

28

VAJIRAM & RAVI

MAIN EXAM TEST SERIES (June 2022)

GENERAL STUDIES

Focused Test - 3 (GS Paper 2)

Sectional Paper - 3

Time allowed: Three Hours

Maximum Marks: 250

ADMIN. NO.: 2 9 0 0 6 5 9
 STUDENT ID: 2 1 V R 3 1 7 8 9
 NAME: CHATTANYA AWASTHI

MOBILE NO.

(compulsory)

EMAIL:

(compulsory)

QUESTION PAPER SPECIFIC INSTRUCTIONS

Please read each of the following instructions carefully before attempting questions:

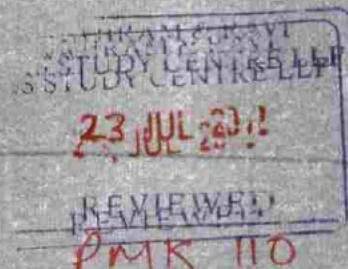
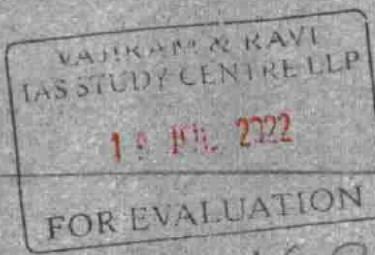
There are TWENTY questions printed in ENGLISH. All the questions are compulsory.

The number of marks carried by a question/ part is indicated against it. Word limit in questions, wherever specified, should be adhered to. Any page or portion of the page left blank in the Question-cum-Answer Booklet must be clearly struck off.

Q No.	Marks	Q No.	Marks	Q No.	Marks
Q1	3 /10	Q8	3 /10	Q15	4.5 /15
Q2	4 /10	Q9	2 /10	Q16	5.5 /15
Q3	3 /10	Q10	2.5 /10	Q17	6.5 /15
Q4	3 /10	Q11	5.5 /15	Q18	4.5 /15
Q5	— /10	Q12	4.5 /15	Q19	6.5 /15
Q6	— /10	Q13	— /15	Q20	4 /15
Q7	4 /10	Q14	5 /15	Total	72 /250

Follow these steps to avail the facility of mentoring –

1. Go through the soft copy of your evaluated answer sheet and analyse all the comments and suggestions given.
2. Call 96672-73133 between 11:00 am to 5:00 pm to fix your mentoring slot.
3. Please follow the mentoring appointment timings properly



Parameters	Excellent	Very Good	Good	Average	Poor	Very Poor
Language and Articulation	✓					
Structure and Presentation			✓			
Conceptual clarity and Content		✓				
Number of Attempted questions		✓				

Evaluator/Reviewer Suggestions

Dear chantanya aasthi,

(Strong Point) → your conceptual clarity and content are very.

- ① you are good command over the subject
- ② you have fair understand of topic
- ③ you used intro-body-conclusion approach in your answer which is really appreciated

(Area of improvement)

- you can use some data fact in your introduction
- intro should be brief and start point don't explain too much
- divide your answer in sufficient under suitable heading according to the demand of question
- if conclusion is demanding way forward then write some way forward
- practice more and you will improve your self all the best

(Answer questions in NOT MORE than the word limit specified for each in the parenthesis. Content of the answer is more important than its length.)

1. Do you think that the Preamble is just a preface to the Indian Constitution and serves no other significant purpose? (10 marks, 150 words)

Preamble is like a preface to our Constitution which serves as an introduction to it. While some argue of its quintessence, another section of scholars believe it serves no more a purpose than a decorative prelude.

The reasons behind their belief are:

- ① No power conferred by Preamble
- ② Not justiciable in the court of law
- ③ No rights / duties conferred.

As the US Supreme Court, this school also prescribes mere ornamental values. However, even the Supreme Court of India has declared preamble to be an integral part of our Constitution with immense value.

The Preamble serves the following functions :

- ① Key to unravel the mind of constitution makers to guide in times of ambiguity.
- ② Reveals the objectives, aspirations and principles of the Constitution.
- ③ Tells us about the source of authority i.e., the People.
- ④ Reveals the date of adoption along with the nature of Indian state.

As N. Patkhinalla rightly said, "Preamble is the ID card of our Constitution."

but you can write in separate subheading

- ① Preamble as the preface →
 - ① Source of Authority
 - ② Nature of Indian state
 - ③ Objective
 - ④ Date of Adoption
- ② Other Preface →
 - ✓ Provide insight
 - ✓ Utility for common man

Students should not write anything inside the box

Introduction	0.5	Suggestions:
Body	2	
Conclusion	0.5	
Presentation		
Marks:	3	

2. The Right to be Forgotten is an integral part of individual autonomy and forms a basic pillar of the right to privacy. Comment. (10 marks, 150 words)

In KS Puttaswamy case, Supreme Court of India recognized Right to Privacy as a fundamental right under Article 21. The Court observed that privacy is sine qua non for a dignified life and serves both normative as well as descriptive functions.

Right to be Forgotten (RTBF) entails removal of information pertaining to one's self from public records, documents, internet etc. RTBF has been recognized as a statutory right under EU's General Data Protection Regulation. However, in India it has not such status.

Why RTBF:

- ① Opportunity for a fresh start for people acquitted from Courts etc., to avoid prejudice.
- ② Be in control of one's data as a feature of true consent.

