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TEST CODE : 5 1 2 2 3

FIAS - MGP 2022 (C-11) - Sectional Test #3

ForumIAS

GENERAL STUDIES

Name Of Candidate

Kiran Dandapala

Roll No.

1910076157

Date:

20/08/2022

Time Allowed: Three Hours

Maximum Marks: 250

INDEX TABLE

Q. No.	Max. Marks	Marks Obtained
1	10	3.75
2		3.25
3		3
4		3.75
5		4.25
6		3
7		3
8		4
9		3.75
10		4
11		15
12		6
13		6.25
14		6.25
15		6.5
16		6
17		5.25
18		6
19		5.75
20		6.25
Total:		250

INSTRUCTION

- Please do furnish Name, Email, Roll No and Mobile in the answer sheet.
- There are TWENTY questions printed in ENGLISH & HINDI, all questions are compulsory.
- The number of marks carried by a question/part is indicated against it.
- 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.
- Word limit in questions, if 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.

Any specific messages for ForumIAS Mentors/Evaluators with respect to your copy? Write it here.

Evaluator's Discretion:

Round off (+0.25)

Total Marks:

105

Evaluator's Discretion:

This is the marks awarded at the discretion of the evaluator based on your overall impression, on the basis of (but not limited to) your handwriting, presentation, use of diagrams, flowcharts, facts and figures or absolutely anything that he/she liked in your copy.

For Student Only

Start Time | 10:25

End Time | 1:30

Mode Of Examination:

Online Offline

For Office Use Only

ECN CODE:

636

EG:

III

Evaluation Date:

22/08/2022

Extra time: 5 min
mark it

Note: You can discuss your evaluated copy with the Mentor. Raise a ticket from your portal to schedule a mentor call or visit the offline centre to meet mentor (all 7 days, Timings - 11 AM to 6 PM). Further if you are unsatisfied with the evaluation, you can seek re-evaluation of the copy.

Parameters	Excellent	Very Good	Good	Average	Poor	Very Poor
Language				✓		
Structure				✓		
Presentation				✓		
Handwriting			✓			
Content			✓			
Attempt			✓			

ADDITIONAL REMARKS

Dear Aspirant,

Your strengths (-) You have addressed score of questions with adequate content enriched with examples and data. - 15, 20 - Emulate this in other answers too!

Areas for improvement

(-) Your language of expression can be improved a bit for enhanced clarity.

(-) Structure: use keywords from question to frame heading and address all parts of question - 1, 2, 3 keep writing!

Q.1) The biggest critique of Basic Structure doctrine from its inception has been it being shrouded in confusion, vagueness and a formulation which is loose and not precise. Critically examine. (10 marks, 15 words)

in few
Again?

मूल संरचना सिद्धांत की शुरुआत से ही इसकी सबसे बड़ी आलोचना यह रही है कि यह भ्रम, अस्पष्टता और एक सूत्रीकरण का निर्माण करती है और यह शिथिल है, सटीक नहीं। समालोचनात्मक परीक्षण कीजिए। (10 अंक, 150 शब्द)

Decent
in few

The Basic Structure doctrine was first formulated by SC in Keshava Bharati Nanda case to protect and preserve the basic fundamental features of constitution. Such as Federation, Fundamental Rights etc.

Features of Basic Structure:

Align
your
content
as per
demand

There was a debate whether Parliament under Article 368 can alter the constitution. Putting previous judgments of Supreme court in Govindan, Champakam Dorairaj case.

SC delivered Basic Structure doctrine.

However, SC has not mentioned the features of Basic Structure at one go, instead ~~both~~ progressively adding to the list of features.

For example, in Keshava Nanda Bharati case, Supreme court said 'Secularism' is part of Basic Structure

In S.R. Bommai case, SC court said 'Federation' is part of Basic structure, and in Chandra Kumar case, it added Judicial Review by High court as part of Basic structure

Use keyword from question to frame heading

This successive addition of features created confusion, Vagueness because:

i) Legislature & Executive does not know what exactly constitutes part of basic structure as SC can add few more based on its review

ii) Supreme court through it may overreach into the domain of executive or legislature as against spirit of Article-50 - separation of Executive from Judiciary

Align your content as per demand

Conclusion
↓
Plays
Constitutionalism

Even though the Basic structure doctrine has put an external constraint on Executive and Judiciary and legislature in protecting constitution, the loose formulations of it created confusion.

Feedback
(For OFFICE use only)

Structure/Presentation	0.5
Question Interpretation	1
Content	2.25
Value Addition	
Total	3.75

Q.2) Sedition law, in any form, is a threat to civil liberties and presents an opportunity for its weaponization against dissenters and detractors. Should India do away with the sedition law? Justify your opinion. (10 marks, 15 words)

राजद्रोह कानून, किसी भी रूप में, नागरिक स्वतंत्रता के लिए खतरा है और असंतुष्टों और विरोधियों के खिलाफ अपने हथियार बनाने का अवसर प्रस्तुत करता है। क्या भारत को राजद्रोह कानून को खत्म कर देना चाहिए? अपने मत का औचित्य सिद्ध कीजिए। (10 अंक, 150 शब्द)

The constitution of India, through Fundamental Rights, under article 19 protects Freedom of speech and expression. However, recent filing of sedition cases against dissenters poses questions on availability of the Fundamental Rights.

Sedition Law, a colonial legacy was enacted by British to control the spread of information by Nationalists. However, post independent India, successive Governments continued it.

Challenges associated with sedition:

- i) Dissent is the core value in democratic governance. Party in power may use sedition law against Dissenters for political gain,
- ii) Goes against the spirit of Article-19
- iii) Even colonial rulers - British removed Sedition law from their statutes.

use keyword from questions to form heading

Intro
 be specific to content
 ↓
 define sedition
 seek on 124 A
 ↓
 upheld by Kedarnath Singh case

Substantiate with examples
 - Vinod Dua etc

iv) Universal Declaration of Human Rights to which India signatory, talked about protecting civil liberties.

However, removal of sedition law has its own challenges,

Such as

i) Freedom of speech is not absolute. In a diverse

country like India, citizens may misuse freedom of speech to incite hatred against other communities which would threaten communal harmony

ii) SC in Kedarnath Singh case, opined that sedition law can be retained but should be used only when speech leads to violence

iii) Without sedition law, National integration would affect.

