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An Institute for Civil Services

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AIR 205

CSE 2024

POLITY (GS PAPER-II)

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GS SCORE

GS Mains Q&A 2024

MTS-2973

POLITY REVISION TEST

Time Allowed: 90 Min.

Max. Marks: 125

Q.	Marks	Instructions to Candidate
1.		<ul style="list-style-type: none"> There are 10 questions. All questions are compulsory. The number of marks carried by a question is indicated against it. Answers to questions no. 1 to 5 should be in 150 words, whereas answers to questions no. 6 to 10 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.		
6.		
7.		
8.		
9.		
10		
Total Marks	41.5	
Name:	Satyam Chaturvedi	
Roll No.:	117343	
Mobile No.:		
Date:		
Signature:	Schaturvedi	
Mode of Exam:	offline	

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

1. Evaluation Date _____

2. Evaluator's Signature _____

POLITY REVISION TEST

Time Allowed: 90 Min.

Max. Marks: 125

Section - A

1. What is Constitutional morality? Identify the sources of the Constitutional morality in the Constitution of India and highlight its significance.
2. The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being. In this context, bring out the need to make health as a fundamental Right in India and explain its implications.
3. The USA's Supreme Court is often criticized as the "Third Chamber of the legislature". Compare the system of judicial review as it exists in India and the USA.
4. Briefly enlist the Constitutional provisions related to Tribunals in India and evaluate their role in the Indian Judicial System.
5. The improvement and maintenance of judicial infrastructure are still being carried out ad-hoc and unplanned. In this context, discuss how the proposed reforms could improve judicial infrastructure.

Section - B

6. Bringing out the constitutional mechanism for the resolution of inter-state border disputes, discuss the role of the Union government in resolving the inter-state border dispute in northeast India in recent times.
7. The role of the Governor has been a contentious right from the Constitutional Assembly debates to the present time. Discuss. What measures do you suggest to reform the functioning of the Governor?
8. Do you agree that successive promulgation of ordinances without an attempt to get the bills passed amounts to violation of the Constitution? Discuss in light of some of the important Judgments of the Supreme Court.
9. The Emergency at once brought out both the weaknesses and the strengths of India's democracy. Explain the above statement in the light of the long-term effects of Emergency on Indian democracy.
10. While the 73rd Constitutional Amendment has opened the way for women to exercise their right to be involved in village governance, there are still some issues that put constraints on women's effective participation. Discuss.



Section - A

Q1. What is Constitutional morality? Identify the sources of the Constitutional morality in the Constitution of India and highlight its significance. (10 Marks) (150 Words)

what is Constitutional morality?

The Principles of constitutional morality was given by the esteemed leader Dr. Bhim Rao Ambedkar, in his speech in Constituent Assembly. He has stated that constitutional morality is the principles to follow by state to adhere with the limiting power of constitution.

Sources of constitutional morality -

1. Preamble:

- ↳ like a identity card of constitution (Palkivale)
- ↳ gives the source of rights of state & its obligations.

2. Fundamental Rights:-

- ↳ They are claims on state, to fulfillment of dignity of life of individuals

Directive Principles

- ↳ They are directions to state for governance of country.

Remarks

4. Centre-State Relations:

↳ to follow the principles of federalism & cooperation

5. Constitutional Rights:

↳ like property & Right to vote etc

Significance of constitutional morality -

1. They act as obligations on state to follow the policy & act just.
2. They guide the state to make fair and just principles.
3. They act as the principles to guide state on various issues of dilemmas.
4. Ensure separation of powers and checks & balances.

Hence, constitutional morality act as bulwark to the just & reasonable actions of state.

3.0

fundamental concept is not clear.

Feedback (for office use only)

1. Clarity:	lacking.	2. Relevance:	any.
3. Depth:	any.	4. Structure:	any.

Q2. The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being. In this context, bring out the need to make health as a fundamental Right in India and explain its implications. (10 Marks) (150 Words)

"The first Happiness is disease-free life"
— vedas

It is important to note that Health is very essential for overall wellbeing of individual to perform tasks of daily life. Art 47 of constitution talks about attaining nutrition and wellbeing of individual.

Right of health as F.R. —

1. To make people active in day to day activities
↳ as per ^{recent} survey, sedentary lifestyle of Indians are increasing

2. To make people physically active.

↳ 40% males in India do not does any physical activity.