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- ~~③ Courts also observed that privacy includes deciding and having control over one's information.~~

CONCERN'S

~~① Public character of judgements and internet~~

~~② Necessary for administrative, law and order matters to retain records.~~

~~③ Internet like an infinite multiplier, difficult to remove once posted.~~

National security & criminal justice system

~~Justice BN Sankaran has acknowledged the RTBF in Personal Data Protection Bill.~~

~~However, any such recommendation ought to pass the litmus test of fine balance between individual rights and social obligations.~~

~~is not a common law or a statutory right~~

~~If enforces properly will go a long way in addressing grievances
case where people want removal of personal information
from internet~~

Students should not write anything inside the box

Introduction	1
Body	2.5
Conclusion	0.5
Presentation	
Marks:	4

Suggestions:

3. Analyze the significance of the office of the speaker in improving the legislative quality of the Parliament.

(10 marks, 150 words)

The proceedings of Lok Sabha are headed by a presiding officer called Speaker. The office can be traced back to Government of India Act, 1919. The Speaker plays an unmatched role in improving the legislative quality of Parliament in the following ways:

① The Speaker presides over and conducts business in the House.

② No member can speak until he/she has the attention of Speaker.

③ The Speaker acts as a guardian of rights and privileges of the members.

④ The Speaker strengthens democracy by providing a level field to Opposition and ample opportunities of discussion.

⑤ The Speaker ensures discipline and decorum in House for smooth functioning of parliamentary business.

- ⑥ The Speaker is the final interpreter of Constitution, Rules etc within the House.
- ⑦ Speaker decides on the nature of Bill, DQ of Member, Quorum of House and deadlock also notes in case of deadlock.
- ⑧ Most of the devices of parliamentary procedures gain sanction for him.
- ⑨ The Speaker constitutes various Parliamentary Committees to enrich the legislative process.

(secret concierge) Given the immense importance, the Constitution provides various safeguards to ensure independence. Yet, apprehensions of bias persist. It is up to the occupant to live up to the expectations of non-partisanship.

(cont'd) by giving to everyone by suggesting to everyone performance of office.

Students should not write anything inside the box

Introduction	0.5
Body	2
Conclusion	0.5
Presentation	—
Marks:	3

Suggestions:

Address the demand of the question

4. Ordinance making by the executive is violative of the Principle of Separation of Power. Do you agree that the constitutional and Judicial safeguards have been successful in preventing the misuse of such powers?

(10 marks, 150 words)

Ordinance is a temporary legislation to meet an emergency when both or in session.

one of the House is not ~~an~~ ^{sober} ~~of~~ legislation.

It is not a parallel power of the State and has to be passed within 6 weeks of presentation by the Parliament / State legislature.

Given its controversial nature, a number of safeguards have been provided:

① Rules of Lok Sabha mandate laying of a demand
good memo explaining the circumstances that
point wanted the ordinance. \rightarrow good

Some extra point → An ordinance can't be subject to the
some constitutional limitations as an
Act of Parliament.

② In R.C. Cooper Case, Supreme Court allowed Judicial review on limited grounds

③ In Krishnamurthy Case, Judicial Review was extended to consider:

- Ⓐ Sufficient Cause Ⓑ Oblique Motive

However, despite these checks, the executive

~~breaches the practices such as~~

~~good Repromulgation of Ordinances" raise~~

~~Point serious concerns about accountability~~

~~other and Separation of Power. In DC Wadhwa~~

~~Case, Supreme Court too criticized the~~

~~# ordinance above practice and called for restraint,~~

~~# separation reforms and respect of functions by each~~

~~of legislative~~

~~organ of government.~~

~~Conclusion~~ Missing

~~Reform is needed to restrict the~~

~~maximum limit of ordinance~~

~~all stakeholders act responsibly~~

~~Students should not write anything inside the box~~

Judicial Safeguards	Constitutional Safeguards
① —	① —
② —	② —
③ —	③ —

Introduction 0.5

Suggestions:

Body 2.5

Conclusion —

Presentation —

Marks: 3

(Q. No.)

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(Don't write

Anything in
this part)

5. Provide a brief comparison of Constitutional scheme of South Africa with that of India.

(10 marks, 150 words)

(Q. No.)

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(Don't write
Anything in
this part)

Students should not write anything inside the box

Introduction	Suggestions:
Body.	
Conclusion	
Presentation	
Marks :	

(Q. No.)

VAJIRAM & RAVI

(Don't write
Anything in
this part)

6. Defiance in the current regulatory system stem from deeper rooted problems in the regulatory structure. In this context, highlight the need of a principles based regulatory system in India.

(10 marks, 150 words)

(Q. No.)

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(Don't write
anything in
this part)

Students should not write anything inside the box

Introduction
Body
Conclusion
Presentation
Marks:

Suggestions:

7. What do you understand by the principle of subsidiarity? Explain how the 73rd Constitutional Amendment Act strives to achieve this principle.

(10 marks, 150 words)

Principle of Subsidiarity relates to ~~very decent~~
all decentralized decision making and ~~involving~~
allowing governance as close to the ~~grassroots~~ as possible.

The 73rd CAA, 1993 was a landmark moment in this endeavour. The ~~should have a~~ ~~subsidiary function~~ ~~good tasks~~
Panchayti Raj Institutions (PRI) and ~~performing only these~~ ~~local level~~
 their constitutionality cemented a new chapter in history of Indian democracy ~~cannot be performed at~~ ~~local level~~.