This sedition law can be retained in the interest of national integration. However, to protect civil liberties, its use must be reasoned such as criticising against state but not against government be incorporated.

Conclusion
Need to be

referred to remove ambiguity & vagueness

Feedback
(For OFFICE use only)

Structure/ Presentation	0.5
Question Interpretation	1
Content	1.75
Value Addition	
Total	3.25

Q.3) The preamble is not a mere solemn resolution; but majestic expression of philosophy, principles and purpose of the constitution. Elaborate. (10 marks, 15 words)

प्रस्तावना महज एक पवित्र संकल्प नहीं है; बल्कि संविधान के दर्शन, सिद्धांतों और उद्देश्यों की प्रभावशाली अभिव्यक्ति है। विस्तृत विवेचना करें। (10 अंक, 150 शब्द)

The constitution of India begins with preamble which signifies the ambitions of Freedom struggle, visions of constitution makers and the nation we wanted to build ourselves.

Highlights of Preamble:

* Philosophy:

i) It envisions to build India into a secular, Republic country

ii) The foundation of the country should be built on social, Economic and political justice

* To build an India based on fraternity feeling among people despite having different provincial

Use keywords regarding structure of your content

Recent intro
↓
like 'preface' to the constitution

↓
be specific
- socialist
- sovereign
- etc

identities such as caste, religion and patriarchy

* Preamble guides state to protect individual rights through Freedom of belief Liberty of belief, faith

Above all the purpose of preamble is to maintain India's unity and diversity despite differences across geographical and cultural values.

Provide conclusion

Keshwanand Bharti Case

Preamble - Consensus of the Constitution

valid points

Inadequate Content

Principle - Justice, etc

etc

Feedback

(For OFFICE use only)

Structure/ Presentation	0.5
Question Interpretation	1
Content	1.5
Value Addition	
Total	3

Q.4) Every person has a fundamental right to entertain such religious practices as approved by his/her conscience. Do you think that 'doctrine of essentiality' restricts this autonomy?

(10 marks, 15 words)

प्रत्येक व्यक्ति को अपने विवेक द्वारा अनुमोदित ऐसी धार्मिक प्रथाओं में सम्मिलित होने का मौलिक अधिकार है। क्या आपको लगता है कि 'अनिवार्यता का सिद्धांत' इस स्वायत्तता को प्रतिबंधित करता है? (10 अंक, 150 शब्द)

Constitution of India through Article 25-28 protects
 Religion rights of individuals and community. These Fundamental
 Rights are inline with UDHR of UN-

Doctrines of Essentiality means certain religious principles
 are essential to a religion hence they must be
 protected.

Supreme court in Shirur Mutt case invented the Doctrine
 of Essentiality. However, SC took to itself what constitutes
 essentiality of religion.

Individual autonomy Versus Doctrine of Essentiality:
 use keyword from question → arguments

Individuals have certain guarantees such as Freedom of
 Expression, Chomney Panther as protected by Article 19
 and Article 21. However, which citizens want to protect.

in module with this statement

Interim
 Against

be relevant

In recent, Hijab Controversy, Muslim women argued that Right to wear Hijab is part of their religion protected under Article - 25. However, Supreme court ruled that it is not part of essential practices hence state can put reasonable restriction.

Align your content as per demand

However, Doctrine of Essentiality protected individual Autonomy Supreme court in Sabarna Lal Dalgut said that not allowing menstrual age women is not part of essential of religion. Thus protecting dignity of women be legible

Supreme court in Shafiq Hossain case noted that Right to choose partners and following religion of choice are fundamental to a citizen.

Conclusion

Thus the Doctrine of Essentiality balanced individual rights as guaranteed under Fundamental Rights and community rights.

It upholds constitutional morality

Feedback (For OFFICE use only)	
Structure/ Presentation	0.5
Question Interpretation	1
Content	2.25
Value Addition	
Total	2.75

Q.5) The divergence between intent and impact of the tenth schedule necessitates calling into question its relevance in the present times. Analyze. (10 marks, 15 words)

दसवीं अनुसूची के आशय और प्रभाव के बीच का अंतर वर्तमान समय में इसकी प्रासंगिकता पर सवाल खड़ा करता है। विश्लेषण करें। (10 अंक, 150 शब्द)

The parliament through 52nd CAA inserted Tenth schedule to address the defection by legislators which undermined the Parliamentary democracy

Recent info

Intent of Anti-Defection Law:

- i) To address Haya-Ram Ganga Ram (Frequent defection for political gain)
- ii) Address political sanctions. corruption
- iii) To strengthen Neutrality of Speaker.

be specific

promotes political democracy etc

Impact of Anti-Defection Law:

- i) Speaker as final Authority to decide Anti-Defection cases acting according to the interest of his/her Political lines.

- ii) Mass defections have been taking places. eg RMH
- iii) Undermining the debates as candidates have to be in line with party stand on various policy matters.

Valid points
↓
Substantiated with examples
- hqa,
- K,
- EK

Relevance of 10th schedule

10th schedule have still relevance as defections are continue to take place. However certain amendments are needed to make it more effective such as

- i) The decision on defection cases should be given to president / Government who act on the advice of ECI.
- ii) As recommended by SC, there should be a time frame to decide the cases.
- iii) Anti-defection law should be applied only when voted against party in No-confidence motion

The strength of democracy is dependant on Moral character of its legislators. Hence reforms are required

Feedback (For OFFICE use only)	
Structure/ Presentation	1
Question Interpretation	1
Content	2.25
Value Addition	
Total	4.25

Conclusion - Need to have a permanent independent tribunal

Q.6) Discuss the status of death penalty in the country. Can a governor pardon a death penalty? What are various limitations of pardoning power of governor? (10 marks, 15 words)

देश में मृत्युदंड की स्थिति की विवेचना कीजिए। क्या राज्यपाल मौत की सजा माफ कर सकता है? राज्यपाल की क्षमादान शक्ति की विभिन्न सीमाएँ क्या हैं? (10 अंक, 150 शब्द)

Death Penalty means Punishing the culprit through a death. Supreme court affirmed that death penalty can be imposed, however, it should be in rarest of rare cases.

