

# **G|S SCORE**

**An Institute for Civil Services**

## **IAS TOPPER'S**

**TEST COPY**

### **VYOM BINDAL**

**RANK - 141**

**POLITICAL SCIENCE  
TEST - 2**



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## POLITICAL SCIENCE

Time Allowed: 3 hrs.

Max. Marks: 250

### Instructions to Candidate

- There are EIGHT questions. Candidate has to attempt FIVE questions in all.
- Question no. 1 and 5 are compulsory and out of the remaining, THREE are to be attempted.
- 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. No marks will be given for answers written in medium other than the authorized one.
- Word limit in questions, wherever specified, should be adhered to.
- Attempts of questions shall be counted in chronological order. Unless struck off, attempt of a question shall be counted even if attempted partly. Any page or portion of the page left blank in the answer book must be clearly struck off.

Understanding  
is the  
key  
examples  
and  
theories  
concepts

Name YOGI BINDAL

Mobile No. \_\_\_\_\_

Date \_\_\_\_\_

Signature Dipankar

1. Invigilator Signature \_\_\_\_\_

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**REMARKS****GS SCORE**

**SECTION A**

1. Answer the following questions: (150 Words Each) (10 × 5 = 50)
- Satyagraha versus passive resistance
  - Discuss the need for internal democracy in Political Parties in India.
  - Secularism is contested idea in the Indian scenario. Discuss.
  - Role of Strong Opposition in democracy
  - Role of Pressure Groups in Policy Formulation

(a) The idea of Satyagraha was Gandhian technique of freedom struggle , passive resistance was part of extremist leader's strategy to oppose partition of Bengal.

Differences between the two

- For advocates of passive resistance, non-violence is merely a strategic tool to broaden the base of national movement  
But for Satyagraha, proclaimed by Gandhi, non-violence is an article of faith.
- Passive resistance involved use of swadeshi, boycott, national education in order to harm

Remarks

~~Passive violence Satyagraha can be a agent for ones own also~~

British political and economic interests to force them to concession.

Satyagraha apart from these, laid emphasis

(4) on carrying out ideological struggle against the colonial ideology in form of creating counter-hegemony of ideas.

3) Satyagraha made the clear distinction between the evil and evil doer, its aim was to transform the evil doer, hated for evil, but there was no such distinction in Passive resistance.

Hence ~~too~~ it can be said that Gandhian notion of Satyagraha broadened the ideological base of passive resistance.

(v) Political parties are necessary to preserve Parliamentary democracy. However, they need

Remarks

greater internal democracy because

- 1) Currently except few parties most of parties revolve around a single charismatic personality or dynasty, denting the democratic credentials of Political parties.
- 2) Internal democracy is needed to give chance to new generation of leaders with fresh ideas rather than allowing only one point of view to prevail.
- 3) Lack of internal democracy also erodes the trust of people in parties and democracy as whole, as also pointed out by Subhash Palekar in his Lokniti Survey.
- 4) Internal democracy will allow fuller expression of views of legislators, party members as opposed to the current "high command" culture.

Law commission in its 170<sup>th</sup>

Remarks

pero include  
arguments  
against wide  
of internal  
democracy



report also recommended greater internal democracies in political parties as one of the important pre-requisites of electoral reforms.

- (i) Secularism in Western world refers to strict separation of religion and state, but its idea is contested in India because:
  - 1) Leaders like Gandhi believe in "San Dharan Samvad" or equal treatment of all religions rather than strict separation.
  - 2) Sudipta Kaviraj says that one of the gravest failure of Indian bourgeoisie has been failure to bring capitalist modernity.
  - 3) Ashish Nandy in his anti-modernist critique recommends promotion of interfaith dialogue, neo-Gandhian version as religion is needs of life in India, strict separation

Remarks

④ Armed new of  
Economic Bilgrami  
also Rajeev Bhagat

is not desirable.

- 1) Certain sections believe that special rights to minorities goes against the original idea of "universal citizenship" idea of secularism
- 2) Scholars like D.E. Smith believe that India has not all the features of secular state, it lacks fundamental secular feature of strict separation of religion and state.

However, as argued by Rajiv Bhargava Indian model is contextual and product of specific historical circumstances, hence it cannot be compared with Western model. Above arguments prove that nature of Indian secularism continues to be debated concept. far from reaching any definitive straitjacket mould.

- 3) Contemporary Indian political scene is witnessing a weakened and scattered opposition.

However, a strong opposition is

very essential to democracy because:

- 1) It keeps a check on arbitrary and authoritarian tendencies of the government.
- 2) Strong opposition provides constructive criticism of the government policies both inside and outside the legislature.
- 3) Strong opposition is necessary to ensure the accountability of the government in financial, administrative and political powers.
- 4) In ~~for~~ first past the post electoral system, the ruling government may not necessarily represent the views of majority of electorate, hence strong opposition is needed to enunciate the views of those who had voted against the government.