The formation of Gram Sabhas ushered a new epoch in empowerment. 73rd CAA added the 11th Schedule to the Constitution. It contained a list of 27 subjects which the PRI were empowered to govern upon.

Minor Irrigation

Sanitation, Water

Electricity/Road

Public Health, wells

Farm, Forestry etc.

Vocational Education

good
Reloved
Dad's

These subjects most directly affect the every day life of citizens and thus by ensuring they fall under the domain of PRIs, socio-economic and political power decentralisation was ensured.

Further the power to make development plans, social audits etc. enhanced political participation and accountability.

*mention
new principle
of subsidiary
is ensured by
women's
reservation*
Recent initiative like "Sabka Plan" ensure responsive governance and demand-based development.

*conclusion
can be
improved
provide
some say
forward*
However, many issues such as fiscal constraints, politicization, corruption, pradhikarati culture etc plague the utopian panacea and a lot needs to be done to strengthen such democratic institutions.

- 1. Strengthen local governance
- 2. More Autonomy in finance
- 3. More autonomy in administration

Students should not write anything inside the box

Introduction	1
Body	2.0
Conclusion	0.5
Presentation	
Marks:	3.5

8. India's engagement with the Taliban may or may not achieve much, but non-engagement will definitely hurt India's interests. Examine the statement in light of steps taken by the government of India.

(10 marks, 150 words)

~~points could be won if done~~ The abrupt withdrawal of USA followed by a swift takeover by Taliban set in motion a new episode in "The Great Game" of Afghanistan. The transition saw immediate reactions from almost all key geopolitical players, each trying to secure its national interests and consolidate its influence.

~~Not Relevant~~ However, India stands at a crossroads of dilemma on engagement with a terror outfit which had in past used its resources against India.

INDIA'S INTERESTS AND CONCERNs :

① SECURITY

- Prevent use of Afghan soil as breeding ground for anti-India outfits.
- Contain Pakistan's growing sphere of influence and proximity to regime in power.
- Growing China-Pakistan-Afghanistan nexus may be harmful for India's geopolitical interests and quest for sub-continent leadership.

Points

ECONOMIC

- India had invested in several infrastructure, energy, transportation projects.
- eg. Parliament, Salma Dam, Friendship Highway
- As part of Golden Crescent, Afghanistan holds key to curb arms and drug trafficking
- Afghanistan could connect India to Central and West Asia bypassing Pakistan
- Certain China's String of Pearls and OBOR

③ Political

- Non inclusion of India at the cost of Pakistan in important groupings like Troika Plus due to its quest to influence major global decisions.

Issue Benefit

MEASURES BY INDIA

- Keeping in mind the immense geopolitical, economic and strategic importance, India has actively started efforts to assert its presence.
- Ⓐ Resolution 2593 to prevent Afghan soil to harbor terrorist organizations
- Ⓑ Humanitarian Aid Ⓑ Op-Devi Shakti
- Ⓓ Formal and Informal Engagement with Taliban

Students should not write anything inside the box

Introduction 0.5

Suggestions:

Body 2.5

Conclusion —

Presentation

Marks: 3

try to bring in beneficial for keywords from the Indian Afq question in your subheadings so that you don't digress from the topic.

Mitting
you can
provide
some way
for you

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9. "Indian Diaspora is the true and permanent ambassadors of the country". In this context, bring out the significance of the Indian diaspora with suitable examples. (10 marks, 150 words)

The Indian diaspora comprises roughly 31 million people spread across different regions of the world. It has always been a strong pillar in the realm of international relations with their multi-faceted contributions.

↳ The diaspora is not just a crucial economic contributor (e.g. Gulf countries) but also technological contributions and import of best practices via people in important leadership roles.

↳ Pravasi Bhartiya Diwas (2003), PID-OCI are cards etc gave a fillip to the strong roots and engagement with their native land.

↳ Operation Raahat, Devi Shakti, Craigie etc. solidified India's resolve to leave "No Indian Behind."

↳ Pravasi Bhartiya Kendra, Pravasi Bhartiya Kaushal Vikas Yojana, Merge of PID-OCI etc. added to procedural simplification and gain of trust.

given examples
are good but I don't think it's actual demand needed are significant for 2019 like cultural Ambassadors

The diaspora has played role of enabler, facilitator, risk manager in several politico-economic engagements of India Twitter Diplomacy, know your India program etc. have added to the strong & how dispersed relationship.

Growing interest in domestic affairs and reception to Indian leaders abroad is symbolic of India's growing global stature.

As true ambassadors of India's soft power, the diaspora holds immense potential which must be effectively channelized by the Government in sync with national interest.

This can be achieved by cultural exchanges, people to people contacts, constructive engagement with global talent (Satya Nadella) etc.

Foreign investment.

Bilateralities.

Political influence → foreign acc'tl.

Students should not write anything inside the box

Introduction	0.5	Suggestions:
Body	1.	
Conclusion	0.5	
Presentation		
Marks:	2	

modicum v.

