/Eng. | Eng                    | Date                | 12/11/17 |
| Center            | Hyderabad- Vision IAS. |                     |          |

### INDEX TABLE

| Q. No. | Maximum Marks | Marks Obtained |
|--------|---------------|----------------|
| 1      | 10            |                |
| 2      | 10            |                |
| 3      | 10            |                |
| 4      | 10            |                |
| 5      | 10            |                |
| 6      | 10            |                |
| 7      | 10            |                |
| 8      | 10            |                |
| 9      | 10            |                |
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| 19     | 15            |                |
| 20     | 15            |                |

Total Marks Obtained:

Remarks:

Signature of Examiner

### INSTRUCTIONS

1. Do furnish the appropriate details in the answer sheet (viz. Name, Registration Number and Test Code).
2. There are TWENTY questions printed in ENGLISH.
3. All questions are compulsory.
4. The number of marks carried by a question/part is indicated against it.
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.
6. Word limit in questions, if specified, should be adhered to.
7. Any page or portion of the page left blank in the Question-Cum-Answer Booklet must be clearly struck off.

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103, 1<sup>st</sup> 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**

1. Concerns regarding the wide formulation and indiscreet application of discretionary powers of the Governor need closer attention. Discuss. (150 words) 10

Governor is said to be the 'linchpin of Constitution'.

Despite the necessity of post, his discretionary powers in recent time had gained critical review. e.g. Uttarakhand, Arunachal Pradesh, Tamil Nadu. Art 354 says 'there shall be a Governor for State'.

Discretionary powers.

1. Art 356, Governor can recommend President for President rule on the breakdown of Constitutional Machinery.
2. Art 200, time limit for reserving a bill is not specified.
3. Procedure for appointing, dismissal in CM or UCM is not mentioned.
4. Reserving the bill, doesn't need any objective stand.

Methods to tackle this:

1. Acc. to Sarkaria Commission, Appointment & Removal of Governor should be fair, a political.
2. Acc to SC, in SR Bommai Case, Art 356 should be used only after exploring all possibilities.
3. There shall be objective procedure instead of case to case basis. for reserving bill.

Governor is the Constitutional head of the state, He shall not be an agent of Centre, As Pundit commission rightly pointed - A discretion should be applied by reason, tempered by caution, implemented by good faith.

2. Explain the concept of subordinate legislation in India. Also discuss the mechanisms for their scrutiny and control. (150 words) 10

Subordinate legislation is the situation where after making the broad principles for a law, the remaining intricacies, rules, regulation, technicalities are delegated to Executive.

#### Benefits:

1. It saves Parliament's crucial time in discussing important matters, which have been increased in recent time. Increase in ministers post LPG is a case in point.
2. It gives Executive, an opportunity of flexibility in making norms and the enforce accordingly e- rule of giving floppies, disks in RTI can be changed to email.

#### Challenges:

1. Breakdown of Separation of powers, E can make rules to its own advantage, They may be temporary for 5 years.

#### Control Mechanisms:

1. There is a Standing Committee on Subordinate Legislation which scrutinises the Executive Action.

2. There is Public accounts committee - which scrutinises whether the interpretations are in line with the broad principles made.
3. There is CAG, which evaluates the wisdom behind the move as secondary test.
4. Parliamentary proceedings, which involve Question hour, Zero hour, Short hour discussions, which help 'L' to make Executive accountable.

Concept of Subordinate legislation is very useful at times, the disruption of Parliament has been increasing. However, the control mechanisms are at the right place to verify its legality.

3. The crucial position accorded to the Speaker in Indian legislatures, makes it imperative to protect them from undue political pressures and incentives.  
Examine. (150 words) 10

Speaker, is the Presiding officer of the House of people. He has the responsibility to discipline the house in matters of administrative, procedural, legislative business of the house. As Britain Adoge says, "Once a speaker, always a speaker", the neutrality of Speaker.

His neutrality need in following

1. Deciding, a bill as money bill or not e.g. recent Aadhar bill.
2. Deciding, the case of Anti defection law - e.g.
3. Deciding, whether an activity amounts to contempt of House.
4. Deciding on the Suspension of legislators, in case of indiscipline.

As the Parliamentary privileges are not codified

2. Parliamentary proceedings are immune to judicial scrutiny (Acc to Art 122, 212).

It is imperative that Speaker needs to be protected from undue political pressures to be biased.