3. significance to mental wellbeing

↳ eg: Rising depression cases.

need to discuss in light of Constitutional value & derive its significance

Remarks

4. for Attainment of SDG - 4.

↳ to reduce MMR, IMR, NNM etc

5. Healthy mind will lead to creative idea

6. large Youth population

↳ (65% below 35 yrs age)

7. Health costs

↳ out of ^{Pocket} expenditure on health (~47%)

Significance of Right to health, -

1. will increase India's GDP *How?*

2. Reduce costs on healthcare

↳ will increase spending on other creative things.

3. A sense of socialist state / welfarism

↳ Reduce totalitarian nature

Right to Health & dignified life is enumerated in various Supreme Court judgement, but it is not made a F.R. due to prevailing situation. ✓

Feedback (for office use only)

1. Clarity:

< avg.

3. Depth:

< avg.

2. Relevance:

4. Structure:

< avg. need to work.

new
to discuss
implications
of making
health as
FR

club it
with
part

2.5

Q3. The USA's Supreme Court is often criticized as the "Third Chamber of the legislature". Compare the system of judicial review as it exists in India and the USA. (10 Marks) (150 Words)

The Power of Judicial Review is the most important power to be exercised by highest courts of country in democracy. Indian judiciary derive its power of J.R. from various constitutional articles like Article 13, 32, 226 etc.

However, US's Supreme Court doesn't have power to J.R. as wide as Indian Supreme Court.

Indian S.C.	U.S. Supreme Court
<ol style="list-style-type: none"> Judges elected for specified time limit Elected by judiciary itself (indirectly) <ul style="list-style-type: none"> collegium Parliament can make law for their appointment 	<ol style="list-style-type: none"> Judges elected for lifetime No collegium system <ul style="list-style-type: none"> electd by executive Senate approves the name after President's order

Remarks

need to compare system of judicial review & not judicial system.

4. works independent & integrated judiciary

5. called a Independent Judiciary
 due to wide powers
 (eg) Art 142
 ↓
 power to do complete justice

4. works separately from provincial courts and act solely as federal court

5. works only on the constitutional principles

place it immediately after it too

Further, US. Supreme Court is called third chamber of legislature as: —

1. ~~Elect~~ Nominated by President as per its political leanings
2. SC represents ^v the division between two parties.
3. seen as chamber of legislature, with judge following party lines.

Centre division on this aspect

25 Hence, Indian S.C. has wide powers w.r. to U.S. S.C. in literal sense.

Feedback (for office use only)

1. Clarity:

3. Depth:

2. Relevance:

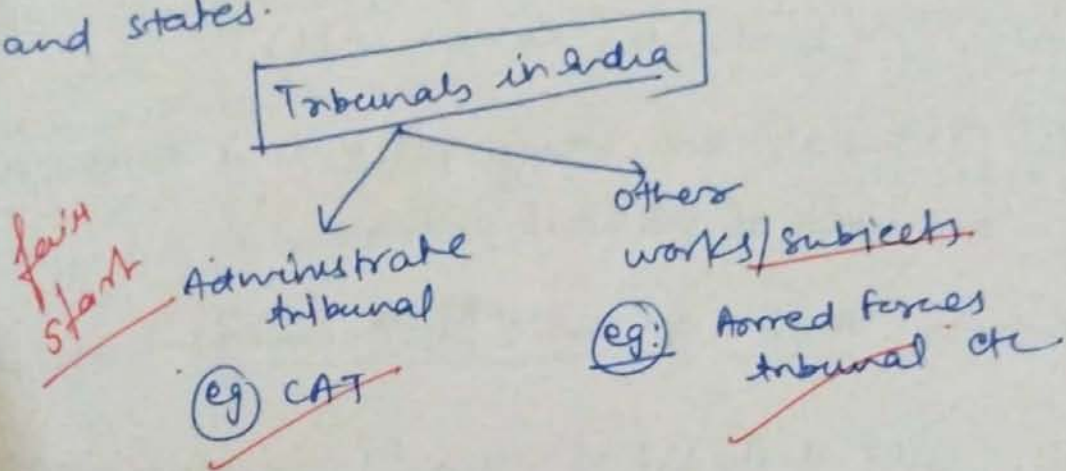
4. Structure:

lacking superficial

more focused

Q4. Briefly enlist the Constitutional provisions related to Tribunals in India and evaluate their role in the Indian Judicial System. (10 Marks) (150 Words)

Tribunals are incorporated into constitution by 42nd CAA 1976. It added Article 323 A & 323 B to constitution to form two types of tribunals for Centre and states.