10. Comment upon the evolving nature of India-UAE relations with suitable examples. (10 marks, 150 words)

India has key geo-strategic interests in West Asia. In the last few decades, UAE has emerged as a key player in Middle East. It has thus attracted traction not just from India but Western Nations given its relatively soft socio-economic outlook. (eg. Israel-USA-UAE Abraham Accords)

INDIA's INTERESTS in

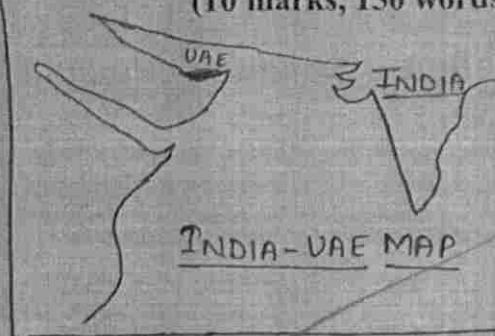
① Geo-political

- ↳ Key part of India's attempt at greater influence in Middle East. eg. I2U2 (aka 2nd Quad, India-Israel - USA - UAE)
- ↳ Being a peer country, countering Chinese influence.

↳ Crucial for balance between Iran, Saudi Arabia and Israel.

② Economic

- ↳ UAE looking to diversity beyond hydrocarbons.
- ↳ India, a lucrative destination.
- ↳ Top 3 trading partner of India
- ↳ Huge Remittance from UAE to India



Points
are
done
and
done
while
writing
+ Point
explains
that
shows
the evolution
of India-UAE
relation
mentor - Saurabh
Chatterjee
100
① Energy
Security

Recent India-UAE CEPA to intensify the economic relationship which is the backbone of India-UAE ties.

Sovereign Fund of UAE invests in Startups and FDI for India.

③ Socio-Cultural

Large Diaspora, Expos and Cultural Programs.
State Head Visits
Cricket and Bollywood events.

④ Security

Combat anti-India radicalism
secure Indian interests in the Persian Gulf given its strategic location
Energy security for India.

In lieu of its importance, India has intensified its engagement with UAE keeping in mind its strategic autonomy and multi-alignment policy.

Conclusion is good

can be improved both conty look at the challenges that exists in the

Common Path to Prosperity

Students should not write anything inside the box

Introduction	0.5
Body	1.5
Conclusion	0.5
Presentation	
Marks:	2.5

Suggestions:

Read question properly
to understand the
demand of the question

Should
work together
to resolve

11. Alternative Dispute Resolution (ADR) mechanisms have the potential to change the judicial landscape, however, their outcomes are very limited in scope. Do you agree? Substantiate your views.

(15 marks, 250 words)

ADR refers to a set of mechanisms enabling settlement of disputes outside courtrooms. These involve a neutral third party mostly and are primarily based on the principles of consent. They are of various types:

- ① Arbitration → Mostly a binding adjudication by an arbitrator.
- ② Conciliation → Non binding procedure wherein a conciliator helps parties arrive at an agreed settlement.
- ③ Negotiation → Non binding process wherein parties try to reach an amicable solution without 3rd party intervention.
- ④ Mediation → Mediator helps parties reach a consensual resolution of dispute.
- ⑤ Lok Adalat → Informal Hearing in presence of judicial officer. Final and Binding.

Why ADR

~~good point~~ ④ ADR can help address several legacy issues plaguing our judicial systems.

~~add data add fact~~ ① Decrease Pendency in Courts → A.

~~explain in brief~~ ② Less Time Consuming
Cost Effective

~~extra point~~ ③ Citizen Centric with simplified and non technical procedures.

~~#flexibility~~ ⑤ Informal setting encourages introduction of several facts

~~#confidential~~ ⑥ Non-adversarial ^{good} nature, abating feeling of animosity thus decreasing potential future litigation.

~~#time bound process~~ ⑦ Complements India's vision of free legal aid and accessible justice ~~A-39-A.~~

Concerns with ADR

~~don't understand~~ ① Non binding nature encourages further litigation

~~for explain in brief~~ ② Imbalance in party powers in absence of uniformity of regulations

③ Cultural, Linguistic, Socio economic barriers

④ Lack of compulsion may lead to party withdrawal and wastage of resources thereto dispensed

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- ⑤ Binding nature makes it un-appealable and may deny rights.
- ⑥ Lack of Awareness.

~~explain~~

~~brief~~

Given the potential, Indian Government and Judiciary has nudged the adoption of various ADR Mechanisms. Some efforts are:

- ① e-Court Mission - Permanent Lok Adalats
- ② Pre litigation referral by Judiciary
- ③ Awareness workshops, seminars etc.
- ④ SAMAD HAAN portal for MSME
- ⑤ ODR Policy, Mediation Bill etc.

However, even in such initiatives concerns like digital divide, privacy, accessibility ought to be addressed sufficiently.

Conclusion can be improved
It is a excellent tool to unburden the judiciary and fulfill the constitutional responsibility of fast and fair justice.

② No-objection certificate and conciliation Act (1988)

Students should not write anything inside the box

Introduction	1
Body	4
Conclusion	0.5
Presentation	—
Marks:	5.5

Suggestions:

12. There seems to be no end to the debate surrounding the nature and extent of parliamentary privileges. In this regard, assess the need for codification of Parliamentary Privileges. Also, highlight the judicial pronouncement in the direction of bringing clarity to parliamentary privileges.

(15 marks, 250 words)

~~Parliamentary Privileges are a set of rights/ immunities / exemptions enjoyed by the members of parliament collectively as well as individually. In the absence of good introduction codification, they are drawn from a variety of sources like Constitution, Rules of House, Conventions etc. A. 194 A. 105, explicitly provides for freedom of speech and right of publication.~~

Collective Privileges

- ↳ Regulate own procedure
- ↳ Hold "Secret Sitting"
- ↳ Prohibit Courts from inquiring into proceedings
- ↳ Punish members/outsiders for breach/contempt
- ↳ Order inquiries/call witnesses
- ↳ Call for information on arrest/conviction of members.
- ↳ Publish reports, debates etc and prohibit others
- ↳ No arrest within precincts without Presiding Officer's Consent.

