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The Indian executive is collectively responsible to the legislature. The Council of Ministers in Parliament is responsible to the directly elected Lok Sabha.

Firstly

Introduce the concept of the Prime Minister is given the individual role of ensuring collective responsibility of the COM:
Responsibility and
Responsibility

- 1) Appointed by the President.
- 2) Advises President on appointment of other ministers from amongst the members of Parliament
- 3) 1st among equals in the COM / Cabinet
- 4) Discussion and dissent is allowed within the COM. However, when presenting a bill to the House, all ministers must be in agreement or resign.

The legislature has multiple tools to ensure this responsibility / accountability :-

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- Question Hour, Zero Hour
- censure motion, no confidence motion
- Adjournment motion
- Cut motion when voting on demands for grants.

Thus, responsibility to the legislature is maintained by the pm. However, sometimes the Prime ministerial government becomes more powerful:-

You have an understanding of the topic. But follow a proper structure

1) Emergency powers (recommendation by the Cabinet, headed by pm)

[Focus on Role of Executive action

pm in ensuring both responsibilities eg: border demarcation on International borders

Excessive powers of the pm were seen during the emergency years (1975-1977) under Indira Gandhi which led to subversion of the Constitution and suppression of individual liberties.

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The PM of India's Parliament is thus a central figure in ensuring

- executive accountability
- collective responsibility
- checks & balances on executive

The balance of power in a democracy is essential to keep it stable and prevent autocratization.

- 5
- firstly discuss meaning of concept individual
and collective responsibility
 - Then explain how PM acts a
link b/w the two

Q2

The Indian President is the nominal head of the state. Recently, Draupadi Murmu was elected the 15th President of India.

Indian President vs USA President vs UK Monarch

- nominal head of ~~govt~~ state
- naturalized/original citizen can be made President
- Indirect elections every 5 years
- limited powers → parliamentary govt.

- "One man" executive
- only US born citizen can be President
- direct elections every 4 years
- extensive powers → Presidential form of govt.

- queen, hereditary
- no elections
- Parliamentary sovereignty + supremacy

Good that you have mentioned Examples of other countries

The President of India, in many cases, serves a purely nominal & ceremonial role:-

1) Bills passed by both LS and RS can be sent back for review only once, after which President must give assent.

- 2) money bill must be signed by president
- 3) President is bound by advice of Com
 - ordinance making powers
 - pardoning powers
 - emergency proceedings

nevertheless, the president ~~does~~ hold some discretionary powers :-

1) Situational Discretion

- a) dismissal of council of ministers if they lose confidence in the house
- b) appointment of PM if no majority in house
- c) dissolution of LS if majority is lost.

2) Constitutional Discretion

- a) A Governor's reserved bill can be sent back to the state assembly for reconsideration - president need not give assent

- 3) Other :- president consent required to alter territories of India, introduce money bill under AIO.

Good that you have discussed both Indian President as Ceremonial head and significance of the post abo

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Hence, the President does hold some powers with respect to the working of the House.

However, since India is a parliamentary system with prime ministerial head, the President has a symbolic role.

eg: Draupadi Mummy is a symbol of

- women's rights
- tribal empowerment.

The post of President is essential to India's government.

Overall :-

good
attempt

83

Just as the president is the nominal head of the country, the Governor is the nominal head of the State.

Governor

Chief Minister

also mentions
Related
Articles

Appointed by the Union

• Directly elected by the people

• Agent of the Union

• agent of the people of the state

• Subject to the advice of COM, led by the CM.

• leads COM and advises Governor

Role of Chief Minister

- 1) The Chief Minister is directly responsible to the Legislative Assembly.
- 2) CM ensures collective responsibility of COM to the House.
- 3) Introduction of government bills, discussion in COM under CM, presentation to the House.

4) Setting up annual state budget and discussing 5 yearly state finance commission Report.

5) Submitting / reporting to the Governor periodically & as & when Governor requires.