Role of tribunals —

1. To reduce the work load of higher judiciary
↳ 4.7 cr cases pending
2. To give a expertise to judgements.
 - Judicial member
 - Technical members.
3. Low cost & quick disposal of Justice.

*been
has
what has
contribution
in this.*

4. Decentralisation of Justice in various regions of country.

↳ various benches of CAT

5. Interpretation of byelaws, regulations etc.

6. Appeal to High court

(L. Chandra Kumar case)

7. Tribunals are very quick and works on principles of natural justice.

However, there are some shortcomings

1. Late disposal of cases (increasing workload)

2. Shortage of staff

3. Non-cooperation with departments

4. Infrastructure issues.

Yet, it is clear to say that tribunals have played a very important role in ensuring speedy and cheap delivery of justice.

need to suggest measures in this regard.

3.5

Feedback (for office use only)

1. Clarity:	avg.	2. Relevance:	avg.
3. Depth:	< avg.	4. Structure:	avg.

Q5. The improvement and maintenance of judicial infrastructure are still being carried out ad-hoc and unplanned. In this context, discuss how the proposed reforms could improve judicial infrastructure. (10 Marks) (150 Words)

The "temples of justice" faces serious issues of infrastructure. Recently, CJI has stated that there are no toilets in some subordinate courts for women judges, which is a cause of concern.

[Problems of dilapidated and weak infrastructure of judiciary poses significant problems. —]

- Danger of any harmful incident as court houses lots of people.
- Non-basii facilities like toilets, seating area, electricity etc.
- Internet connections are very slow or could not be found.
- Roads leading to courts are in bad shape.
- Connectivity issues, chamber shortage for lawyers etc.

Remarks

However,

Judicial Reforms like

1. e-courts Project

→ to upload all judgements online for use by other courts all over India & citizens

2. translation software (Anuvaad) of S.C. which translate judgements into regional languages for easily accessibility.

3. Budget Provisions for transforming infrastructure of judiciary through state intervention.

4. making cafes, seating areas, branches of bank inside court promises to make it more citizen friendly.

It is a dire need of state to transform the infrastructure of judiciary, as it faces lots of problems in respect of no. of cases pending to chambers for judges, advocates & citizens area.

Feedback (for office use only)

1. Clarity:

3. Depth:

2. Relevance:

4. Structure:

avg.
avg.
avg.
=

4.5

write better & objective subheading.

Articles these read about National Judicial Infra Authority & its prospect

Section - B

Q6. Bringing out the constitutional mechanism for the resolution of inter-state border disputes, discuss the role of the Union government in resolving the inter-state border dispute in northeast India in recent times. (15 Marks) (250 Words)

Inter-state Border Disputes remains a bone of contention for central & state governments as may be seen in recent conflict between Naryana & Punjab. Some of major border conflicts are Belgaui town (KR & MH), ~~Hydrabad~~ Assam-Meghalaya, Assam-Manipur etc

Constitutional & legal provisions —

1. Centre-state relations in Part 7 of constitution
Administrative legislative

2. Inter-state council (Article 263)

3. Inter state ~~water~~ River boards

4. Zonal councils

5. Various boundary commissions from start of Independence like Dhar, JVP, Fazl Ali Commission.

Remarks

6. Article 239 gave power to centre to define boundaries of state (by changing, altering etc)

However, Border-dispute remains between states even after 75 years of independence.

Recent actions taken in North East may pave way for further solidarity between states —:

(1) Boundary dispute between Assam & Meghalaya.

- A landmark agreement signed
- transferring of villages from both sides
- Around 70% border dispute settled.

(2) Between Assam & Arunachal Pradesh

- Assam has given some villages to Arunachal for amicable solution.

It is to note that major disputes are in NE is with Assam due to the fact that most of the states in NE are emerged out of Assam.