Individual Privileges

- Freedom from arrest during / 40 days before or after the Session.
- Freedom of Speech
- Exemption from giving evidence / appear as witness during session.

Although these privileges were provided to strengthen legislative process and encourage parliamentarians to act freely instead without coercion, their utility has often been eclipsed by misuse.

Why Codification:

- ① Abate ambiguity
- ② Wide discretion to self regulate needs to be curbed
- ③ Accountability and Responsible Behaviour
- ④ Rampant misuse to settle political scores
- ⑤ Codification would eventually mean recourse to Judiciary being available.

Further, other democratic countries like UK, USA seem to be working well without such wide arbitrary powers conferred upon their

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lawmakers.

Following acts of mandation within the Kerala legislative assembly by lawmakers, Supreme Court took a stringent view towards the situation and remarked:

→ No criminal exemption in case of parliamentary privileges as that would amount to breach of democratic trust.

A 105 and 194 provide protection to acts related to discharge of their duties and not all acts.

→ Codification of privilege in clear terms ~~is~~ ^{is} the need of the hour.

↳ Seach Light case (1958)

↳ Keshav Singh case (1965)

↳ Rao Ram Pal case (2007)

then conclude Properly with some ~~way forward~~

Students should not write anything inside the box

Introduction	1	Suggestions:
Body	3.0	
Conclusion	0.5	
Presentation		
Marks:	4.5	

13. Highlight the need for the creation of an independent umbrella authority for central investigation agencies. Do you think it will solve the concerns associated with the status of 'Caged Parrot' of CBI?

(15 marks, 250 words)

(Q. No.)

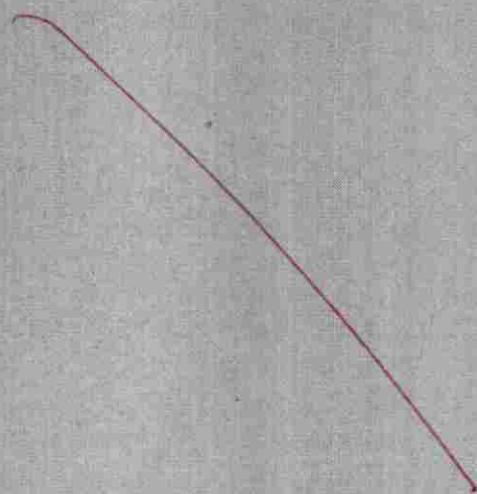
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Anything in
this part)

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. No.)

(Don't write
Anything in
this part)



Students should not write anything inside the box

Introduction
Body
Conclusion
Presentation
Marks:

Suggestions:

14. The recent Russia-Ukraine war has deepened the Sino-Russian engagement. Analyze its geopolitical implications for India?

(15 marks, 250 words)

~~Topic is
correct &
but doesn't
suit the question
set out of Q.~~

The diplomatic failure and threat exchanges between Russia and the West finally culminated into physical warfare with Russia invading Eastern Ukraine under the banner of liberating it.

CAUSES

- ① Eastward expansion of NATO
- ② Attempts of economic integration with EU
- ③ Russia's Warm Water Policy (Black Sea and Sevastopol)
- ④ Failure of diplomatic channels (Minsk process)
- ⑤ Separatist movements in East Ukraine
- ⑥ Security concerns for Russia if buffer state

SINO-RUSSIAN BONHOMIE

Following stringent politico-economic sanctions from the West, Russia has tilted towards China as its natural ally given the polarising status quo.

↳ Russia seems to be taking after the 'Wolf Warrior' Diplomacy of China, standing its ground against international backlash.

good

well

Part B

↳ Russia looks for legitimacy in China and has received favourable response.

↳ Like China, Russia is using the energy and economic dependence of West upon it to its advantage - Weaponising Supply Chain (e.g. Nord Stream).

over

the

dread

of the

over

↳ China has actively backed Russia and has opposed various resolutions condemning Russia at international platforms.

↳ Russia's aggressive assertiveness plays well with China's current image.

IMPLICATIONS FOR INDIA

① Russia's proximity to China is a big blow to India's attempts at containing China.

good

Part A

② The war shifts the international backlash to Russia which hitherto was mounting on China.

③ Russia - China - Pakistan nexus is catastrophic for India's neighbourhood ambitions and security.

④ India is stuck between an all weather friend in Russia and an indispensable partner in US.

- ~~Points we
good but
for the
bottle /
you can
decide
the /
impossible
for India
to positive
and
negative
this will
help you
to gain
Some
extra marks~~
- ⑤ S-400 deal v. CAATSA considerations
⑥ India's energy and defence reliance upon Russia.

India has repeatedly advocated for a non violent peaceful resolution and respect of international law. At the same time India has abstained from voting upon anti-Russian sanctions and continues to engage in economic relations (e.g. cheap oil). India has reiterated that its stance is neither for nor against any nation, but in line with its strategic autonomy and national interests. This diplomatic tightrope is necessary since India can't justify Russia's aggression given its implications upon its border issues, nor can it desert its trusted ally Russia.

"War does not determine who is right, only who is left."

- Bertrand Russell.