Recent Inko

Status of Death Penalty in India

- 1) Death penalty still it is legal.
- 2) On Number of cases, death penalty can be imposed is increasing. Recently, death penalty is imposed on crime against children.

be specific

- baichan Singh case etc

Governor has the pardoning power of a death penalty as mandated by constitution. However, constitution has put a certain power of Governor

Art 61

~~Inadequate Content~~
 - Cause neutral
 - checks on Govt
 - etc
 Conclusion
 President enjoys more power than Govt.

i) He can pardon death penalty on only Civil Matters but not related to death penalty imposed by Military Courts.

ii) He can pardon on cases as per the law framed by State government.

iii) Judicial Review is there on pardoning power of Governor.

This check & balance on Governor's pardoning power are aimed at protecting individual rights and natural justice.

choose words wisely!

Feedback
(For OFFICE use only)

Structure/Presentation	1
Question Interpretation	1
Content	1
Value Addition	
Total	3

Q.7) Do you think the Competition Commission of India (CCI) has been as successful in protecting consumer rights, promoting fair competition and restricting monopolistic tendencies, vis a vis its western counter part? (10 marks, 15 words)

France
EU
USA

Not addressed

क्या आपको लगता है कि भारतीय प्रतिस्पर्धा आयोग (CCI) उपभोक्ता अधिकारों को रक्षा करने, निष्पक्ष प्रतिस्पर्धा को बढ़ावा देने और एकाधिकारवादी प्रवृत्तियों को प्रतिबंधित करने में उतना ही सफल रहा है, जितना कि पश्चिमी देशों में इसके समक्ष संस्थान? परीक्षण कीजिए। (10 अंक, 150 शब्द)

Competition Commission of India, a quasi-judicial body was constituted under Competition Commission Act - 2002 by repealing MRTP act to promote competition among business.

Good
2/10

CCI's success in consumer rights protection

Unlike MRTP act which regulated competition, CCI promotes competition in the market.

CCI, imposed penalty on BCCI, and National Stock Exchange for using market advantage to its benefits. Thus promoting fair competition.

Valid
points

CCI's objective is to protect consumer rights. Any citizen can file case if their rights are violated.

However, CCI failed to promote fair practices in certain cases such as

i) Vodafone & Airtel filed case against Refrance Tio on market dominance through fold-down prices.

ii) Allegation that it is interfering into the domains of sector regulators such as RBI, SEBI etc.

Conclusion
Trials
Scenarios
Committee

Despite criticism, CCI has a role to play in protecting consumer rights, especially in digital market and promote fair competition in a market economy

Feedback (For OFFICE use only)	
Structure/ Presentation	1
Question Interpretation	0.5
Content	1.5
Value Addition	
Total	3

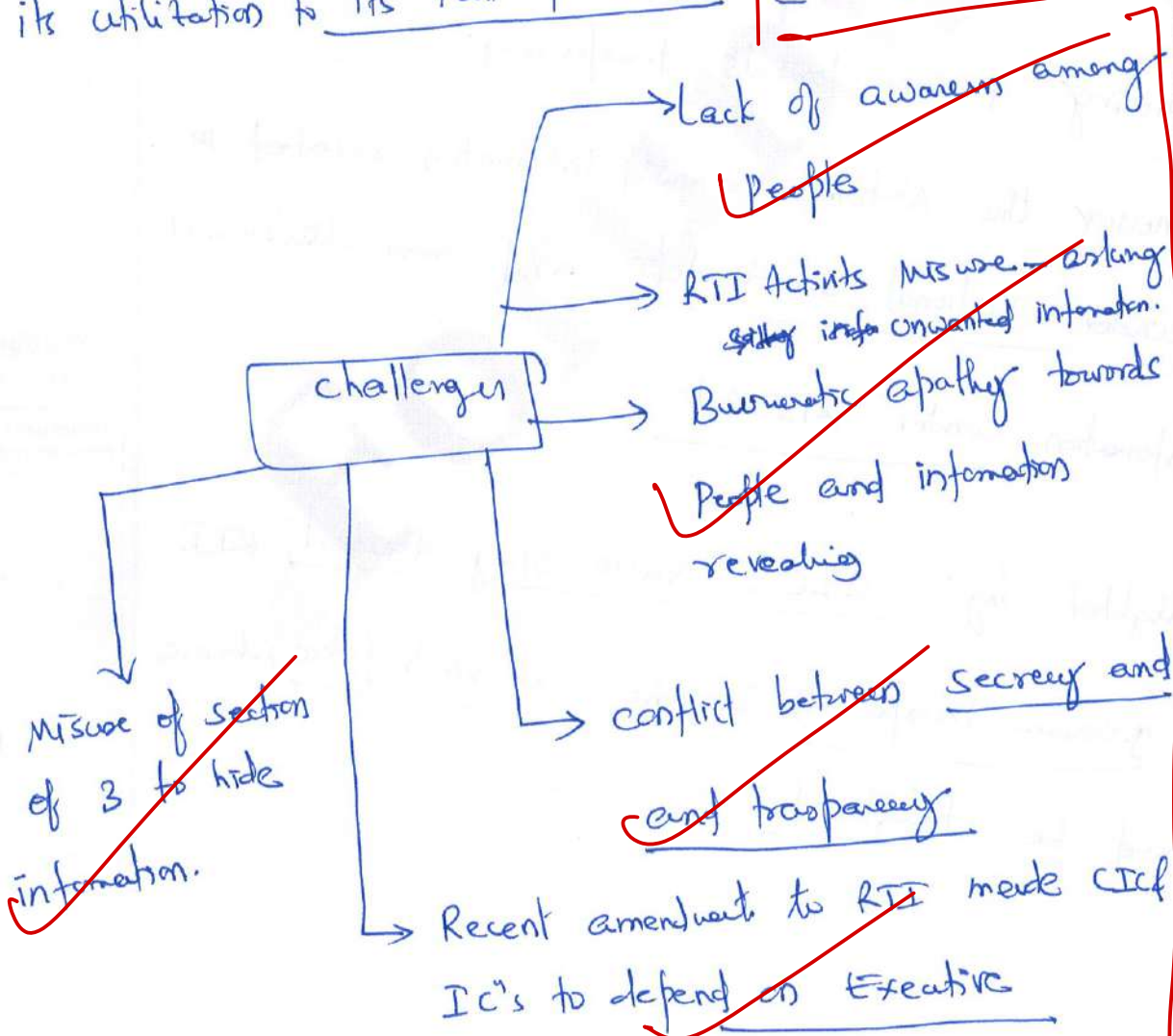
Q.8) Though RTI was meant to strengthen participatory democracy in India, various factors have hindered its utilization to full potential. In this context, examine the issues pertaining to the implementation of the RTI Act. (10 marks, 15 words)