Role of Union Government -

1. By Acting as a mediator
↳ between Assam & other states
2. By pushing states into solving disputes low 2
3. Political Reasons
↳ most of NE has B.J.P Ruled government so what?
4. Security Reasons
↳ Assam & other NE states are situated in very sensitive area
↳ coup in Myanmar, Bangladesh etc.
5. These reasons have seen protests previously
↳ during Assam Accord (1971)

Hence, the role of Union government has increased in constitutional setup to act as federal & stronger

5.5 Powers to push states to act as harbingers of change & competitive federalism with cooperation of the centre.

Feedback (for office use only)

1. Clarity:

am

2. Relevance:

am

3. Depth:

"))

4. Structure:

"))

Q7. The role of the Governor has been a contentious right from the Constitutional Assembly debates to the present time. Discuss. What measures do you suggest to reform the functioning of the Governor? (15 Marks) (250 Words)

Dr. Thakur Das Bhargava in constituent

Assembly has warned about the discretionary powers of governor and its nature as a tool of centre.

At that time, Ambedkar has assured constituent Assembly that governor will work in a Non-partisan manner and act as agent of centre only.

Role of governor in contemporary time has seen so much conflict & debates like:

1. Use of Discretionary power

+ Kerala, TN, WB (to defer the assent to state bills)
what has been previous episode

2. Referring to President bills of state for consideration

(eg) TN

narrate the episode in brief

3. Non-compliance with conventions and refused to read speech given by state
(eg) TN.

what happened there?

Remarks

4. Governors act as super-government and work without act and advice of elected government
eg: Kerala etc

5. Increasing conflict between state & centres

6. Allegations on Governor for punitive actions
(Immunity under Art 361)
eg: WB.

7. Governors are active in politics & contest elections even after the post of governor.

8. The decreasing role of governor as Neutral Executive Head (Nominal)

in examples, you need to give brief over view of the episode otherwise they are redundant.

Hence, there are certain reforms that are needed to get functions of governor in line —

1. make governor (with No party affiliation, expert in law or eminent person)

2. Should be from other states.

3. Before Appointment, consultation with chief ministers

what needs to be done?

already existing?

4. Appointed after proposal from inter-state council.
5. Discretionary powers should be used sparingly and rarely.
6. Follow the precedence of procedure before appointing the government (given by Sarkaria commission)
7. The decisions are under ambit of Judicial review. (S.R. Bommai case (1994)).

How
these
can be
ensured?

There are various commissions/committees formed to give recommendations to increase the mutual decision between centre-state relations like:-

- + Sarkaria commission
- + Punchi commission
- + Rajmanna committee (TN)
- + NCRWC (2002)

quote
certain
recommendations.

55

Therefore, it must be taken into account & form a SOP for governor to follow during President's rule declaration or forming a government.

Feedback (for office use only)

1. Clarity:

ok

2. Relevance:

ang

3. Depth:

11

4. Structure:

11

Q8. Do you agree that successive promulgation of ordinances without an attempt to get the bills passed amounts to violation of the Constitution? Discuss in light of some of the important judgments of the Supreme Court. (15 Marks) (250 Words)

In 17th LS, it is reported that only (~20%)

Bills have been sent to parliamentary committees, which shows the decline of debates & quality of legislation in parliament.

Constitution envisages the separation of power

between three branches.

Executive

to implement the law

Legislature

to make the law

Judiciary

to interpret the law.

Legislature's main function is to pass the laws after due discussions & deliberations, which lead to rational laws being implemented, taking into account the will of people (i.e. parliament).

Decrease of debate cause:

1. Quality of laws ↓

Remarks

2. Laws passed in Haste will be struck down by courts (↑ expenditure & wasteful expenditure)

3. Laws may not conform to principles of constitutions like Equality, Right to life & personal liberty.

4. ↓ in attendance in Parliament

5. Parliamentarians don't take interest in debates, which defeats whole purpose of democracy.

This gave rise to rising court cases, which provide justice by declaring law unconstitutional or defer the laws to committee of experts.

(a) SC struck down NJAC Act (99th CAA Act) as it violates the independence of judiciary.

(b) MISA Act was struck down by parliament

(c) Section 66(a) was struck down by SC in IT Act case.

Remarks

(d) SC struck down the provisions of RPA Act 1951, which gave relief to MP's to stay disqualification after conviction.

In some cases, SC has made laws due to parliament

cent apathy:—

1. Vishakha Guidelines
2. Ban on firecrackers
3. Ban on diesel vehicles in NCR
4. Ban on activities in Yamuna floodplains etc

Hence, if one branch doesn't do justice with its work, it may lead to overreach or activism by other branches, which unbalances the separation

of power doctrine.