~~It is good to consider what to leave, substantiate it.~~
~~Students should not write anything inside the box~~

Introduction	0.5
Body	4
Conclusion	0.5
Presentation	
Marks:	5

Suggestions:

work on making
Introduction more
conceptual.

~~Magnitude of
application
for India~~

15. "BIMSTEC lies at the crossroads between SAARC and ASEAN, drawing its energy from the natural convergence of the countries around the Bay of Bengal". Discuss.

(15 marks, 250 words)

~~BIMSTEC is a regional multilateral organization established in 1997 via Bangkok declaration.~~

~~Its members include~~

~~Bangladesh, Bhutan,~~

~~India, Myanmar, Sri Lanka, Nepal and Thailand.~~

~~It is a multi sectoral technological and economic partnership wherein the member states allocate several areas of cooperation to each other.~~

~~With the current geopolitical discourse, the role of BIMSTEC has assumed unprecedented importance especially for India.~~

Why BIMSTEC

① Key role in Neighbourhood First and Act East Policy

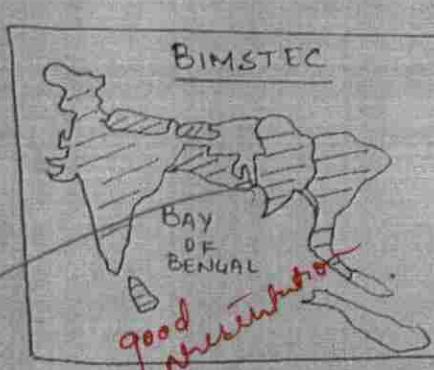
② Gujrat Doctrine and attempt of India to be clearly the net security provider of the region. ~~Has BIMSTEC~~

③ Like minded neighbours, harness potential to develop the entire region.

④ Bridge between South SAARC and ASEAN

⑤ Member of Regional Powers

⑥ India - Regional cooperation (Unilateral + India)



- ④ Isolate Pakistan and make SAARC less relevant so as to exclude Pakistan.
 - ⑤ With Indian Ocean Region becoming the new global theatre for power struggle, BIMSTEC states are geostrategically located close to choke points like Malacca.
 - ⑥ Certain China's Maritime Silk Road and boxing up of India
 - ⑦ At crossroads of global SLOCs, BIMSTEC states have immense potential to influence geopolitics.
 - ⑧ Enter regional connectivity and doorway to East Asia (e.g. BBIN, IMT etc.)

CHALLENGES & CONCERN

- ① China's growing influence. Many BIMSTEC states are part of China's BRI.
 - ② Minimal trade between BIMSTEC nations.
 - ③ Inter regional disputes and differences.
(Indo - Nepal, Bangladesh - Myanmar)
 - ④ Dormant organization with few conferences.
 - ⑤ Divergent political outlooks (e.g. Myanmar coup)

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Way Forward :

Given the importance of the region, India has intensified its engagement and revived BIMSTEC as a priority organization.

- ① Invitation to BIMSTEC leaders for Indian PM's swearing in ceremony 2019
- ② BIMSTEC Conference to mark 25th Anniversary
- ③ Focus on BIMSTEC meets and IDRA conferences to isolate Pakistan and render SAARC defunct.
- ④ Impetus to economic relations via BIMSTEC FTA
- ⑤ Extension of credit lines, currency swaps and fiscal support to prevent Debt Traps
- ⑥ Push to infrastructure and connectivity projects.

These
are
govt
initiatives
in this
regime

These
points
will
be very
forwarded

~~Students should not write anything inside the box~~

Introduction	1	Suggestions:
Body	2.5	
Conclusion	1.5	
Presentation		
Marks:	4.5	

VAJIRAM & RAVI

16. The Rajya Sabha is not only a House for second thoughts but is also a guardian of a state's interests. In this context, critically examine if Rajya Sabha has lived up to its expectations.

(15 marks, 250 words)

Rajya Sabha (Upper House) was established following the introduction of bicameralism by Government of India Act, 1919. It has a sanctioned strength of 250 members. Currently a total of 245 (233 elected + 12 nominated) members constitute Rajya Sabha. It is a permanent House with 1/3rd members retiring every 2 years. States are given proportional representation and members are elected indirectly by MLAs.

The opinion seems to be divided with respect to Rajya Sabha with one section considering it to be an indispensable element of the Indian Polity while the other rejecting it as redundant.

VAJIRAM & RAVI

Rajya Sabha as a Guardian of State's interests:

↳ It plays an essential role in the election of President.

↳ It symbolizes Indian Federalism acting as a safety valve against power usurping legislations. → How?

↳ It is a deliberative and evaluative body which gives a platform to raise states' concerns and check hasty legislation.

↳ Its consent is mandatory for creation of All India Services or legislating upon a State subject u/A 249. good use of Article

↳ It provides representation to vulnerable sections which cannot compete in direct elections as well attracts talent and expertise via Presidential nomination.

↳ It needs to approve Emergency and other military measures.