6) Direct responsibility to the people of the state, holding press conferences during & urgent times

eg: Natural disasters

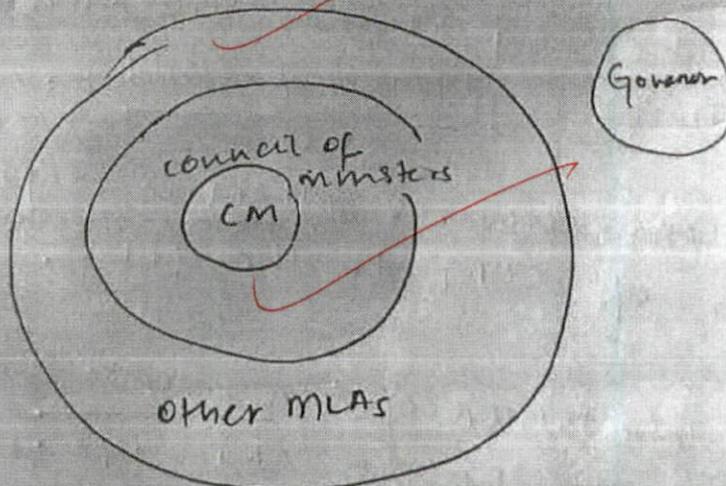
- Pledge to avoid going out during COVID

- Delhi CM Anand Kejriwal Campaign against Dengue

- Odd Even rule (Traffic & pollution control)

good discussion on the role played by CM in the state.

The CM thus forms the centre of governance:-



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6

the directly elected chief minister holds a special responsibility to ~~deliver on~~ the promises made to the people.

Accountable and transparent democracy ensures that the people's mandate reigns & the ~~government~~ is kept in check.

you can also mention

some examples of conflict b/w cm and governor

(— include related Articles and constitutional provisions in your answer)

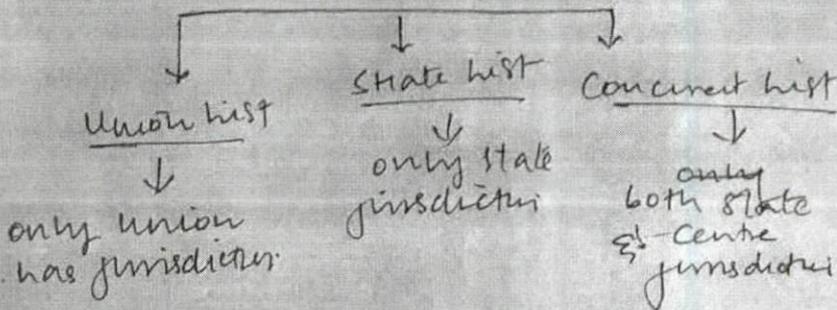
21)

The Indian Constitution does not mention the term "federalism" anywhere in its body. But India, on Canadian patterns, is a quasi-federal nation, with central & state powers and authority clearly demarcated.

India's Quasi Federal Character

Question is 1) written constitution that is the supreme law of the land.
Not related to

concept of 2) division of subjects under schedule
federalism of the constitution



3) integrated Judiciary, independent.

The Centre & States thus reign supreme in their respective fields although the Constitution does account for some unitary biases :-

a) emergency powers under part XVIII.

b) Governors can reserve bills for presidential consideration.

c) Union adjudication in state with subjects in some cases.

Not written

As per the

demand

question

there are at the same time, some limitations on parliaments territorial jurisdiction :-

1) Local government institutions like
- Panchayati Raj Institutions (PRIs)
- Municipalities

come under the state - the Centre has no role here.

2) Constitutional Amendment Act seeking to alter federal character of the Constitution require the approval of more than half the states

3) Tribunals under part XIV are allowed to regulate/resolve disputes on various factors

4) A262, Inter State Water Disputes are adjudicated by independent tribunals, not Parliament.

Parliament thus has limited powers in some matters - thereby eroding state independence & liberty.

The need at the moment is for cooperative federalism that can be brought about by Inter State Council (A263).

