

GS SCORE

An Institute for Civil Services

IAS TOPPER'S TEST COPY

CHAITANYA GIRI

AIR 117 CSE
2023

INDIAN POLITY

**ACCESS 400+
TOPPER'S COPIES**



8448496262



iascore.in

GS SCORE

An Institute for Civil Services

We are MAINS...



THE MOST EXPERIENCED & SEASONED
SUBJECT EXPERTS

Access

400+ TOPPERS COPIES



Scan QR Code
to get the copies

Only SCORE Matters!

#SCOREmatters



**MAINS
CLASSES**



**MAINS
TEST SERIES**



**ETHICS
& ESSAY**



**MAINS
OPTIONAL**

■ POL. SCIENCE ■ HISTORY ■ GEOGRAPHY
■ SOCIOLOGY ■ PUB. AD. ■ ANTHRO. ■ LAW



8448496262




iascore.in

INDIAN POLITY - 1

Time Allowed: 50 Min.

Max. Marks: 60

Q.	Marks	Instructions to Candidate
1.		<ul style="list-style-type: none">There are 5 questions.All questions are compulsory.The number of marks carried by a question is indicated against it.Answers to questions no. 1 to 3 should be in 150 words, whereas answers to questions no. 4 and 5 should be in 250 words.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.		
Total Marks	24	
Name:		CHAITANYA
Roll No.:		
Mobile No.:		
Date:		
Signature:		
Mode of Exam:		Online

Mention any doubt or query that you have regarding your copy for our mentors/evaluator

1. Evaluation Date _____

2. Evaluator's Signature _____

REMARKS

GS SCORE

Mains Mentorship Programme

--

INDIAN POLITY - 1

Time Allowed: 50 Min.

Max. Marks: 60

1. The Supreme Court of India has consistently interpreted Article 21 in a broad and progressive manner, expanding its scope beyond its literal wording. Comment.
2. Aim of Uniform Civil Code is to establish a level playing field with respect to personnel law in India but it also has the potential to create social disharmony. Examine.
3. The moral value of fundamental duties lies in establishing a balance between rights and responsibilities and promoting a sense of collective well-being. Discuss.
4. The rule of law is essential for the protection of individual rights, promotion of justice, and the functioning of a fair and accountable system. Thus, a democratic society needs a rule of law rather than a rule by law. Critically analyze.
5. Why is the USA's Supreme Court often called the "Third Chamber of the legislature"? Compare the system of judicial review as it exists in India and the USA.



Q1. The Supreme Court of India has consistently interpreted Article 21 in a broad and progressive manner, expanding its scope beyond its literal wording. Comment.
(10 Marks) (150 Words)

Article 21 of Indian constitution is a fundamental right under Part III. It says

No person can be deprived of his life until and unless due procedure of law is established by law is followed.

Supreme court has expanded A-21 in 2 senses.

1. Broadening of "right of life"
2. Broadening of "procedure established by law".

Right to life.

1. New rights have been added under this :-

Remarks

- 1
42
- Right to education, by Bandhua Mukti ~~Marche~~ Case.
 - Right to bail, by DC Basu Case.
 - Right to environment by MC Mehta UO-I case.

good 2. Due procedure of law

- that you have
- Via Menka Gandhi Case, SC ^{included} ~~into~~ even "due process of law" in its interpretation
 - ~~Francis Coralles~~ Francis Coralles vs. UO-I also re-iterated above inclusion.
- also mentioned relevant cases in this regard

This judicial creative freedom has helped in true transformation of India's social fabric ^{you can also mention some limitations here} and has helped us in our "quest with destiny".

Feedback (for office use only)

1. Objectivity

Good

2. Content

Good

3. Articulation:

Good

Remarks

Q2. Aim of Uniform Civil Code is to establish a level playing field with respect to personnel law in India but it also has the potential to create social disharmony. Examine.
(10 Marks) (150 Words)

Uniform Civil Code is defined under.

Article - 44 of the Indian Constitution.

[Part (IV), DPSP.] ~~As it~~ It was kept

under DPSP as constitution makers believed that time wasn't ripe for its implementation.

✓ Level playing field in personal law.

1. Ensure easy and effective administration in personal laws.

2. Gender discrimination can be rooted off.

~~Def~~ Triple Talaq Bill.

3. It is often considered as an assimilationist approach, which has caused fear in minorities and tribal groups.

Good

Introduction on the concept of UCC and its importance

Remarks

5

which can lead to social disharmony.

Social disharmony

1. Many communities fear loss of personal customs and traditions. ~~eg~~ Marriage customs of Garo tribes.

2. Administratively, codification of customary personal laws would be a humungous task, ~~it has~~ causing unnecessary resource allocation, leading to poor governance.

3. Also is in conflict with A-25 and A-26 which guarantees religious rights.

Thus, UCC should only be implemented post-wide consultations, via bottom-up approach. In this regard Law Commission (2018) has also ~~advised~~ ~~said~~ against its implementation at current stage.

Feedback (for office use only)

1. Objectivity

Good

2. Content

Good

3. Articulation:

Good

Remarks

Well highlighted the issues associated with UCC.