Way forward:

1. In case of ADL, Speaker resigning from political party doesn't amount to disqualification
2. According to UK, once Speaker is elected, he is permanently a member of house.
3. Internal democracy via RTI, transparency to parties
4. Proper role demarcation in certain aspects of discretion. e.g. - voice vote/written vote in case of Arunachal Pradesh.

However, the decisions of ADL disqualification, comes under Judicial review would be a good deterrance for Speaker to be a political. Speaker's role is very crucial to our parliamentary form of Govt

4. The Departmentally-Related Standing Committees have been referred to as mini-parliaments in India. Highlight their relevance in a democratic polity and discuss, with examples, how they improve the overall effectiveness of the Parliament. (150 words) 10

DRSC (Departmentally related Standing Committee) are there for scrutiny of demand for grant during budget process. A total of 24, each with 31, (10 from RS, 21 from LS) would try to make the pro-cons for the grant. With the increase in nature of work, post, 1991

Relevance : in democratic polity.

1. Due to paucity of time, expertise in Parliament, DRSC's would be crucial in going depth & keeping Executive accountable.
2. It helps opposition party to be students for training - (Proposal for AIJS - by DRSC of personnel)
3. It classifies the budget into grants and helps legislators to be "informed voters"
4. It acts as a deterrence to Ministers, to make a responsible budget proposal.
5. Since, Minister is not a member of DRSC, the evaluation wouldn't be distorted or biased.
6. It is held in camera. ∴ The examiners would not amount to political pressures, which gives the discussion, a credibility.

With increase in no. of activities post 1991, it is imperative that these DRSCs would be the epitome to hold 'E' accountable atleast financially. Though there are limitations like limited time, recommendatory nature, they are having a special stand. in this era of Parliamentary logjams & disruptions

5. Enumerate the issues associated with functioning of tribunals in India. How can these be addressed? (150 words) 10

Art 323(A), 323(B) deals with the establishment of tribunals for services (govt) & other purposes respectively. These are basically Quasijudicial bodies, trying/dealing with specific case of the public issues.

Benefits : It avoids docket explosion of complaints.

- + It provides for speedy, flexible adjudication
- + It ensures socio-economic welfare, in a way that petty issues can be solved swiftly.

### Issues.

1. Chandrakuman Case (1997), SC upheld the tribunal decisions can be appealed in HC also, thereby diluting the very purpose of it
2. Appointment for tribunals is decided by Centre, which is the lead litigant for most of the case.
3. Non-judicial members include mostly civil servants who have chances of their loyalty towards Centre
4. Rationalisation of tribunals may affect the existing tribunal's efficacy.
5. Govt control over the service conditions, terms of members would affect, Separation of powers.

### Wayforward.

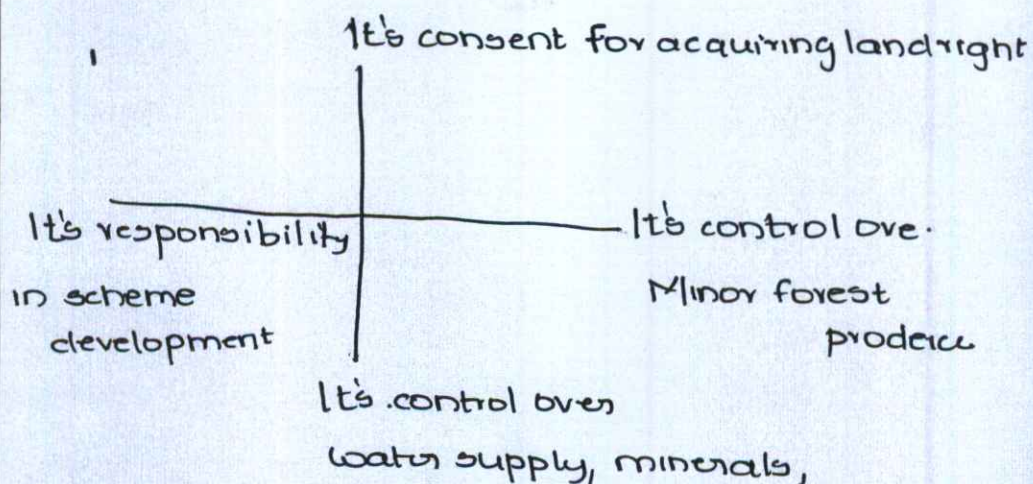
1. Centre should consider the recommendations of Malimath Committee (e.g. Making Law Ministry nodal agency)
2. Service conditions & terms shall be left to the nodal agency (Independence)
3. HC should contain benches for the appeals of tribunal decision, to ensure speedy decisions are taken.
4. In addition, Geographic accessibility is to be provided.