However, despite these essential roles, Rajya Sabha has drawn a lot of criticism and questions over its utility due to the following issues:

Point
are good

but for
the better

Presentation
you can
divide your
answer in
Subheadings

like how
Rajya Sabha

is a house of
Second chamber
and has

Rajya Sabha
as a guardian
of State

In my

ISSUES :① Non Representative

→ Unequal seats to States

→ No domicile criteria

② Bypassed → Important legislations as Money Bill (e.g. Aadhar Act)③ Spoils System → Indirect election and nomination are undemocratic④ Low Attendance and Declining Productivity⑤ House of Delay → Important legislations are stalled to settle political scores.⑥ Repramulgation of Ordinances → Rajya Sabha rendered ineffective.As the torch bearer of Indian Federalism,Rajya Sabha needs to reinvent itself to

effectively discharge its duty as the

Guardian of states' rights.

like → ~~Equality in Representation~~

→ More Power to Rajya Sabha

Students should not write anything inside the box

Introduction	1
Body	4
Conclusion	0.5
Presentation	
Marks:	5.5

Suggestions:

17. The vital role envisaged for the office of Comptroller and Auditor General (CAG) necessitates its independence. Comment.

(15 marks, 250 words)

A 148 provides for an independent Office of Comptroller and Auditor General (CAG). *very good introduction*
 He is the head of Indian Audit and Accounts Department. He is the guardian of public purse for both Centre as well as States.

ROLE OF CAG :

As per A.149, Parliament determines the duties. Accordingly CAG Act, 1971 provided:

① Audit all expenditure from consolidated fund, public account and contingency fund of both Centre and State

② Audit → substantially govt. financed body
 → Government company
 → Other body as required by law

③ Any other body on request of President / Governor (e.g. local bodies)

④ Report to President / Governor who play these reports before parliament / legislative assembly

- ~~good
value
points~~
- ⑤ 3 Reports → Appropriation Accounts
→ Finance Accounts
→ Public Undertakings

~~Role of CAG~~
These reports are examined by PAC.

- ⑥ Ensure financial accountability of Executive
⑦ Guide, Friend, Philosopher to PAC

- ⑧ Proprietary Audit at his discretion

~~explain
in brief~~
Given the significance of his office in holding Executive accountable, he has been provided with a number of safeguards to ensure independence.

INDEPENDENCE OF CAG :

- ① Appointed by President by warrant under his hand and seal.
- ② Security of tenure, not at President's discretion
- ③ Cannot be employed under Centre / state after stint as CAG
- ④ Salaries / Allowances determined by Parliament (equivalent to SC Judge) and can't be varied to his disadvantage.

⑤ Expenditure is charged on the Consolidated Fund of India and hence can't be voted upon.

Critics point out the limitations such as:

- ① Limited role w.r.t. Government Corporations
- ② Post Mortem Accountability
- ③ Discourages quick decision making etc.

Yet, CAG remains one of the pillars supporting democracy and holding governments accountable to the citizenry.

Dr. Ambedkar rightly called it the most important office in Constitution.

good conclusion

but you can write some suggestion like
true iso need for the institutionalized
process of selection of CAG.
⇒ Framing a transparent Selection Process

Students should not write anything inside the box

Introduction	Suggestions:
Body	4.5
Conclusion	1
Presentation	—
Marks:	6.5

18. How do the provisions of the recently passed Election Laws Amendment Act, 2021 help in addressing the issue of duplicate voting? Also, highlight the concerns associated with the Act.

(15 marks, 250 words)

Elections are the bedrock of democratic foundations. It is a tool of empowerment making participative democracy meaningful.

In order to strengthen the electoral system,

Government recently passed Election Laws Amendment Act, 2021 which amends RPA, 1950 and RPA, 1951.

FEATURES :

- ① Linking electoral roll data with Aadhar
 - ↳ for authentication of entries in electoral roll
 - ↳ addresses issues of duplicity and multiple entries at different places.
 - ↳ However, it may not be mandatory and no name would be cut off if "adequate reasons" are given or alternate documents provided.

② Gender Neutral Terminology

Replacing "wife" with "spouse" in Service rules.

To address the issue of duplicate voting.

Issue of duplicate voting

③ Cut Off Dates

↳ 4 (Apr 1, July 1, Oct 1, Jan 1) instead of 1

↳ increase participation and accessibility

④ Requisition of Premises

↳ expands the purposes for such requisition

↳ for administrative ease and efficient management.

However, the Act has raised severe concerns being voiced by some sections of population like

CONCERNS :

① Privacy

↳ linking with Aadhar may lead to political profiling

② Discretion

↳ wide discretion to electoral officers to decide "sufficient cause"

③ Burden of Proof

↳ unjustly shifted to citizens adding to cumbersome nature of elections.

(4) Aadhar Inconsistency

- ↳ mere ID proof, not of residence
- ↳ even Aadhar has duplication

(5) ECI control

- ↳ ECI has no control over Aadhar

(6) Hasty legislation

- ↳ passed without consultations.

~~About the
duplicacy
of Aadhar.
Ecdt
goes to
UADAI
which is
a statu
body and
E is a
constituted
body.~~

Factions are a significant tool for citizens to express their sovereignty. As such to allay apprehensions, Government ought to take everyone in confidence with due stakeholder consultations, publicity, committee scrutiny etc.

Faith in electoral process is sine qua non for democracy and all efforts should be made to strengthen this faith.

~~good
condition
you
can also
electoral
Amendment
2021 is the
condition~~

that it is a step

direction but there is a need
to bring in a robust data protection

~~law to ensure
the safety of
data~~

Students should not write anything inside the box

Introduction	Suggestions:
Body	2.5
Conclusion	1
Presentation	—
Marks:	4.5

19. "Our Constitution would be both unitary as well as federal according to the requirements of time and circumstances." Discuss. Highlight the challenges faced by Indian federalism in the present times and circumstances.