यद्यपि RTI का उद्देश्य भारत में सहभागीमूलक लोकतंत्र को मजबूत करना था, लेकिन विभिन्न कारकों ने इसके पूर्ण क्षमता के उपयोग में बाधा उत्पन्न की है। इस संदर्भ में, RTI अधिनियम के कार्यान्वयन से संबंधित मुद्दों का परीक्षण कीजिए। (10 अंक, 150 शब्द)

Parliament enacted Right to Information Act in 2005 to make Governance more transparent, Accountable and inclusive.

good notes

However, the implementation challenges in RTI has hindered its utilization to its full potential. Challenges are:



valid points

Add
↓
- huge pendency of cases
- etc

Thus the RTI act need certain implementation reforms such as

- i) Similar to Tan Sochna portal of Rajasthan Government all the governments should voluntarily put public information publicly. This reduces people's accented.
- ii) Shedding Bureaucratic notion of secrecy and moving governance towards transparency
- iii) Moving the National security information related to under National security Act and more disclosure of information under RTI-Act

Add
- do away with the letter amendment - etc

As highlighted by CIC's success story document, RTI made governance transparent, inclusive and participative, hence it should be strengthened

Recent conclusion

suggest how it can be done!
enhanced RTI via ingercie

Feedback (For OFFICE use only)	
Structure/Presentation	1
Question Interpretation	1
Content	2
Value Addition	
Total	4

Q.9) Instead of performing a transformative role, traditional bureaucracy has contributed to perpetuation of old order. Comment. (10 marks, 15 words)

एक परिवर्तनकारी भूमिका निभाने के बजाय, पारंपरिक नौकरशाही ने पुरानी व्यवस्था को कायम रखने में योगदान दिया है। टिप्पणी करें। (10 अंक, 150 शब्द)

Bureaucracy means a rational authority, arranged administration in hierarchy entrusted with implementation of public policy

Don't write

India at its independence marked by illiteracy, ignorance and poverty. Bureaucracy was expected to perform transformative role in addressing the challenges.

However, it contributed to perpetuation of old order

such as

▷ They are elite in nature. Caste & class nature was visible.

2) As highlighted by 3rd Five-year plan document,

Bureaucracy were faction ridden, they don't have

Service mentality

Inadequate content
↓
Add
- Corruption
eg Pujn Singh
- etc

3) Focussing on rulers rather than outcomes created
red-tapism

4) Focussing on information secrecy, transparency prevented
 making governance more participative.

However, ~~any~~ number of burnerats used in new era
 in the traditional burnerats as can be seen

i) Many burnerats voluntarily put public records on
public display

ii) Voluntarily Fund sourcing to implement projects
quickly

iii) As they face stiff competition from private sector,
lateral entry, they are focussing on skill develop

Government of India's new initiative seek as Mission Karmayogi
 is envisioned as transforming civil services to make mission
Government maximum Governance

use keyword
 be specific
 lateral entry
 etc

Conclusion
 HOTA
 committee

Feedback (For OFFICE use only)	
Structure/ Presentation	1
Question Interpretation	1
Content	1.75
Value Addition	
Total	3.75

Q.10) Contrary to expectations surrounding its enactment, the institution of Lokpal has not proved path-breaking in dismantling the structures of corruption in public life. Analyze.

(10 marks, 15 words)

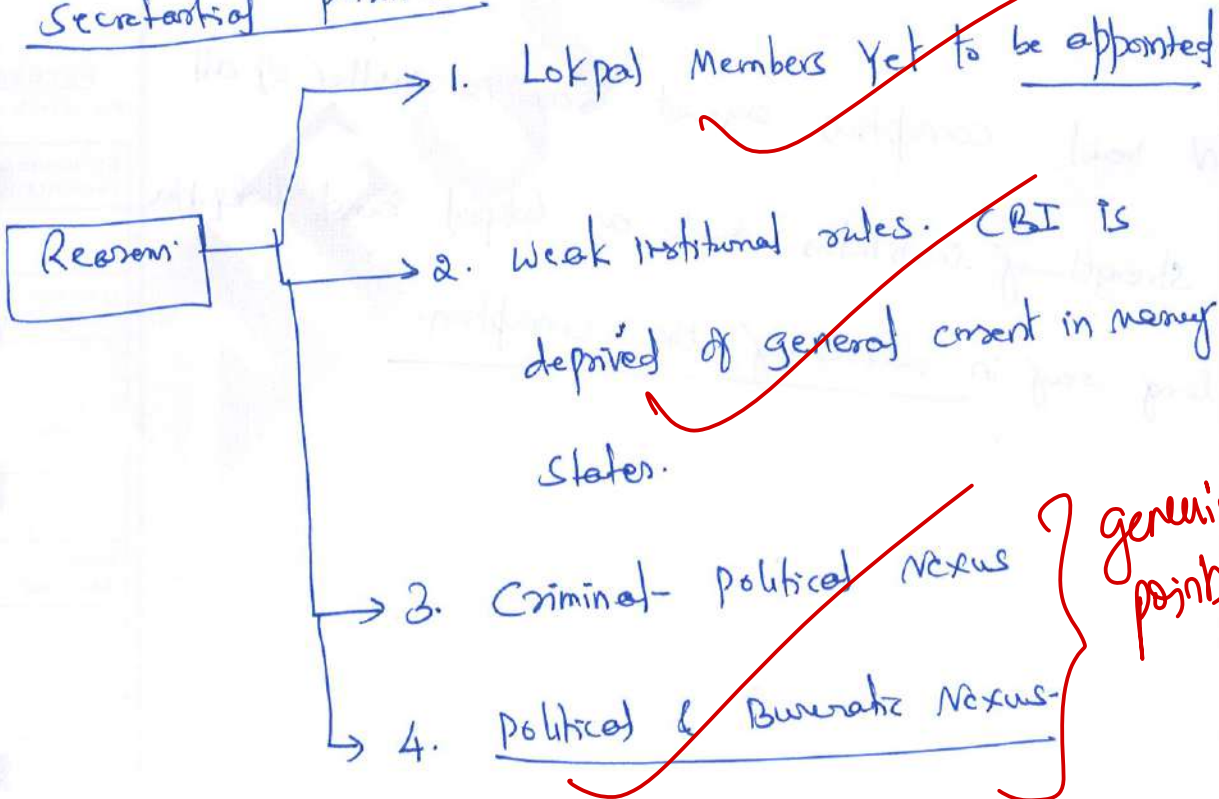
अधिनियमन की अपेक्षाओं के विपरीत, लोकपाल की संस्था सार्वजनिक जीवन में भ्रष्टाचार को खत्म करने में पथ-प्रदर्शक साबित नहीं हुई है। विश्लेषण करें। (10 अंक, 150 शब्द)

According to Transparency International Index, India continues to be one of the countries most affected by corruption. This is despite of various institutions such as Lokpal, vigilance (CVC) and CBI.