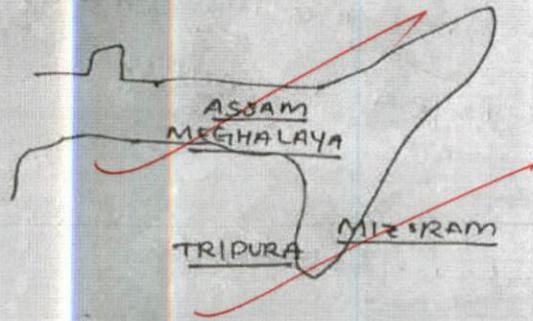
Question is related to territorial Jurisdiction of Centre and State
ie Centre can make laws for whole of India while State Legislature for whole of state

— Then discuss limitations of territorial Jurisdictions of Parliament (where Parliament laws can't be applied [Article - 240, 5th and 6th schedule areas etc])

1/2

Q5)

The 6th schedule of the Constitution provides for the setting up of Autonomous District Councils for Scheduled Tribes in the states of:



Good Introduction Governor's functions

on Sixth schedule
of the Constitution
and functions
of governor.

1) formation, increase, decrease,
alteration of size of area
under ST population.

2) Governor decides which Central/
State laws to apply & to
what extent in tribal areas of
the State.

3) Governor is the point of consultation
and the "middle man" between
the ADC and the Government at
the Centre.

Overlapping Functional Responsibilities

- D) The ADC has various powers
- land use decisions
 - health / sanitation / water supply
 - right to use / store / sell minor forest produce (MFP)
 - similar rights to minor minerals.

Well discussed the overlapping functional responsibilities. Also briefly mention some of the issues faced by these councils.

2) State functions overlap:-

a) land use patterns
eg: any attempt to change from jhum to more sustainable practices can be seen as intrusion.

b) Centrally Sponsored Schemes
eg: Jal Shakti, Abhuyaan, ODF are difficult to apply in these regions.

c) Use of minor minerals (eg: sand) overlaps with tribal rights

d) Forest Conservation Act - State must receive consent from forest inhabitants for shifting use of forests for projects.

प्रश्न संख्या
(Question No.)

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in this part)

Thus, the State government and the
APC overlap in their functions while
the Governor is unable to make
any substantial change to the situation.

6
Clear demarcation of roles,
greater tribal-state interaction
and a joint effort to resolve
disputes can help ensure progress
that is both inclusive & empowering.

QF)

Article 356 of the Constitution provides for the imposition of President's Rule in a state.

Requirements to Impose Pres. Rule

- 1) President's satisfaction that State affairs cannot be carried out according to the Constitution.
- 2) Governor's recommendation on imposing President's Rule in a state.
- 3) State's disobeyance of a Central order.

Good
Introduction
on
President's Rule under
Indian
Constitution

Application of President's Rule

- 1) President's Proclamation
- 2) Approval by Parliament within 2 months by simple majority.
- 3) Subsequent removal by President himself.

Effect on State

- 1) Council of Ministers dissolved.
- 2) State legislative suspended or dissolved.
- 3) Parliament is vested with powers to adjudicate on state list subjects and take the up all functions of the state legislature.

4) power of authority over the executive of the state,

Well discussed
the effects
of President's Rule

→ immunity to officers acts under President's Rule.

5) Judiciary unaffected

(also mention some recent examples of its misuse)

The people of the state thus come directly under the Union's gaze and protection. However, the liberties and rights of the people are maintained.

The President's Rule clause was meant to remain a Dead Letter

← according to B.R. Ambedkar.

Refer some recommendations

given in

SR Bommai

Commission

Report

However, Central governments have often misused it to further their political agendas.