Remarks

(S) What type of strong  
Authorised  
opposition party  
is public

- 1) Strong opposition party not only criticises the government agenda, but it also presents an alternate set of policies and programmes to the electorate.
- 2) Strong opposition maintains direct and indirect pressure on ruling government to perform as per its promise.
- Hence strong opposition helps in maintaining the basis of democratic system in a democracy
- 3) Pressure groups represent group of people based on certain specific interests, Finer refers to them as invisible empire having great influence over the government. They help in following manner:
- They help bring multiple viewpoints to the notice of government while formulating

Remarks

policy e.g. pre-budget consultations with different groups.

- 2) Rajiv Kathaiwala has pointed that pressure groups repoliticizes development and reinvent the participatory democracy, hence they broaden the democratic horizon.
- 3) Sometimes they become initiator of policy and democratic reforms e.g. role of MKSS in bringing RTI, role of retired Armymen group in bringing OROP.
- 4) They also perform the role of political recruitment, interest articulation which act as vital inputs to political system.

However, scholars like Alan R. Ball had criticised pressure groups for promoting interest of one group over the other. Yet their important role in democracy cannot be overlooked.

Remarks

You need to elaborate <sup>positive or negative implications</sup>  
for

2. Attempt all questions:

- (a) Briefly discuss the impact of colonial legacy on post-independence India with special emphasis on Political, Administrative and social scenarios.  
 (200 Words) (15 Marks)
- (b) Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 has been centre of controversy due to recent judgement of SC. Critically examine the issue with focus on the recent SC judgement.  
 (200 Words) (15 Marks)
- (c) Enumerate the recent factors responsible for decline in Parliamentary efficiency and suggest measures to reverse this trend.  
 (250 Words) (20 Marks)

(a) When India attained independence, it did not start on a clean slate, as Rabindranath Tagore said "Britishers are bound to leave India, but they will leave behind mountains of dirt and filth, which will be difficult to clean". This statement appears true when we see colonial legacy in following fields:

Negative legacies

Social scenario I: Colonial policies of divide and rule on the basis of division of people on lines of caste, race and religion and above all communal partition

Remarks

of country continues to plague Indian society in form of communal riots, caste conflicts, ethnic movements etc.

2) Administrative: British created a Police state, where administration was not to serve people, rather to sopress them and rule of over them. The legacy continues where bureaucracy lacks sense of service and have a "master mindset", possess great power. This has been referred to as "over-developed state" by Hamza Slavi.

3) Political legacy: Colonial legacy on Politics is manifest in terms of practise of identity politics rather than politics of development, lack of integration of India as a nation state as seen from various secessionist movements.

Remarks

~~Govt. Context is only  
but unbalanced  
one can weightage also  
from 2 points~~

8

- 1) It also resulted in low human development absence of basic amenities, backward economy and an education system based on rote learning rather than critical thinking.  
However, it did have some positive impacts as well:
- 1) Bringing rule of law and equality before law.
  - 2) Keeping military under civilian control.
  - 3) Parliamentary form of government.
- yet, in an overall analysis, negative legacies of colonial rule far outweighs its few positive outcomes.
- (ii) Supreme Court in Kashinath Mahajan vs. State of Maharashtra case, hence introduced following changes in the SCs and STs prevention of atrocities act (1989):
- It has mandated the holding of preliminary

Remarks

inquiry before registering of FIR under such cases.

- 2) It has mandated that permission for arrest has to be taken from appointing authority in case of government employees, and from Senior Superintendent of Police in case of private sector employees. Normal citizen
- 3) Supreme Court has added the provision of anticipatory bail in such cases, which was not there in the Act.

Court based its judgement on the fact that law made to protect interests of oppressed sections cannot violate liberty of others. It relied on NCRB data of 2016, which showed that around 75% of such cases resulted in acquittal, around 11% of complaints were

Remarks

forives. However, judgement had generated controversy among the dalit groups on various counts:

- 1) The judgement steps beyond the domain of court and court has arrogated to itself a power belonging to the legislature.
- 2) Low rates of acquittal are due to poor investigation, systemic bias, lack of resources with marginalised sections rather than wrong complaints.
- 3) Crimes against oppressed sections have been rising, as per NCRB data, crimes against dalits in 2016 rose by 5%.
- 4) They believe it is dilution of the Act and will take away the rights available to them to fight thousands of years of oppression and prejudice.

Remarks

Govt's policy  
globally more on front  
few see FRC act  
of see at FRC  
with

(9)

As a response to nation-wide protest, Parliament had amended the Act to nullify the judgement.