Tribunals must function according to its basic purpose. It covers the socio economic aspect of judiciary, which is highly appreciable.

6. Examine the significance of Gram Sabhas, as mentioned in Article 243A of the Indian constitution, in the development process with special reference to Fifth Schedule areas. (150 words) 10

A 5th Schedule areas, there is PESA (Panchayat extension to scheduled areas). It gives the tribal communities more powers to protect their rights, promote their economic interests, preserve their culture.

This combined with Forest Rights Act, 2006, Gram Sabhas have been given immense power for development - Powers.



Despite, its power, it is facing issues with

- 1) Proper implementation of PESA act
- 2) Overlap of functions with Tribal advisory council and itself

- dilution of its powers in MMAD Act (mine)
- not specifying its role in utilising CAMPA fund.

Given the statutory, constitutional recognition.

It is imperative that Gram Sabha are to be.

given their power in their truest sense.

7. The Rajya Sabha is merely a secondary house rather than a second house in the Indian Parliamentary system. Critically analyze the statement. Also, compare and contrast the position of the Rajya Sabha vis-à-vis the State legislative councils. (150 words) 10

Rajya Sabha,<sup>(RS)</sup> the upper house of Parliament is part of bicameral legislature, i.e. part of Basic structure.

#### Characteristics :

1. Representation of States →
2. Expert's house → qualitative analysis can be made
3. Elder's house → visionary bills can be introduced
4. Revising Chamber → all the bills must pass through both the houses.

\* Except Money bills, financial bills-A, RS has same powers as of LS (Lok Sabha).

\* It has some special powers under Art (249), Art (312), viz. ability of Parliament to make laws on State list, Introduction of new All India services.

∴ Rajya Sabha has its own role in the Parliament.

Though it is acceptable, that it has no powers in most of the important cases like Money bills (financial matters), Delay character, Obstructing some important bills like 'PR1' making it a second<sup>ary</sup> chamber.

But the above characteristics makes it still a second chamber.

### Position b/w Rajyasabha & Legislative Council

- |                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>→ it has same powers as house of people on ordinary bills.</li> <li>→ Its existence is essential &amp; part of basic structure</li> <li>→ Proportion of nominated members are very low (05%).</li> <li>→ It is a revised chambers</li> </ul> | <ul style="list-style-type: none"> <li>→ it has less powers in case of ordinary bills too.</li> <li>→ Its existence is subject to Parliament.</li> <li>→ Proportion of nominating members is very high (16%).</li> <li>→ It still acts just as debating chamber.</li> </ul> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

8. A major shift is needed in the institutional framework of the Central Water Commission (CWC) and the Central Ground Water Board (CGWB) to make water management more holistic and multidisciplinary. Discuss in the context of Mihir Shah Committee recommendations. (150 words) **10**



9. On what grounds can a person be denied the right to contest elections to the Parliament in India? Will a life-time ban on those convicted of heinous crimes address the problem of criminalisation of politics? Discuss. (150 words) 10

→ Denial to Contest election, if a person.

- 1) face criminal conviction on the day of filing papers (RPA, 1951)
- 2) has convicted, even after giving the results by.
- 3) he is not a citizen of India
- 4) he is not holding any office of profit.
- 5) he is insolvent of mind.
- 6) he is facing any ~~corruption~~ charges (RPA 1951)
- 7) his age < 25.

→ Life time ban on heinous crimes.

- suggested by ECL, ARC, BCI (Law Commission)
- need some precautionary, else he would be alleged by his opponents easily.
- ECL suggests, a period of 6 months before the elections as grace period to have charges.
- Life time ban would be against R to equality (Art 14).

Given the grace period, this idea of life.  
ban can be considered. Otherwise the criminaliza-  
tion of politics would not stop.

10. Directive Principles can be considered as even more important than the Fundamental Rights because they provide a positive thrust towards welfare. Discuss. (150 words) 10

Directive Principles (DPSP) v Fundamental rights (FR)

both constitute the philosophy & spirit of Constitution. They both represent the way a State should work for or aspire for. However, coming to the supremacy of one over the other, both have it's unique place in the Constitution.