Introduce with this statement

Lokpal Act was enacted in 2014 to reduce corruption at the highest levels such as Ministers, MPs and

Secretarial positions.



generic points

Add
↓
- ineffective
- weakness
of
Inquiry
&
flexibility
- etc

5. Weak institutions encouraging Culture of Corruption to thrive.

Therefore to address corruption, following can be done.

1) Appoint the members to Lokpal and setting up of Lokuktas in all the states.

2) Increase usage of Technology, as it can break middle men.

3) Bring awareness through vigilance drives.

Recent
Conclusion

As UN said corruption agent war is mother of all wars, strengthening institutions such as Lokpal and Lokuktas go a long way in addressing the corruption.

Feedback
(For OFFICE use only)

Structure/ Presentation	1
Question Interpretation	1
Content	2
Value Addition	
Total	4

Q.11) Why did constitution makers prefer 'union of states' over 'federation of states' to describe India? To what extent this preference is responsible for tensions in centre-state relations? (15 marks, 250 words)

संविधान निर्माताओं ने भारत का वर्णन करने के लिए 'यूनियन ऑफ स्टेट्स' के बजाय 'फेडरेशन ऑफ स्टेट्स' को प्राथमिकता क्यों दी? केंद्र-राज्य संबंधों में तनाव के लिए यह वरीयता किस हद तक जिम्मेदार है? (15 अंक, 250 शब्द)

Article 1 of Indian constitution begins with India - The Union of states. The reasons for usage of Union are Historical.

good 20/20

Usage of Union:

use keywords to form heading
Add influence of hot, 1935 - etc

Dr. Ambedkar, chairman of drafting committee said Indian is Union because states are not formed on the agreement.
Union also implies that states are destructible. i.e. states can be merged, divided to form a new state under Article 3. but they don't have the right to secession from Indian Union.

Federation of states in true sense implies sharing equal power between centre and states and among states.

But, in India, Asymmetric Federalism exists as reflected in Financial (Finance Commission's devolution of Funds), Administrative (Article 371A-371G) and Legislative (concurrent and Residuary list).

The use of Union in constitution has contributed to difference between states and centre.

i> Immediately after independence, Nagaland demanded Secession from the Union owing to its Tribal

characteristics.

ii> In 1960's, due to differences over language usage for official, Tamil Nadu, a separate country demand was put forth.

be specific -
- office of Governor
- ADJ
- etc

iii) Recently, Tamil Nadu Government refused to use the term "Centre", instead it used Union. It created tension over federal character between Centre and states.

Despite tensions, the usage of word 'Union' is significant as it protects territorial integrity of the country gives shape to dynamic demands of people.

Conclusion

↓
give reference of Panchhi Commⁿ Recommⁿ

4.75

Feedback

(For OFFICE use only)

Structure/ Presentation
Question Interpretation
Content
Value Addition
Total

Q.12) While fundamental rights have strengthened our democracy, fundamental duties are essential to strengthen our society. In this context examine the importance of fundamental duties for Indian society. (15 marks, 250 words)

जहां मौलिक अधिकारों ने हमारे लोकतंत्र को मजबूत किया है, वहीं मौलिक कर्तव्य हमारे समाज को मजबूत करने के लिए आवश्यक हैं। इस संदर्भ में भारतीय समाज के लिए मौलिक कर्तव्यों के महत्व का परीक्षण कीजिए।

(15 अंक, 250 शब्द)

The constitution of India through Articles 14 to Article 32 confers certain Fundamental Rights to citizens to achieve the political democracy.

How Fundamental Rights strengthened Indian democracy:

- 1> It ensures equality of all people irrespective of caste, gender, religion etc. "Equality" notion is fundamental in any democracy.
- 2> Provides educational and employment opportunities to the vulnerable sections - Article 15 and Article 16.
- 3> Right to Education and Right to Life are protected under Article 21.

Core demand
Introduce with this

Shorten this as per demand

4) In democracy, minorities have to be protected as majority will rule. constitution of India does this through Article 25 to Article 30. This articles enables voice to minority

However, Fundamental Rights just ensures protection from excess of executive or legislature, but it doesn't talk about what citizens can do to the country

Fundamental Duties was enacted based on the recommendation of swaran singh committee through 4th constitutional Amendment and inserted under Article 51A

Importance of Fundamental Duties to Indian states & society

1) It highlights that apart from enjoying rights, they have duty towards fellow citizens and state.

2) It aims to protect the dignity of women, who were historically oppressed due to patriarchal society

ii) In A.IIMS students versus A.IIMS, SC said that Fundamental Duties can be used in validating a law.

iv) FD's promote scientific temper among citizens. This is vital as traditional rural India is having blind faith in superstition.

v) FD's aim to preserve the struggles faced by Freedom fighters in their fight against colonial rule. This helps in inculcating these values.

However, FD's have certain limitations and gaps as

i) There is no Duty to vote and Duty to pay tax.

ii) FD's are not justiciable.

Despite this limitations, Fundamental Duties constantly reminds citizens of their duties towards nation, its culture and traditions.

Valid content

Add

↓
- inspiration from ideas of freedom struggle
- etc

Feedback

(For OFFICE use only)

Structure/
Presentation

1.5

Question
Interpretation

1.5

Content

3

Value
Addition

Total

6

Recent
conclusion

Q.13) Discuss the role of the judiciary in electoral reforms citing suitable cases. How far do you agree that judiciary induced reforms violate the principle of separation of power?