404
have good understanding of the topic asked

Q3. The moral value of fundamental duties lies in establishing a balance between rights and responsibilities and promoting a sense of collective well-being. Discuss.
(10 Marks) (150 Words)

Fundamental duties were added to the Indian constitution by 42nd CAA 1976, on the recommendation of Swaran Singh Committee. They are listed under A-SIA.

Well introduced the fundamental duties under constitution

Rights

Responsibilities

Fundamental Duties

How do fundamental duties establish such balance

1. By guiding citizens about their obligations towards state as well as society

Remarks

Paragraph : a) Upholding, ^{Sovereignty} Unity, Integrity of India : toward State.

b). Maintaining common brotherhood (ASTA(c)) : toward south.

2. It highlights non-absolute nature of rights which is in consonance with reason.

Article in part II \Rightarrow A(19(2)) : restriction of 19(1)(a).

Ref ~~Not~~ Abuse Violence, supports incitement of offence as restriction in A(19(2)).

3. Recommendations by Verma Committee suggest

- to add
1. Right to pay taxes
 2. Right to vote in the list

of duties. ~~for its betterment~~, highlighting the saying that "Rights are claims not empty of duties".

Feedback (for office use only)

1. Objectivity	Good	2. Content	Good
3. Articulation:	Good		

Remarks

For a Balanced answer, also mention some limitation wrt fundamental duties

Q4. The rule of law is essential for the protection of individual rights, promotion of justice, and the functioning of a fair and accountable system. Thus, a democratic society needs a rule of law rather than a rule by law. Critically analyze. (15 Marks) (250 Words)

↳ discuss about it

Rule of law is the part of basic structure of the constitution (Kesavananda Bharati Case) and is implicit part of Article 14 of the Indian constitution.

Rather, introduce the meaning of this concept.

Rule of law is essential for

a). Individual rights

1. Ensures state does not ~~have~~ ^{abrogate,} violate or contravene individual rights.
2. Keeps individual rights safe from society ^{rep} Protection against mob-lynching.

b) ~~Q~~

Remarks

(b) Promotion of Justice

1. Ensures equality before law, maintaining justice in society.
2. Make sure "predominance of legal spirit" which helps in achieving justice.

(c) Functioning of Accountability

1. Ensures accountability intact via checks and balances ~~by~~ Judicial COVID laws ~~applicable to even government officials~~ You have not discussed about conflict of rule by law
2. Rule of law upholds executive accountability to legislature ~~by~~ No confidence motion in rules of procedure of Lok Sabha. also highlight some issues associated with conflict of rule by law

Thus, Rule of law ensures above points, but it also has certain challenges, specifically in Indian context.

4

⇒ Challenges to rule of law

1. Exception to president under A-361.

2. Parliamentary privileges under A-105.

3. Delay justice, average pendency in U.P. is 11 years and in West Bengal is 10 years.
(National Judicial Data Grid.)

4. Weak criminal justice system especially for parliamentarians - Only 6% conviction rate on cases against them

5. Illiteracy and lack of resources has also distanced justice from the poor.

Thus, legal & aid under NALSA should be given to wider range of population by increasing income limit, also organs of the democratic governance must follow constitutionalism to ensure rule of law in India.

Feedback (for office use only)

1. Objectivity

Average

2. Content

Average

3. Articulation:

Average

Remarks

Focus on all parts of the question.

Q5. Why is the USA's Supreme Court often called the "Third Chamber of the legislature"?
Compare the system of judicial review as it exists in India and the USA.
(15 Marks) (250 Words)

India and USA are the sister democracies,
where India is the largest modern and USA
is the oldest modern democracy.
Both of us follow judicial independence in
our constitutional scheme. This is in
addition to wide review powers given
to our judiciaries.

USA's Supreme Court as 3rd chamber of
(legislature)

1. USA supreme court has the right
to review any law passed by the
congress and senate, even on Suo
moto basis.

Can
also
mention
Relevant
cases
Hm.

Remarks

2. PIL culture in USA has widened the Judicial Scope.

3. Judiciary can not only question the procedure but also the reasonability and evidences for the law.

also Introduce this has made USA's judiciary one of the the meaning most powerful judiciary

of term
Judicial
Review.

Judicial Review of India and USA.

Dimensions	India	USA
Concept mentioned in constitution	Procedure established by law is explicitly mentioned, but due process is considered implicit.	The process of law is explicitly mentioned.
Article of Constitution	Article 32 of the constitution	Not mentioned explicitly.

Remarks

6

enables judicial
review.

PIL

Both have the concept
of PIL.

PIL exists.

well
Explains
the
differences
in Judicial
Review in India
and
USA

No motu
recognizance

Allowed

Allowed.

Constitutional
Scheme

Judicial Independence
exist but role of executive
in appointment of judges
is greater.

Strict power
separation ensures
greater judicial
Independence.

Thus, judicial review as a ^{concept} ~~device~~ is key
to functioning of democracy as it prevents
democracy to turn into authoritarianism
or mobocracy, ensuring social fabric
remains intact.

Feedback (for office use only)

1. Objectivity **Good**

2. Content **Can Improve**

3. Articulation: **Good.**

Remarks