FR provides: (Art 12-35)

- for political democracy of Individuals (Art 32)
- they are enforceable & justiciable in court of law.
- they uphold the dignity of Individual (e.g. recent RT privacy is the best example)
- they are the negative connotations of State.

DPSP provides

- for socio economic democracy of Individual & society
- they are not enforceable, but are fundamental to the governance (Art 38(b))
- they provide for welfare state (e.g. Minimum wages, free legal aid to poor)
- they are the positive connotations.

By 1967, SC upheld the FR gain supremacy over DPSP in Champakam Case (1950), Golaknath Case (1967). However in Minerva Mills case, SC clarified that Both have its own place in the Constitution, and upheld that it is the harmony b/w FR and DPSP that is part of basic structure.

While the FR and DPSP are connotations for state, Fundamental duties (FD) are the connotations for Individuals. All the three together form a organic whole to achieve a welfare state under Rule of law in a developmental administrative fashion.

11. In light of demands for replacement of the FPTP (First Past the Post) system with other alternatives, compare the merits and enumerate the challenges associated with replacing the current system. (250 words) 15

Electoral process : Basically there are two types of electoral process. 1. FPTP, 2. PR (proportional representation)

1. FPTP : Here, in this system, the candidate for whom majority votes are acquired, he is elected.

Merits.

2) PR : Here in this system, the candidates are elected from their parties, according to the proportion of seats they acquire in the electoral process.

Merits.

- |                                                                                                                               |                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>1. Simple to conduct.</li> <li>2. Easy for the voter to verify.</li> <li>3.</li> </ul> | <ul style="list-style-type: none"> <li>1. Representation from all the sections</li> <li>2. Diversity nature of seat in line with Indian society.</li> </ul> |
|-------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|

Demerits.

- |                                                                                                                                                                                                                        |                                                                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>1. <del>Dem</del>inimalisation of politics is breeding.</li> <li>2. No substantive democracy (a candidate with 20% seat also won the seats - e.g. 2014, LS election)</li> </ul> | <ul style="list-style-type: none"> <li>1. Difficult to understand.</li> <li>2. May not be effective in Legislation - due to Disruption, Antidefection law etc.</li> </ul> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

However, taking the advantages from both the system, Law Commission of India suggested to add 25% more seats to Parliament elected by Proportional representation. (Hybrid electoral system)

### challenges in replacing :

1. Short term disruptions :

a) ECI has to consider the unrecognised 1700 parties in list C.

b) Number in Lower house increases - which is undue problem in deliberation & undue advantage for Lok Sabha in joint sittings.

c) Voters need to be educated, where our literacy is still 74%, about the proportionate system.

d) Disruptions increase, because more number of interests raised.

e) Coalition politics, with Anti defection law in place - may lead to policy paralysis.

Despite these challenges, Hybrid electoral is a welcome step, considering the diversity of our society. Coming to the increase in number - UK has 650 seats, India (545) - but when it comes to population - India (60 times) that of UK. The Hybrid electoral system, in addition to EC's recommendation of 2 Ballot system will go a long way in cleansing political system.

12. Despite long term recognition of the problem of pendency of cases in the courts, limited progress has been made in reducing their number. What are the possible reasons for such a scenario? Suggest a framework of measures that can be taken to address this issue. (250 words) 15

Judiciary, one of organs of Constitutional Govt; is known for its sanctity in upholding Constitution by many judgements via Basic Structure doctrine, PIL Introduction etc. However, there are 60k pendency cases in SC, 2.7k at lower courts. Despite its recognition for a long time, the reason for its existence is :-

- 1) Vacancies of Judges :- 1) Collegium efficiency  
2) Conflict with Legislature in appointing judges
- 2) Quality in Judgements 1) Many cases in lower courts face quality issue, thereby appealing to higher courts. e.g. 93% of cases of SC, are by appeal.
- 3) Lawyer Strikes, Adjournments - either due to absence of one of the parties or absence of lawyers.
- 4) Efficiency of Judges → Time sense, Vacations etc. had disrupted the proceeding many time. Transfers are also one of the factors.

5) Transfer of Judges :

6) Govt as litigant : Almost 50% of cases, Govt. is the litigant. Govt should be prompt in removing/resolving these cases as early as possible.