(15 marks, 250 words)

उपयुक्त मामलों का हवाला देते हुए चुनाव सुधारों में न्यायपालिका की भूमिका पर चर्चा करें। आप कहीं तक सहमत हैं कि न्यायपालिका से प्रेरित सुधार सत्ता के पृथक्करण के सिद्धांत का उल्लंघन करते हैं? (15 अंक, 250 शब्द)

Electoral reforms means addressing the gaps in making elections free and fair as mandated by constitution of India under Article - 324. 327

Decent-2020

Judiciary has been intervening in inducing electoral reforms through various judgments, such as.

i) In Lilly Thomas case, Supreme court struck down Section 8 of Representation of People's Act - 1951, which allowed for disqualification of candidates who convicted for more than 2 years. This addressing criminalisation of politics.

ii) In TN Seshan versus Union of India, SC affirmed that SEC & EC enjoys same power and EC's can be removed to protect EC.

iii) Supreme court ordered Election Commission to frame guidelines on 'Freebies' which hampering the Free & Fair conduct of elections.

iv) Allahabad high court struckdown Indira Gandhi's extension of period to 6 years.

v) Various High courts have reaffirmed Election Commission position on model conduct of conduct such as banning of leaders in election campaigning during 2017 UP elections.

vi) Supreme court in its judgement on EVM's & VVPAT usage affirmed Election Commission position as VVPAT as indispensable to Free & Fair elections.

vii) Supreme court in Kilhotkar Hoolkar case said that Anti-Defection Law is inline with constitutional principle.

Valid Content

Adel

- ADR

- PUC cases

- de

However, Supreme court's Judgement on electoral reforms ignited a debate whether they are as Judicial overreach.

1> For example, what Freebies or policy measures should be decided by Executive

2> Article 50 enforces mandatory separation of Executive from Judiciary but Judiciary intervention in Lillythomas case may go against this principle.

Despite this, India's separation of powers is not strict. When legislative and executive failed to intervene, Judiciary stepping in protecting sanctity of constitution is in right direction.

Use keywords
↓
Inherent
≡
Against
≡

Feedback (For OFFICE use only)	
Structure/ Presentation	1.5
Question Interpretation	1.5
Content	3.25
Value Addition	
Total	6.25

Q.14) There has been an increasing demand for doing away with the concurrent list. Examine the utility of concurrent list in the light of recent events. (15 marks, 250 words)

समवर्ती सूची को समाप्त करने की मांग बढ़ती जा रही है। हाल की घटनाओं के आलोक में समवर्ती सूची की उपयोगिता का परीक्षण कीजिए। (15 अंक, 250 शब्द)

The constitution of India through schedule 7 divides the powers into Union, state and concurrent lists. The separation of subjects into different lists are intended to protect the spirit of federalism.

Recent
inter

What concurrent list contains:

- Subjects such as Education, Environment, Population Policy are embodied in concurrent.
- States and central government have control/frame on concurrent list. However, central government law prevails over state list if they frame a law on same subject.

Reasons for demand:

→ Through 42nd CAA, certain states subjects were placed in concurrent list against the spirit of

Add
give
reference
of
Telangana
and

Federal:

i) central government formulating schemes on concurrent list and passing it to states through central sponsored schemes (CSS) and central schemes (CS).

Valid points

ii) Burden on state machinery to implement concurrent subjects.

iii) Rajmanna Committee recommended passing of control to state governments over concurrent subjects.

Despite this, concurrent subject have utility

i) India is a diverse country, hence certain standards have to be uniform to make governance more effective. For example, protection of Environment, Forest is now a universal obligation.

Valid points

ii) Government enacted wildlife protection Act-1972 inline with international obligation.

ii) To improve educational standards across the country, Union government should have control on this hence having Education on Concurrent list enables this.

valid content

iii) Sarkaria commission Recommended continuation of concurrent list. However centre should consult state governments before it enacts any law on concurrent subject

good conclusion

Thus the utility of concurrent list encourages to continue with it. However, all the stakeholders must be consulted before making a policy on the subject.

Punchi Commⁿ Reconnⁿ

Feedback
(For OFFICE use only)

Structure/ Presentation	1.5
Question Interpretation	1.5
Content	3.25
Value Addition	
Total	6.25

Q.15) Against the intentions of the constitution makers, the use of discretionary powers by governors has become a major source of tension in Centre-state relations. What are the discretionary powers of the Governor? Also, discuss the issues associated with them. (15 marks, 250 words)

संविधान निर्माताओं की मंशा के विपरीत राज्यपालों द्वारा विवेकाधीन शक्तियों का प्रयोग केंद्र-राज्य संबंधों में तनाव का एक प्रमुख स्रोत बन गया है। राज्यपाल की विवेकाधीन शक्तियाँ क्या हैं? साथ ही उनसे जुड़े मुद्दों पर चर्चा करें।

(15 अंक, 250 शब्द)

Dr. Ambedkar defined Governor role as a special linkage between Centre and state. Despite the visionary expectations, recent instances on the functioning of Governor created tensions between centre and states, Governor and state political executive.

20/10
↓
ART 163

Discretionary Powers of Governor:

(ART 163)

→ Discretionary powers of Governor are wider than the president. Constitution itself mandates wide discretionary power on Governor.

i) Inviting party to form government when there was no clear majority to any party

ii) Assigning bill to the President - Article 200.

iii) Giving report to the central government.

iv) Report on the constitutional breakdown of a state to the central government to impose president rule. (AM 356)

Because of discretionary powers, it created tensions such as

i) Governor has not forwarding bill to the president nor returning to state legislature for re-examination.

For example, Tamil Nadu's bill on NEET examination has been pending with Governor for a long time.

ii) The reports by Governor led to imposition of president rule.

Supreme court in Arunachal Pradesh case, reinstated the Governor as SC said it is unconstitutional.

iii) In Maharashtra elections 2020, when no party got majority, Governor invited and held ceremony of oath at early morning 5: clock

good example

↓
Add Also
↓
- refused to summon or SJA session in Rajasthan - etc

Therefore, there are certain safeguards needs to be followed to address the gaps in discretionary power of Governor such as

i) As highlighted by SC in S.R. Bommai case and Arunachal Pradesh, president rule can be imposed only when there is constitutional breakdown not Administrative breakdown

ii) There should be a time frame, say 6 months within which Governor has to decide on the bill. i.e whether to put for president or return the bill.