Case, Sarkaria

under Art 361

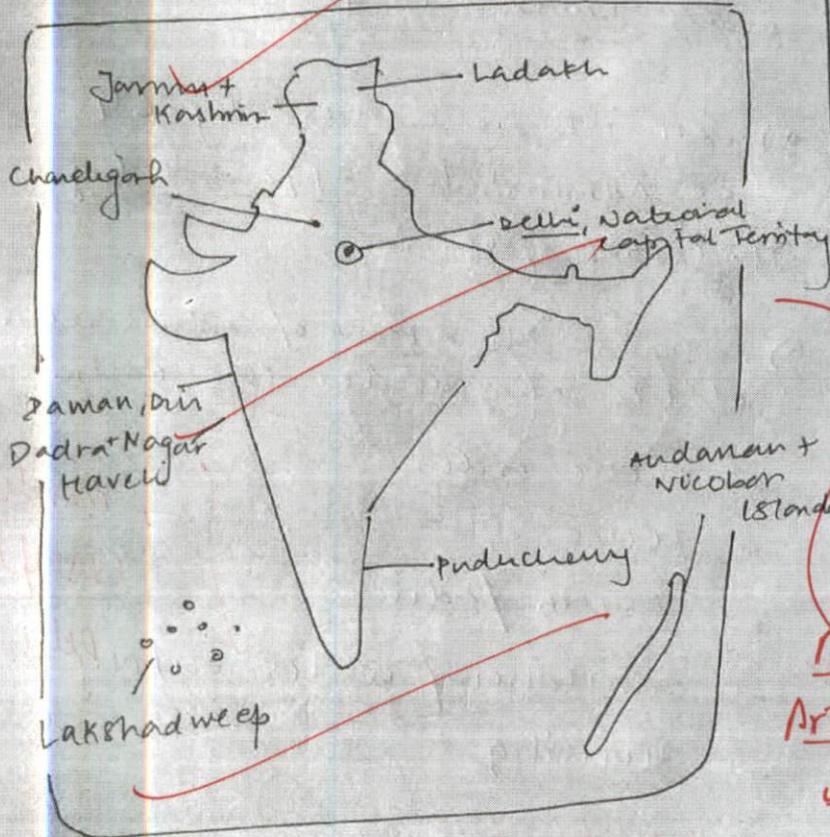
is meant to be a tool to enhance democracy, not subvert it.

6

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97)

India consists of states and Union Territories.



good.
Presentation
also
Mention
Articles dealing
with U.Ts

Union Territories Administration

- 1) There is a Union, State & concurrent list in Schedule 7 - no "Union Territory" list.
- 2) Direct control of Union in U.Ts.

U.P.S.C.

3) Delhi & Puducherry (É J&K) have their own legislatures and chief ministers, but are still under lieutenant-governor.

4) all UTs are headed by LGs or Administrators appointed by the Central Govt.

5) almost all aspects of administration of UTs come under the Centre:

- public order
- police
- health / edu
- sanitation / water supply
- housing

→ mention examples of Delhi, Pondicherry

← you need to also focus on discussing

points such as - use of Article 356, Article 240 etc.

Thus, UTs have relatively little power in comparison to States:-

- NO vote in presidential elections
- vote by an electorate during RS elections
- NO legislatures to form laws at local level.
- central control & oversight.

The Union Territories came about as a result of the 7th Constitutional Amendment Act after the Reorganisation of Indian States and the reordering of the list of territories in India (Lists A, B, C & D).

Union Territories are hubs of central control that lie midway between ordinary cities & states as under sandwich 1 of the Constitution - a unique feature of the Indian Federal System.

also refer
some issue
arise due to
such setup of UT

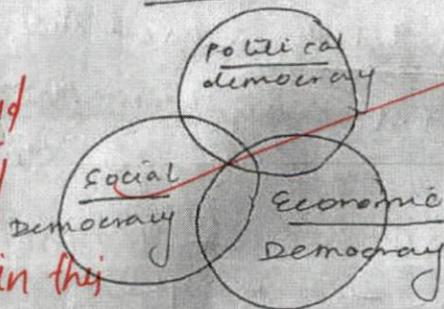
4 1/2

- write an holistic answer.
- Mention Articles and relevant Examples also

88)

Dr. B. R. Ambedkar was the beacon of light & hope for the depressed classes of India, an advocate for the reservation system and a true believer in the simultaneous strive for :

well introduced
the vision of
Dr Ambedkar in this



Regard

Ambedkar was keen on ensuring representation of the backward classes in all levels of political activity, even local governance.

73rd & 74th CAAs

1) Constitutionalized local governments
a) Panchayati Raj Institutions
b) Municipalities.

2) Enhanced democracy at the grassroots, i.e.
decentralization.

U.P.S.C.