### Measures:

1. Transparency in Collegium process : faster filling of vacancies.
2. Introduction AIJS (All India Judicial Service) into lower courts, as suggested by Shetty Committee.
3. Introduction of ICT (technology) in resolving the disputes. e.g. e-courts, e-registration, National Data Grid.
- 4) Encouraging Alternate Dispute Mechanism. like Lok Adalat, Commercial Courts for industry disputes.
- 5) Implementation of New litigation policy. as soon as possible. Govt. should restrain itself if there no substantial issue in the case.

"Justice delayed is Justice denied". It shall be imperative that without dispute resolution, any rights/services given wouldn't be a rights based one. Judiciary reforms should be complemented with Prison reforms, police reforms.

13. Despite the phrase 'due process of law' not being included in Article 21, the Supreme Court, over the years, has adopted the doctrines of 'procedural due process' and 'substantive due process' into Indian constitutional law. Comment. (250 words) 15

Art 21 says State shall not deprive person of his liberty except under "procedure established by law". Till, Maneka Gandhi Case, 1980 of passport issue, SC upheld "procedure established by law". But from then, SC, with its judicial innovation, interpreted it as "due process of law".

### "Procedure established by law"

The court of law shall adjudicate matter according to following conditions.

1. Whether the law is in force
2. Whether the legislature has right authority to pass the law.
3. Whether the action is according to the rules regulations of law.

It basically holds <sup>accountable</sup> for the actions of 'Executive' but not on the action of "Legislative". Accordingly, Art 21, Right to life is interpreted in its procedural sense and given the decision.

### Due process of law:

Here the court, not only adjudicates according to the procedure established by law but also checks whether the law is just, reasonable and fair.

- It upholds accountability of actions of both Legislature and executive.
- Inherently, it upholds the fairness & reasonableness of In-house Legislation, Ordinance, Delegated Legislation.
- With this "due process of law", It included PNJ- principles of Natural Justice in a mandatory manner for all the decisions.
- It evolved Rt to life. Art 21 & expanded it to many rights which are not explicitly mentioned in fundamental rights but are derived from DPSP. This amounts to "substantive due process". Thanks to Judicial Activism.

'Due process of law' is an inherent principle for a Judicial Supremacy of US kind of country. But for a "Constitutional Supremacy" of India, our Integrated Judiciary must innovatively interpret such provisions according to the socio-economic conditions of India. Notably, Art 21 is the only provision, where "due process of law" is followed now.

14. Can we say that cooperative federalism in India has strengthened in the post-liberalisation era? Give reasons in support of your answer. (250 words) 15

Yes, Strengthened the cooperative federalism.

1. GST (31 states gave its tax autonomy)
2. ISC, Inter State Council, - met last year & discussed key issues like Governance
3. Revival of Zonal Councils.
4. Common principles - by Vajpayee government to accommodate interest of regional parties too.
5. NITI Aayog, establishment / PC demolition
6. 14<sup>th</sup> Finance Commission - giving 32% → 42% transfer of net proceeds of taxes.

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15. Faulty regulatory policies can have a severe adverse effect on the efficient interplay of market forces and end up harming public interest. Examine in the context of systemic issues pertaining to regulatory environment in India. (250 words) 15

Regulatory Environment of India has come into light from the recent incident where SEBI has ordered 300+ companies to be shell companies & enforced Graded Surveillance measures on it. This brings us to check, whether regulatory policies are having any +ve/-ve effect on market forces.

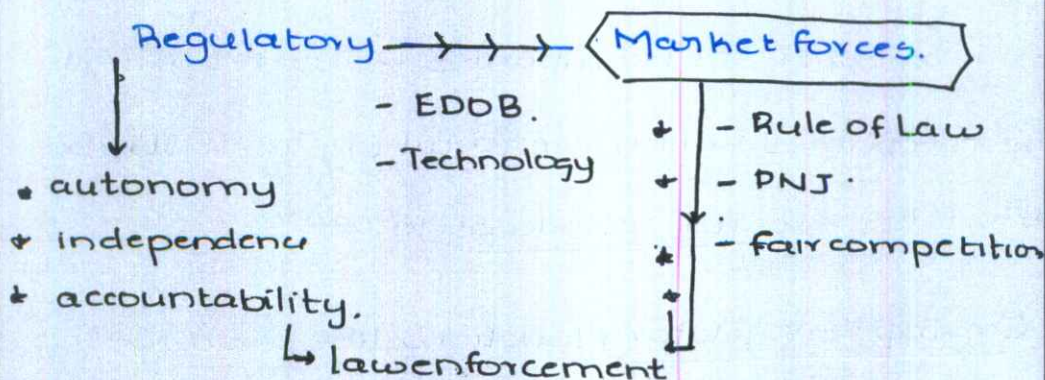
### Effects:

1. RBI powers were amended, to direct banks to undergo 'resolving Insolvency & Bankruptcy' issue. - This may affect the autonomy of Banks - which play important role in mkt forces.
- 2) SEBI, without any proper investigation, made the naming of 300+ companies - This may affect the companies (which are genuine), This may also affect the investor confidence in SEBI.
- 3) Overlap of regulatory functions like SEBI, IRDA, PFRDI on mutual funds & pension funds, insurance funds leads to confusion among investors.