Living to the true spirit of ~~vision~~ vision of constitution makers, Governor has to abide by constitutional principles

give reference of - Nekam Rebin case - etc

Conclusion

Feedback (For OFFICE use only)	
Structure/Presentation	1.5
Question Interpretation	1.5
Content	3.5
Value Addition	
Total	6.5

Q.16) Concerns regarding Parliamentary performance most often relate to the drastic reduction in the level and extent of deliberation, representation and scrutiny. In this context, highlight the recent instances which have led decline in effective functioning of the parliament.

(15 marks, 250 words)

संसदीय कार्य-निष्पादन के संबंध में चिंताएं प्रायः विचार-विमर्श, प्रतिनिधित्व और संवीक्षा के स्तर और सीमा में भारी कमी से संबंधित होती हैं। इस संदर्भ में, हाल के उदाहरणों पर प्रकाश डालिए जिनके कारण संसद के प्रभावी कामकाज में गिरावट आई है।

In a parliamentary form of polity, parliament is the highest form where discussion, debates and dissent takes place on people and policy issues.

hook
inko

However, recent disturbances in parliament reduced the time for discussion which undermines the essence of Parliamentary form of Government.

Reasons for drastic Reduction in functioning of parliament

i) Referring of bills to parliamentary committees have reduced. In 17th Lok Sabha less than 21% of bills are referred to parliamentary committees.

15th - 71%
16th - 28%
17th - 11%

ii) Frequent disturbances in the house due to political interests

iii) Anti-Defection law also contributed to effective reduction in effective discussion. Any candidate speaking against their party stand would attract disqualification.

iv) Absence of Members of parliament for its meetings and to parliamentary committee meetings.

v) Lack of Effective opposition. In current Lok Sabha, the single largest opposition party has less than 60 votes.

vi) Many of the bills were being introduced without notice. This curtails the debates as members won't get enough time to read the bill.

vii) Bills being passed in quick time by grouping them into classes. This may hide important aspects from the discussion.

valid points

- no. of working days reduced

now 70 days

- higher ordinance (11 per cent)

- disguised money bill for adhan - etc

Following can be done to increase the effectiveness of discussions in parliament

- i) strict against those who disrupts the house
- ii) Mandatorily referring the bills to select committees.
- iii) Assigning a research team to Members for thorough understanding on the bills.
- iv) Training to new and young members of parliament on the debates and discussions

be specific
- NCHRC Recomi
damp
120 150
(US) (US)
- etc

Recent conclusion

The constitutional debates should act as an inspiration to Members of parliament in making parliament debates more meaningful and deliberative

Feedback	
(For OFFICE use only)	
Structure/ Presentation	1.5
Question Interpretation	1.5
Content	3
Value Addition	
Total	6

Q.17) Political decentralization without devolution of funds and functions to panchayats has resulted in representation but not empowerment. Examine whether devolution of funds and functions alone can transform panchayats into effective institutions of self-governance.

(15 marks, 250 words)

पंचायतों को धन और कार्यों के हस्तांतरण के बिना राजनीतिक विकेंद्रीकरण के परिणामस्वरूप प्रतिनिधित्व तो हुआ है लेकिन सशक्तिकरण नहीं। जांच करें कि क्या केवल निधियों और कार्यों का हस्तांतरण पंचायतों को स्वशासन के प्रभावी संस्थानों में बदल सकता है।

(15 अंक, 250 शब्द)

Parliament through 73rd Constitutional Amendment decentralised the governance by strengthening the third tier of governance in line with Directive principles of state policy Article-45.

Despite constitutional status, provision of reservations to vulnerable sections such as women, SC & ST's, Panchayats are yet to emerge as empowerment tools. The Reasons are.

i) Panchayats don't have taxing powers as major revenue sources.

ii) Devolution of central and state funds are not sufficient enough to make their own development plans and implementation.

73rd CAA
into
game
Constitutional
States
to
PAs
etc

Inadequate
Content
↓
Adeq
Lack of
infrast
- struc
etc

Use keywords to frame heading

iii) The devolved funds are scheme specific. Hence Panchayats don't have freedom to make them suited to local needs.

iv) Panchayats are being seen as implementers of central and state schemes.

Though 73rd constitutional Amendment listed 29 Functions but they were not mandated to panchayat, as a result, they don't have major functions to perform

i) State legislatures are reluctant to delineate functions. For example, minor irrigation functions are devolved to panchayats. But state governments are focusing on major irrigation projects.

ii) Citing lack of expertise at local levels, State governments are reluctant to discharge the function

Use keywords to frame heading

Assign it as per demand

However, apart from Funds and Functionaries, Panchayats are also suffering from other issues such as

i) Proxy representation of women by their husbands

Recently, a husband took oath on behalf of her wife. This goes against the principle of Empowerment

ii) Gram Sabhas are not being conducted regularly

Records are being framed. This goes against the

principle of community watchdog to ensure transparency

iii) Local Factions, elite capture preventing Panchayats from governing as self-governance institutions

To realize the dream of Gandhiji's Swarajya as envisaged through Panchayats, Funds, Functions, and Functionaries,

Behavioural change is required.

Conclusion

Sumit Bose Comm Recorrr

be specific
- lack of skills & capability
- ek

Feedback	
(For OFFICE use only)	
Structure/Presentation	1
Question Interpretation	1.5
Content	2.75
Value Addition	
Total	5.25

Q.18) The offence of rape cannot be condoned by marital relationship between victim and culprit. In light of this statement, discuss the issues involved in criminalization of marital rape.

(15 marks, 250 words)

बलात्कार के अपराध को पीड़िता और अपराधी के बीच वैवाहिक संबंधों द्वारा माफ नहीं किया जा सकता है। इस कथन के प्रकाश में वैवाहिक बलात्कार के अपराधीकरण में शामिल मुद्दों की चर्चा कीजिए। (15 अंक, 250 शब्द)

Marital rape means participating in intercourse without consent of a spouse. According to WHO - report, 50% of the surveyed people experienced that they faced marital rape.

Recent intro

Issues associated with Marital Rape:

i) Criminalization of Marital rape: Many lead to breakdown of Family. as it is hard to prove & disprove the Marital rape.