- 3) Ensured adequate representation
- a) Reservation of seats for SCs & STs
 - b) Reservation of seats for women
→ $\frac{1}{3}$ of all seats across all categories
 - c) system of rotating reserved constituencies/wards

t) Ensuring the active involvement of Gram Sabha (the people eligible to vote for Panchayat members)

good

Introduction of

Reservation provisions

and other

provisions and its

significance

- a) meet 3 times a year
- b) discuss and bring to attention matters of concern
- c) deliberation and debate as equals

d) No social hierarchy / economic background - only constitutional and political discussion amongst village inhabitants

This enhanced dignity of backward classes in the suppressed village environment and gave them political space.

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न लिखें
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in this part)

unfortunately, 73rd & 74th CAAc
are 'on-paper' verdicts, not
much change is seen on-ground:

- a) proxy voting
- b) proxy contesting of election
- c) ineffective working of Gram
Sabha
- d) Caste / class clashes persist

well highlighted
the issues

Although the vision has been
upheld in writing, the soul of
the village is still dilted with
repeated indignities and social
prejudice. B.R. Ambedkar's

vision can only be brought about
by a revolutionary tehrat in
Indian thought and action.

71/72

Overall:- good attempt

Q9)

The Panchayats (Extension to Scheduled Areas) Act (PESA) was a legislation to enhance the spread of democracy to the Scheduled Areas of the country, thereby enhancing decentralized and grassroots democracy.

The Pathalgodi Rebellion is one case amongst many of uprisings against State functionaries and institutions in backward, underdeveloped regions, reasons being :-

Good Introduction on PESA Act and Reasons Behind Pathalgodi Rebellion

mention area where Pathalgodi Rebellion is prevalent

- 1) voices unheard, suppressed
- 2) underdevelopment
- 3) Lack of bucle / system of local administration
- 4) Absence of socio-economic / political opportunities for youth
- 5) Agricultural stress / mismanagement of land / water resources
- 6) Understated progress of local economy.

PESA can ensure better outcomes:

1) It gives local people representation in a system - giving their concerns a voice.

2) A means to vent and resolve their frustration.

3) Local autonomy (29 subjects under schedule 9 of Constitution) gives local space to administer developmental projects.

Well
Explained the

Importance 4) Funds delegated from State Finance Commission to use for developmental purposes.

PESA is dealing with such

5) Parliamentary discussions & people's participation in governance (Gram Sabha).

6) Greater integration with the world beyond the SA (market integration, trade, etc).

7) Right to collect taxes on local activities.

U.P.S.C.

PESA introduces a means to self-legislation and self-improvement for the people of scheduled areas thereby reducing negative factors like

- armed rebellion
- Naxalism / Maoism
- dissent and dissatisfaction.

PESA is thus a tool for enhanced participatory democracy.

✓ You have good understanding of the topic asked.

6 1/2

Use
the
dro
word

Urban Local Bodies were constitutionalized under the 74th Constitutional Amendment Act 1993.

- Addition of part IX A in Constitution
- Addition of schedule 12 with 18 list subjects to come under ULB jurisdiction
- Categorization of ULBs:

- 1) Nagar Panchayats
(transitioning cities from rural to urban)
- 2) Municipal Councils
(small towns)
- 3) Municipal Corporation
(big towns eg: Mumbai)

However, the Constitutionalization of the bodies did not necessarily empower it with adequate authority. These bodies are disempowered in multiple ways:-

well
introduced
Urban Local
Bodies

a) Fund provisions are inadequate
 → decided by state finance Commission (arbitrary devolution, very little given)

b) Inadequate functioning :-

- greater focus on elections than on work that comes after elections.
- no system of independent charge over people to make changes in municipal governance.

c) Overlapping functions

- Sanitation & Solid Waste Management simultaneously come under Centre, State and ULB.

eg: Swachh Bharat Abhiyan (Central Project)

• provision of basic healthcare is once again ~~at~~ authorized by Centre (AYUSHMAN Bharat)

good points to discuss Issues faced by ULBs

प्रश्न संख्या
(Question No.)

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न लिखें
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in this part)

Municipal Councils have thus
become a body of powerless
individuals, sandwiched between
Central & state projects leaving
little space for manoeuvring.

There is a need to enhance
public participation and enhance
liberties of the ULBs along
with raising their fund receivables.

Refer
Recommendations
of 2nd ARC
in this regard.

6 $\frac{1}{2}$