4) Regulatory norms, Environment Clearance norm are stopping/stalling important infrastructure projects.

However, there are +ve effects.

- 1) Proper e-KYC norms, norms for P-notes to enter saves the genuine investors/customers at large to not get exploited
- 2) Recent norms for Credit ratings is a good step to increase/encourage competition among Credit ratings.
- 3) Independence & Autonomy of RBI/other regulatory authorities are very much crucial - as we could see in case of decision of demonetisation.



To ensure Ease of Doing business, in this .  
post LPG era, it is necessary that regulatory  
ecosystem needs to be based on rule of law,  
principles of natural justice .

16. Mention the constitutional provisions to safeguard and ensure the independent and impartial functioning of the UPSC. Further, assess the limitations of UPSC in effectively performing its role as the 'watchdog of merit system' in India as envisioned by the Constitution. (250 words) 15





17. What are the key issues in the context of electoral funding in India? How far do you think the idea of state funding of elections can address these issues? (250 words) 15

Electoral funding by State has been major issue, even supported by political parties recently. To conduct free and fair elections, to ensure level playing field for all the contesting candidates, funding was a key factor in deciding results.

#### Issues of electoral funding in India:

- There is a cap on election expenditure of candidate but not on political party
- The parties became source of black money, parallel economy
- Because of ~~no~~ transparency in funding, it is difficult for ECI to find corrupt practices going financially
- Political parties getting succumbed to the funded entity's pressure. There by, not working for their intentional mandate.
- Breeding Criminalisation of politics. with the help of nexus between political parties & money-muscle power.

→ Socio economic welfare, (post elections) is getting compromised for parochial interest of these funders.

→ Corruptors, i.e law breakers are going to become law makers, thereby threatening the basic institutions of Constitution.

To attack/resolve these issue of electoral funding, idea of State funding is proposed.

- It is an idea, where State provides fund in cash/ in kind to the political party for their expenses.

- This was endorsed/ recommended by Law Commission of India, NCRCW too, but provided with few conditions.

↳ Benefits:

- \* It will help parties be independent of parochial pressures
- \* It will help in transparency of funding, so that ECI can better monitor to ensure fair elections.

However, many experts recommended that, without some prerequisites, it would be just a cost burden to exchequer & utilising public money for private costs; majority party would get undue advantage

They are:

1. Bring political parties under RTI
2. Fund should be in cash.
3. ECI Reforms to be implemented with criminalisation of politics.
4. Create an election corpus fund.

Free & fair elections are requisite to achieve political democracy. Funding plays an important role in such process. Reforms shall be implemented asap, to progress the idea of state funding.

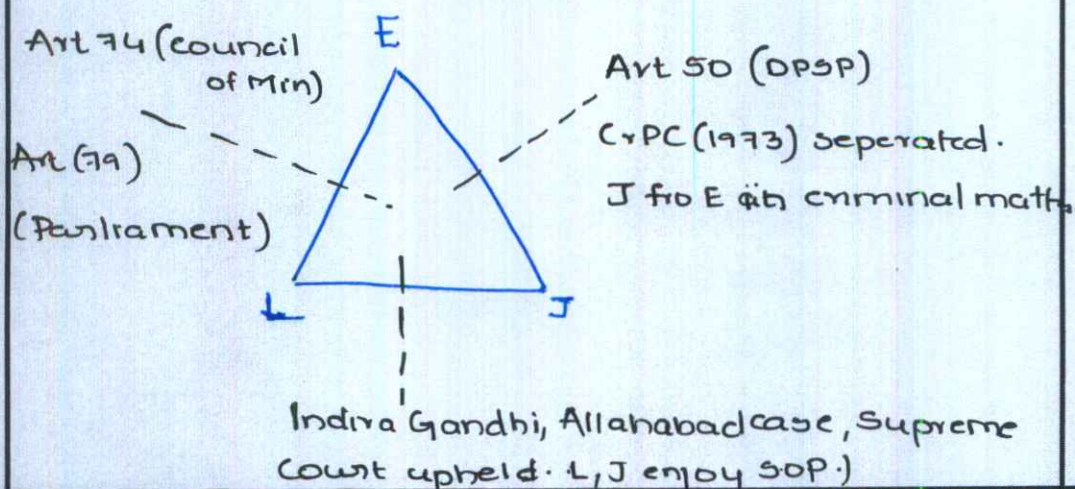
18. Separation of powers in case of India has acquired its own uniqueness under the constitutional arrangement. Explain. (250 words) 15