Add

↓
difficult to quantify - etc

ii) Similar to false cases being filed in Dowry prohibition, domestic violence act, self prevention of atrocities, false charges may be filed against husbands to settle their scores.

valid points

ii) It leads to interference of state in Personal Relationships

ii) Judiciary is already burdened with cases. Hence criminalization of Mental rape may further increase the cases.

However, Mental rape should be criminalized as it goes against the principles of Article - 14, i.e. discriminating against gender and Article 21 - Right to live a dignified life

ii) Justice Vauna committee recommended the Criminalization of Mental Rape. Even Law Commission of India also recommended criminalization of mental rape

iii) Women groups argue that consent given at marriage is not the consent for every

Add
- It is in line with a woman's bodily autonomy
- criminalized in Bhutan, UK, etc

intercourse

iv) It creates a psychological trauma amongst women thus affects their mental health.

Thus the Mental rape criminalisation should be considered. However, apart from law, awareness on gender equality, importance of family as institution should be generated.

Good Conclusion

Feedback

(For OFFICE use only)

Structure/
Presentation

1.5

Question
Interpretation

1.5

Content

3

Value
Addition

Total

6

Q.19) Since the paradigm shift from government to governance and further to good governance, pressure groups have emerged as a strong mechanism for making the democracy participatory, transparent, accountable and responsive. Elucidate. (15 marks, 250 words)

जब से सरकार से शासन और आगे सुशासन के प्रतिमान में बदलाव आया है, तब से दबाव समूह लोकतंत्र को सहभागी, पारदर्शी, जवाबदेह और उत्तरदायी बनाने के लिए एक मजबूत तंत्र के रूप में उभरे हैं। स्पष्ट करें। (15 अंक, 250 शब्द)

Governance means the acts of governing the people. When governance imbued with values such as transparency, accountability and inclusivity makes it Good Governance.

pressure groups are groups of people formed to secure their interest ~~or~~ other vulnerable groups by influencing policies.

Role of pressure groups in making democracy participative.
Transparent and responsive.

i> Pressure groups are acting as voice of marginalized groups. For example Narmada Bachao Andolan. put a pressure on government to make rehabilitation of affected people more comprehensive.

Core demand
introduce with this
use these keywords as subheading in your answer

ii) Association of Democratic Reforms, a pressure group working on reform in elections, electoral candidates, reporting on the background of MPs & MLAs. This ensures voter's knowledge on their respondents. This making democracy a transparent functioning.

iii) Pressure groups influence the government for inclusion of vulnerable sections in the administration. Because of their efforts, reservation for SC, ST, women were provided under 73rd & 74th constitutional amendments.

iv) Pressure groups working on farmers' interests are influencing government on policy matters related to MSP, subsidies etc. Because of efforts of unions such as MSK - terms laws were removed.

example - BICU

valid points

Add

- MPES (RPF)

- JAC (Wipro act)
- CFC

However, ^{some} pressure groups are also hindering the government from being accountable, responsible & inclusive.

i) Certain pressure groups such as FICCI are more influential in policy changes.

ii) Pressure groups working on religious matters are disturbing the communal harmony.

iii) Some pressure groups are acting against national interests by disturbing developmental projects through false propaganda.

iv) Pressure groups are non transparent and they do not report about their funding sources.

Despite limitations, pressure groups have potential to make Governance more inclusive, participatory through factual reports, awareness among public.

Conclusions

↓
a mechanism needed to

channelise their views on policy formulation (NITF AY 03)

Relevant contents

Feedback

(For OFFICE use only)

Structure/ Presentation	1.5
Question Interpretation	1.5
Content	2.75
Value Addition	
Total	5.75

Q.20) "The rapid expansion of mobile network, proliferation of smart phones and data revolution have made m-governance an integral part of government welfare programmes." Discuss.

(15 marks, 250 words)

"मोबाइल नेटवर्क के तेजी से विस्तार, स्मार्ट फोन के प्रसार और डेटा क्रांति ने m-गवर्नेंस को सरकारी कल्याण कार्यक्रमों का एक अभिन्न अंग बना दिया है।" चर्चा कीजिए।

(15 अंक, 250 शब्द)

Mobile - Governance means use of ICT devices such as mobiles in delivery of goods and services. According to Internet Monitoring association, India is the largest base of internet and mobile users.

Recent intro

The proliferation of phone, data and mobile network expanded the scope of government to reach out to public in delivery of services.

→ M-Governance & It's application:

↳ Direct Benefit Transfer (DBT): Governments have been using DBT in PM KISAN, provision of scholarships to students. Through this it eliminated middlemen and reduced corruption.

2) Delivery of Educational Services: Addressing regional gaps. Difficult of terrain. Government has started digital tools such as "SWAYAM", E-PATHSHALA to deliver content to students. This is inline with vision of New Education Policy 2020

valid point

3) Employment: Government is providing skills through internet in collaboration with tech giants such as Facebook & Amazon. Ministry of Tribal Affairs in Partnership with Amazon, providing market access to Tribal Products.

Adel

- VSSD

- my grievance app

- eh

4) Provision of Services: State governments have been using M-Governance to access Birth, Death, caste certificates.

- Government of India through "SWAMITVA" has digitizing land records, which helps in accessing

records through mobiles.

However, despite this program, Mobile-Governance have certain limitations such as

i) Digital gaps between rural and urban, between rich and poor, between men & women.

ii) According to World Bank, ~~1~~ ^{1 billion} children were pushed out of schools across the world due to covid. However, ~~less than~~ ^{more than} 30% of this children have access to digital tools.

iii) Digital illiteracy is also hindering in the safe access of mobile-governance.

Word contribution
This increase in awareness, digital inclusion, provision of internet services in rural areas makes government services more effective and inclusive.

valid content

Feedback (For OFFICE use only)	
Structure/ Presentation	1.5
Question Interpretation	1.5
Content	3.25
Value Addition	
Total	6.25

Mentor Feedback Questions

- 1
- 2
- 3
- 4
- 5

Test Goal

- 1
- 2
- 3

Outcomes

-
-
-
-

Marking Scheme

Mark	Good	Average	Below average
10 Marker	3.75 – 5.0	3.0 – 3.5	< 3.0
15 Marker	5.75 – 7.0	4.0 – 5.5	< 4.0
✓✓	Key / Relevant Point		
✗	Vague / Irrelevant		

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