

GSSCORE

An Institute for Civil Services

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AIR 205

CSE 2024

POLITY (GS PAPER-II)

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POLITY - 5

Time Allowed: 50 Mins.

Max. Marks: 75

Q.	Marks	Instructions to Candidate
1.		• There are 5 Questions. • All questions are compulsory. • The number of marks carried by a question is indicated against it. • Answer the questions in 250 words each. All questions carry equal marks. 15 x 5 = 75 Marks • Keep the word limit indicated in the questions in mind. • Answers must be written within the space provided. • Any page or portion of the page left blank in the Question-cum-Answer Booklet must be clearly struck off.
2.		
3.		
4.		
5.		
27½ 2		

Name Satyam ChaturvediRoll No. 117343Mobile No. [REDACTED]Date [REDACTED]Signature Schaturvedi

1. Invigilator Signature _____

2. Invigilator Signature _____

- Q1. Examine the reasons behind under performance of legislative councils. Can legislative council be made as effective as Rajya Sabha through appropriate Constitutional tweaking? (15 Marks) (250 Words)

Legislative councils are the second ^{Article 169 of constn} house in states. It can be created by recommendation of state government and with a simple majority ^{legislative} in parliament. Several states in India (mostly ^{councils} large) states have legislative assemblies like UP, Karnataka, Bihar etc.

Reasons behind under performance ⇒

1. They ~~can~~ can not change the laws made by legislative assemblies. only they can act as a breakwater.

2. They can act as barrier to fasten and ^{good points however try to} ill equipped legislative instruments but for ^{disun} only 01 months..

limited powers.
(non influential roles)

indirect elections
↓
partisan
nominations
etc.

Remarks

3. Can not make money Bills.

4. They are, more or less, created for leaders who have lost the elections.

5. mostly created for political adjustment and not work.

6. Do not have powers like Rajya Sabha to reject any law.

Hence, they underperform in various states.

They can be made Strong as RS:-

1. power to reject the law and make the law.

2. power to recommend changes in money Bills.

3. Strong chairperson (like vice President)

[Yes / No]

arguments should be presented in

table / discussion format

Remarks

4. They could be set at equal footing to legislative assembly.

↳ by making them second House and not secondary house.

However,

(i) It will lead to decreasing role of elected representatives.

(ii) will create two power centres.

(iii) Increase expenditure of State government.

(iv) Need various Constitutional Amendments.

conclude including learning from RS's functioning
↓
checks & balances

Hence, it is important to say that there is need to strengthen the legislative council, taking care of democratic elected government.

fine conclusion

Raising Std. of Debates

5-1/2

Feedback (for office use only)

1. Objectivity

2. Content

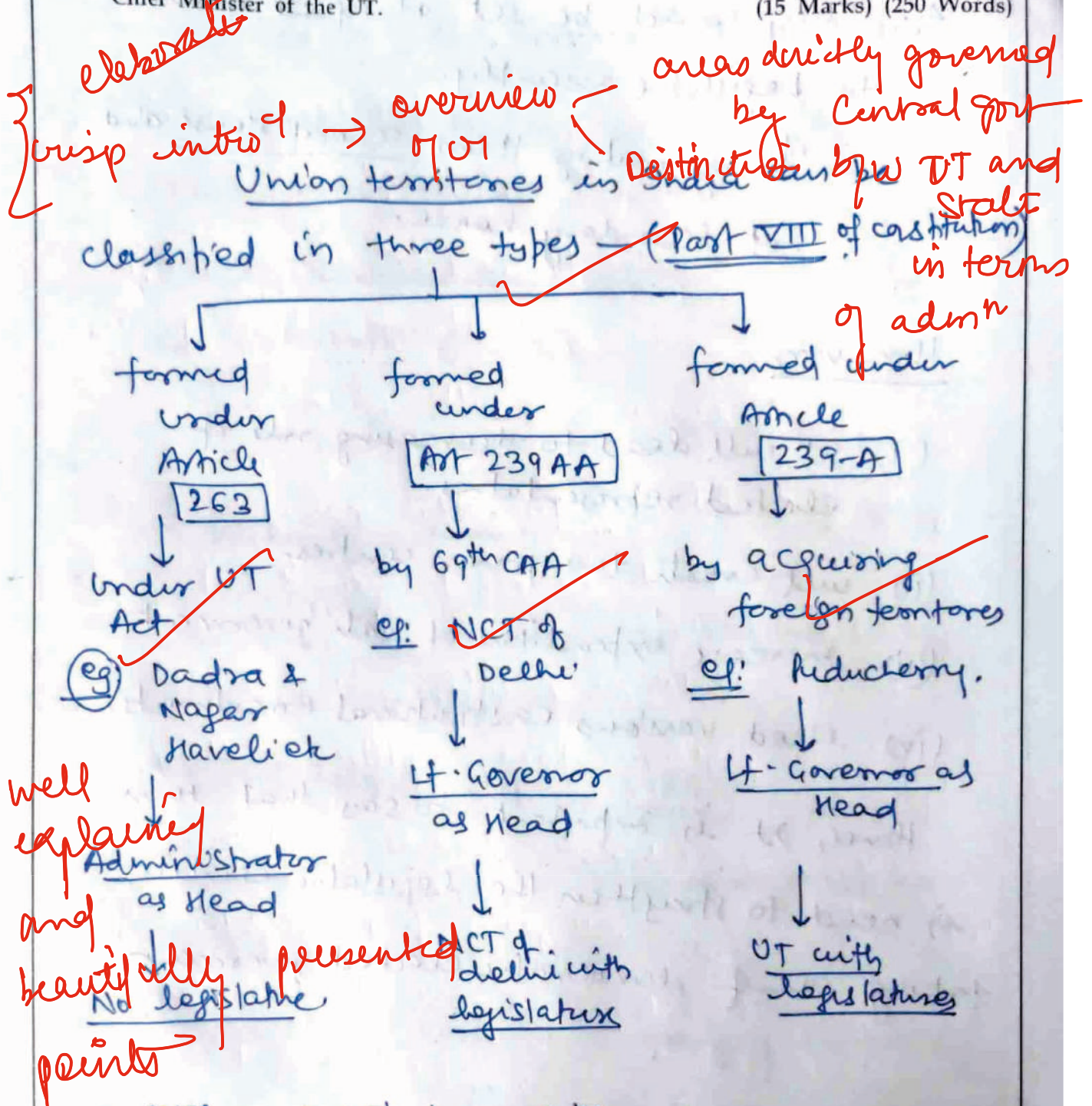
3. Articulation:

good

fine

Remarks

Q2. Discussing the types of Union Territories (UT) in India, explain the provisions that make the administrator more than the just nominal head and more powerful than the Chief Minister of the UT. (15 Marks) (250 Words)



Different UT's have different powers as per circumstances, location, strategic place and culture etc.

Remarks

Power of Administrator :-

1. To implement the central laws in UT, as per directives of central government.
2. Act as agent of central government.
3. President administrator these areas through Administrators.
4. wide ranging powers with respect to all the lists.

under Appoint^m and rule

→ powers over elected govt

veto

→ control over creative

Power of Elected CM of UT :-

1. Law making power except Police, land and public order, exercised by Lt. Governor (in case of NCT of Delhi)

Adm^{ve}
authority

→ intervention powers
ep Delhi LG.

2. Lt. Governor functions under aid and advice of COM (However, Lt. Governor works on discretion).

good

Remarks

3. Power to refer bills to President for his consideration.

↳ No time limit for President

distinction
b/w Adminr
and
Cm can be
given
in table
format.

4. Power to transfer, appointment & promotions of civil servants.

↳ only after concurrence of LG.

5. Regular follow up with LG, regarding functioning of government.

Hence, Administrators in UT have more power than sitting chief minister. Recently

SC in delhi case has advised LG to work with aid & advice of COM. However, NCT of delhi (Amendment) Act 2023, ~~changed~~ has again returned to status quo.

greater
power
constn

provisions - 239AA

good
conclusion

politically
covered

can refer to
the suggested
format

6

Feedback (for office use only)

1. Objectivity

3. Articulation:

2. Content

Remarks

Q3. Why is the Inter-State River Water Disputes (ISWD) one of the most contentious issues of federal water governance in India today? Highlight the recent measures taken in the Area of ISWD and suggest steps required for better federal water governance. (15 Marks) (250 Words)

write perspective article
↳ 262

estb'd - under ISWD
act 1956

Inter-State water Disputes has remained a contentious issues in federal character of India. As inter-state water comes in concern Union list, it gave rise to increased role of Union Government.

Issues:-

1. water scarcity in India

↳ eg: AP and telangana (Godavari)

2. Rights of farmers (rainfed Agriculture)

3. River as source of irrigation and rituals.

4. Lack of Governance in democratic setup.

5. Decreasing role of Union as a mediator in resolving disputes.

6. Southern Rivers are Perennial (dams, storage of water)

7. Delay judgements of tribunal

discuss elaborately

ambiguous legislative powers.

contemporary issues

historical & geo. ambiguity

increasing stress on urban and rural

demand.