Hence, it is needed to increase the debates in parliament by giving training to MP's, orientation, experiences through parliament committees etc

Feedback (for office use only)

1. Clarity:

2. Relevance:

3. Depth:

4. Structure:

Content is entirely non-contentual.

Q9. The Emergency at once brought out both the weaknesses and the strengths of India's democracy. Explain the above statement in the light of the long-term effects of Emergency on Indian democracy. (15 Marks) (250 Words)

The Emergency carried out in India during 1975 was seen as the dark age for Indian democracy. It was apprehended that India will no longer remain a democracy anymore.

However, it shows and brings out the character of Indian constitution.

Weakness

1. Judiciary became subdued to executive
eg: ADM Jabalpur case
2. President acted as just a copy book diplomat
(42nd CAA 1976)
3. unitary power of constitution at union level.
4. one person & one party dominance
5. Subversion of F.R. during emergency.
6. term "internal disturbance" was not clear.

Remarks

Strengths -

1. Remain ~~democratic~~ even after years of emergency.
2. Indira Gandhi had to resign due to increasing mass mobilizations. *avoid it* *one person* *one party* *should not be seen headed*
3. Renewed role of Judiciary *as n 2*
4. Diversity of people leads to no concentration of power in one hand. *low?*
5. Innate confidence about democracy.

points assumes assumption without any validation

However, Emergency leads to long term effects

on Indian democracy:-

- ① Increased role of Judiciary
 - + Basic structure Doctrine
 - + collegium system
- ② President's power decreased
 - + 44th CAA 1978 (only one time reconsideration of Bill)
 - + Act on Abuse of COM
- ③ Emergency could be revoked even with simple majority

disin these points

Remarks

④ vague words like internal disturbances replaced to Armed rebellion.

⑤ check on one party dominance & rise of coalitions

⑥ Emergency to be approved by parliament within 01 month & at every 06 months.

Thus, the dark age of democracy lead to increase in powers of judiciary & legislature to control arbitrary exercise by Executive.

Today, India has declared the 25th June as the dark day & institute a resolution that emergency should not be repeated. Since, the power flows from the people and their liberty are paramount in any democracy.

Feedback (for office use only)

1. Clarity:

2. Relevance:

3. Depth:

4. Structure:

- Q10. While the 73rd Constitutional Amendment has opened the way for women to exercise their right to be involved in village governance, there are still some issues that put constraints on women's effective participation. Discuss. (15 Marks) (250 Words)

73rd CAA passed in 1992 and came into effectiveness in 1993, gave power to women to exercise the right to be involved in the village governance by:—

1. Reservation of 33% ~~at~~ all levels of governance from chairpersons to ward members in all panchayati Raj institutions.

2. Decentralization of power lead to increase in number of women representatives.
(around 14 lakhs out of 42 lakhs)

found
analysis of
women
association

3. It has been seen that Panchayats with women heads show more increase in infrastructure on basic facilities like toilets, village infrastructure, houses & roads. (Anastya Sen)

4. More emphasis on Education & Health at Primary level.

Remarks

However, there are some issues that need to be kept in mind like -

(a) Institution of Sarpanch-Pati.

- + Patriarchal mindset
- + Exercise of power by relative of women in place of women
- + lead to non-effectiveness of democratic decentralization.

(b) Social Stigma attached with women they do not understand politics.

↳ However, eg like Sushma Swaraj, Droupadi Murmu.

(c) Literacy Rates at Panchayats

↓ leads to dependence on Panchayat secretary or bureaucracy.

example should be supplementary not contradictory to prohibition

(d) Dual work of House & politics

↓ leads to mental & physical fatigue, which hinders the growth.

Remarks

can better connecting words & keep interlinking in brief
However, there are some measures, which may be instituted to increase the effectiveness of Panchayats & their participation by women -

- (a) Gender Budgeting of Panchayat's Expenditure
- (b) mandatory participation of women in decision making.
- (c) Strict Action on Sarpanch-patrim philosophy
- (d) Strict Action on devaluating financial power to panchayats
- (e) Women should be empowered by giving trainings and orientation programs with strong & example-led policies.

How these can be ensured? This is most important
 It is therefore can be said that 73rd CAA has empowered the women. However, some lacunae remain which may be filled with providing extra trainings and social awareness about women Rights.

6.5

Feedback (for office use only)

1. Clarity:	7/10	2. Relevance:	7/10
3. Depth:	7	4. Structure:	7