(15 marks, 250 words)

The above statement by Dr. BR Ambedkar aptly describes the nature of Indian polity. Federalism refers to the constitutional division of powers between different levels of government (mostly Centre and State). Our constitution makers did not opt for a strictly federal (USA) or unitary (UK) constitution given India's unique needs and polity.

To make it a dynamic document adaptable to the needs of the day, our Constitution envisages a polity "federal in form, unitary in spirit."

UNITARY FEATURES

- ① During Emergencies (A. 352, 356, 360), Parliament can legislate upon subjects in state list.
- ② Centre can give executive orders to states which they ought to honour (A. 355)

good
introduce

Please
make
short
notes

- ~~already discussed in the 1st Point and signs~~
- ③ Under A 360, President can direct states to observe canons of financial propriety.
 - ④ 6/A 249, Rajya Sabha "in national interest" can ask Parliament to legislate upon a state subject.
 - ⑤ Parliament can also make laws to enforce international treaties which states are bound by.
 - ⑥ Single Citizenship
 - ⑦ Planning and Fiscal Centralization
 - ⑧ Governor acts as "Agent of Centre" and reserves Bills for Presidential assent.
 - ⑨ All India Services
 - ⑩ Residuary Powers under Sch. 7.

~~extra for~~ # ~~Intergovernmental~~ Parliament can also unilaterally change dimensions, name etc. of states. India has Judiciary thus been termed as "Indestructible Union" # ~~destructible~~ Destructible States.

~~State~~FEDERAL FEATURES

- ④ Bicameralism
- ⑤ Rigidity in Amendment
- ⑥ President's Recommendation for Bills affecting state interests

- ① Constitution Supremacy
- ② Independent Judiciary
- ③ List 2,3 in Sch. 7
- ⑦ Scheme implementation

CHALLENGES :

- ① Role of Governor → Appointment → interference in state polity in explaining
- ② Centralization → List 1↑, List 3↑, List 2↓ → brief
- ③ Regionalism → other point
- ④ Fiscal Mismatch → States not allowed to borrow externally → OA 356
- ⑤ Narratives → Dependent upon Centre → OA 282
- One Nation One Language → O deployed
- GST
- Central Agencies misuse of central

Prof. KC Wheare remarked that India is force in like Quasi-federal. However, Supreme Court in SR Bommai Case held Federalism to be O C BI

Basic Structure

As Sarkaria Commission noted, Centralization will lead to (BP) at Centre and anaemia at periphery means thereby paralysing administration. It is of utmost importance to safeguard and strengthen our federal character.

Students should not write anything inside the box

Introduction	Suggestions:
Body	3.5
Conclusion	1
Presentation	0.5
Marks:	6.0

Keep a note of your word limit

20. Though Public Interest Litigation (PIL) were instruments for the common man to reach higher judiciary, with vested interests, it has turned into Personal Interest Litigation". In this context, provide a critical account on the performance of PIL in India.

(15 marks, 250 words)

PIL originated in USA to represent the unrepresented. In India, PN Bhagwati, J. and Krishna Iyer, J. ushered the practice through their judicial pronouncements in 1980s.

PIL entails a relaxation of traditional locus standi to enable any public spirited citizen/organization with sufficient interest to raise concern of a section of society who are unable to do so due to poverty/ignorance / socio economic backwardness.

The SP Gupta Case attributed the following virtues to PIL:

- ① Vindication of Rule of Law
- ② Effective Access to Justice
- ③ Meaningful realization of Fundamental Rights.

PRINCIPLES OF PIL :

- ① Strategic Aim of Legal Aid
- ② 1998 SC guidelines for Scope of PIL
- ③ Relaxed procedure to empower those who can't knock on Court's door
- ④ Collective rights - private realm only when & ~~public~~
necessary.
- ⑤ Prima facie satisfaction of Courts necessary.

- good
Point
but don't
explain
too much
add this
Position

However, SC itself observed the worrying trends in PIL misuse and remarked that it is not a panacea for all wrongs. Supreme Court asserted that it should not be allowed to become "Personal Interest Litigation" or "Public Interest Litigation" impact to settle private enmity, karate administrative officials, staff developmental work etc.

To prevent abuse of PIL, Supreme Court in Balwant Singh case formulated Misuse Guidelines for PIL:

- ① Encourage genuine petitions, curb vested interests.

→ Provide voice to voiceless,
→ safeguard fundamental Right
→ ~~affordable~~ 50. affordable Justice
→ increase accountability of govt

(Q. No.)

VAJIRAM & RAVI

(Don't write
anything in
this part)

Issue

associated

- with PIL
- ② Each High Court to formulate rules
 - ③ Prima facie verification of Petitioner's credentials.
 - ④ Substantial Public interest ought to be involved.
 - ⑤ Impose exemplary costs to curb frivolous and motivated petitions.
- good
valid
way
make

- J
⑥ Obscure judicial restraint and restrict to matters within competence.

⑦ PIL is an empowering tool to infuse equality of character in judicial accessibility. However, as Dr

D. Ambekar rightfully said, "Character of an institution (or process) is only as strong as that mind of the person occupying it."

good
character
but don't
just leave

Conclusion
seems
Incomplete

Conclusion
It is, Substantiate
it in brief

Students should not write anything inside the box

Introduction	1	Suggestions:
Body	2	
Conclusion	1	
Presentation		
Marks:	4	