Remarks

AP ⇒ 40% pop'n
live in urban cities by 2030

* Non-consensus approach

elaborate parts in diversified manner

Recent measures taken:-

1. Formation of Inter-state water tribunals
↳ Cauvery water tribunal.

2. Role of Inter-State water Disputes Act 1956
↳ mechanism to solve inter-state water/River disputes. → Dam safety act.

3. Role of S.C as final interpreter
↳ decision in Cauvery water tribunal (2018) → Judicial self-forms

4. Increasing Role of Article 131 original jurisdiction of SC. → Cauvery decisions → irrigation need of farmers in TR.

5. Setup of Permanent Inter-State water tribunal by centre.

6. Formation of Cauvery water management committee by centre.

Remarks

Steps for Federal Governance:

1. Renewing Article 263 (Inter-state councils)
↳ For decision making through consensus

2. Using River Boards Act, 1956
↳ Pre-dispute Activity / Pro-activeness

well explained points

3. change in tribunal structure and final time taken to give judgement

↳ Recently Government has fixed maximum time of 2 yrs + 01 yrs (extension)

good coverage

4. Formation of tribunal if no consensus
↳ time limit of 01 yr + 06 months extension

S.S.

Since, India is a quasi-federal State (K.C. Wheare),

It is important to listen to States demands for their good governance

find conclusion

Feedback (for office use only)

1. Objectivity

valid

2. Content

well mentioned

3. Articulation:

good

Remarks

Q4. Bring out the differences between Indian and U.S federalism. Also, explain why India is called the indestructible union of destructible states. (15 Marks) (250 Words)

you can quote Dr. B.R. Ambedkar here → Indian federation —

US was the first federation state formed in the world. However, India has adopted the Canada model, which focuses on cooperative federalism.

Differences

US Federation

1. "Coming together model"

↳ Strong States

2. Federal government takes power from States

3. "Indestructible Union of Indestructible States"

Indian Federation

1. "Holding together model"

↳ unitary biasness

2. States have been delegated powers by Centre through constitution

3. "Indestructible Union of destructible States."

Remarks

4. Very Easy to secessionate from federation

4. No power to secessionism.

5. Supreme court as court of federal government only.

5. Integrated Judiciary

explain

6. SC judges appointed by executive.

6. Independence of judiciary
↳ collegium system

"Indestructible Union of Destructible States":

↓
in context of India:

elaborate points

1. Under Article 243 of constitution, Centre can change, alter, decrease, increase or acquire the territories of state. (Simple majority)

- redraw map.

- article 368

Remarks

- quote Sukhram Karhnap

Centre has absolute power in this regards.

2. Unitary character

- + Emergency Powers
- + max legislative & executive Powers
- + President's Rule (Art 356)

3. Can direct State government to follow Centre's directives (Art. 355)

→ rise of regional parties

4. State can't secede from the centre.

→ Growth concept

However, "Every federation is sui generis".

Hence, we can not decide that Indian federation is ideal or US federation is ideal. Since,

Constructive of CST → cooperative
creative → comp
conveying stimuli

good India's neighbourhood conditions, circumstances at the time of partition, and various cultures, India adopted 'unity in diversity' model.

Feedback (for office use only)

1. Objectivity

2. Content

3. Articulation:

Remarks

Q5. The office of the Governor with respect to the Sixth Schedule has many important functions, but it has been observed that there are overlapping functional responsibilities between the States and the District councils along with a lack of clarity in the role of Governor. Discuss. (15 Marks) (250 Words)

free intro — write associated articles
The Governor acting as the agent of central government and nominal head of state government, has wide powers in respect of 6th Schedule Areas. provisions of 6th sch. AT mm.

Powers of Governor —

- (a) implementing centre and state's laws to 6th schedule Areas.
- (b) can decrease the powers of state government to enforce certain laws.
- (c) Right to indigenous councils to govern as per their customs and traditions.
- (d) Protecting minority culture and distinct languages in tribal Areas.

autonomous council is Assam

point —> distinct 6th sch.

* Mithakari is unique

* Tripura has

Autonomous council

and autonomous regions is brief

Remarks

overlapping functional Responsibilities:

1. The functions like law making, governance and human rights.

well explained

2. Rights to traditional forest dwellers vs Rights of individuals to acquire land.

points

3. Traditional judicial systems of tribals in 6th schedule

way forward

→ adequate grants - in aid

4. functions like Infrastructure, road, basic issues like drinking water & sanitation.

5. conflict between states & 6th schedule Areas regarding devolution of more powers and funds.

→ set up its police force

It has been seen that there power overlap and governor try to interfere in proceedings, which may lead to conflict of three parties.

→ Dist council must take local initiatives etc.

Remarks

Lack of clarity in Role of Governor.

1. Governor acts on his discretion sometimes, however, 6th schedule Areas are special areas made by presidential order.

2. Referring the bills made by ADC's to President for further concurrence creates hurdles in decision making and autonomy.

3. Further, state government often try to use Governor for infiltrating their power in 6th schedule Areas.

It is need of the hour that clear guidelines may be issued by consulting all the stakeholders, defining each and everyone's legal and constitutional powers.

Feedback (for office use only)

1. Objectivity

2. Content

3. Articulation:

Remarks