Separation of Powers <sup>(SOP)</sup> is mentioned by French philosopher Montesquieu is essential for a democratically elected govt not to be totalitarian/authoritarian. It is basically that, every organ of govt has its own role & no other organ should encroach other, which dilutes the essence of democracy.

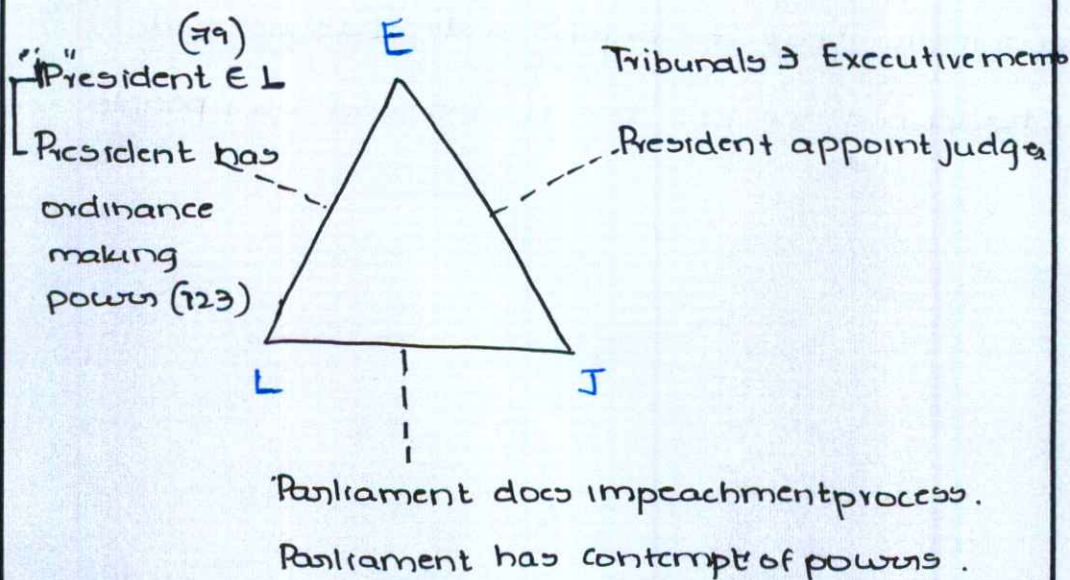
Constitution of India :: establishes 3 organs of govt namely Executive<sup>(E)</sup>, Legislative<sup>(L)</sup>, Judiciary<sup>(J)</sup>.

Supreme Court of India, held that "Separation of powers" is the basic structure of Constitution.

Separation of powers can be seen in the provisions of Constitution in the following way



However, this 'SOP' is not watertight; as in, there are cases when one does the actions of other, as provided by Constitution.



This combination of Separation of powers with no watertightness is the unique feature of constitution of India. For every such "Separation of powers", there lies the concept of checks & balances.

- a) protecting it from becoming authoritarian
- b) prompting it to be constitutional.

e.g. →  
1) This can be seen in "G" expanding the "Right to life" & promoting 'L' to make law for Right to education

2) In 1973, landmark judgment of KJ case, which protected it from becoming totalitarian.

∴ Separation of Powers is so fundamental for our India, that the organ's independence and interdependence lies, the welfare of our people.

- 19. Highlight the extent of President's powers under Article 352. Comment on the judicial scrutiny of proclamation and the exercise of executive powers under National Emergency. How is this power different from the one bestowed under Article 356? (250 words)**

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20. Fiscal transfers from the Centre to States are critical in India. In this context, explain the rationale of both general and specific purpose fiscal transfers. Also highlight the problems witnessed in the design and implementation of specific purpose transfers. (250 words) **15**

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