However, it must be ensured that Indian jurisprudence of protecting liberty and presumption of innocence until proven guilty should be balanced with requirements of preserving and promoting the interests of socially backward sections of society.

(c) The efficiency of Indian Parliament is on decline as can be seen from various factors:

- Average number of days Parliament sits has reduced from around 120 days to approximately 70 days in a year.
- During the budget session of 2018, Lok Sabha could sit only for 21% of its allotted time.
- There is less debate, more disruptions.

Remarks

Reasons for this decline are:

- 1) Hyper-polarisation of the Political environment which had led to the breakdown of relationship between the government and the opposition party, reducing the space for accommodation.
- 2) Minimisation of Politics had also deteriorated the efficiency of the Parliament. As per ADR, around 34% of MPs of present Parliament has criminal cases pending against them.
- 3) There is growing phenomena of "Vidhan-Sabha-isation" and "Municipalisation" of the Parliament, where Parliamentarians are raising trivial issues of fixing drains, nursery admissions rather than debating on important national issues.
- 4) The growing use of ordinance route by

Remarks

~~the government, delegated legislation and judicial assertion had also impacted the efficiency of Parliament negatively.~~

~~Parliament is very foundation of democracy, to reverse this trend certain steps can be taken:~~

- 1) Fixing the minimum number of days which Parliament has to meet, as also suggested by National Commission on Revitalizing working of the constitution. ~~UNSCO people~~
- 2) Electoral reforms to de-criminalise the composition of Parliament.
- 3) Greater role to the opposition to allow it to raise issues ~~for example in United Kingdom, opposition decides agenda of House for 20 days in a year~~
- 4) Greater publicity and dissemination of Parliamentary proceedings to public to build up pressure of public opinion on Parliamentarians.

**Remarks**

**3. Attempt all questions:**

(a) Discuss in detail the issues related to appointment of election commissioner and remedial steps which need to be taken. (200 Words) (15 Marks)

(b) Discuss the agrarian and peasant perspective of Indian national movement. (200 Words) (15 Marks)

(c) What do you understand by the term Hybrid Electoral system and also analyse why there is increased demand for its introduction in India?

(250 Words) (20 Marks)

10

Gurcharan

what role for  
executive

role of speaker  
Speaker played in free  
domination  
role of party  
Speaker played in free  
domination  
role of party  
Speaker played in free  
domination

Remarks

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*Remarks*

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*Remarks*

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*Remarks*

*Remarks*

### *Remarks*

### **Remarks**

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*Remarks*

4. Attempt all questions:

(a) Women Commission has played a vital role in addressing issues of protection and empowerment of Women. Discuss. (200 Words) (15 Marks)

(b) Nature and Evaluation of Land Reforms in India after Independence. (200 Words) (15 Marks)

(c) Explain the nature of political democracy and its relationship with development during 1967-1990. (250 Words) (20 Marks)

(a) National Commission for Women is a statutory body under the National Commission for Women Act. It is mandated with ensuring the efficacy of safeguards related to women rights, recommending legislative and remedial measures to government to promote women's rights.

Work of Women Commission had advanced Women rights in following manners :

) It was instrumental in bringing the protection of women from Domestic violence Act, 2005.

Remarks

- 2) It advocated higher maternity leaves for women which was ultimately accepted by the government.
- 3) It has taken the initiatives like "Violence free homes: a Woman's right" and "jeago campaign" to spread awareness about the women rights.
- 4) The complaint and investigation cell of Women Commission has powers of civil court and it conducts enquiries on matter of atrocities against women.
- However, despite these achievements, role of Women Commission is questioned on many grounds.
- 5) Study sponsored by UGC shows an institutional collapse and use of Women commission to distribute political patronage.

Remarks

- 3) On many occasions its members had displayed lack of sensitivity to women issues e.g. in Mangalore pub case, its member blamed victim for sexual assault, in another case NCW member revealed the name of rape victim.
- 3) NCW is accused of being elitist and not engaging with Civil Society, NGOs to the extent it should.
- 4) NCW also suffers from internal tussle due to presence of two power centres in form of Chairman and member secretary. Hence, on overall analysis, role of women commission in cause of women emancipation has been sub-optimal, there is need to reform it to enable it to achieve its stated mandate.

Remarks

8

What are your views  
on this?

You need to  
have examples of  
efficacy of  
activities

(iv) Land reforms in general refer to the redistribution of land and is concerned with issues of land inheritance, poverty, agricultural productivity in a broader manner.

Post-independent land reforms had focused on:

- 1) Abolition of zamindari
- 2) giving the occupancy rights and security of tenure to tenants.
- 3) Redistribution of the land through measures like land ceiling laws.
- 4) Increasing the productivity of agriculture by consolidation of land holdings, Co-operative farming.
- 5) Reducing the rural poverty.

However, land reforms had only been partially successful because:

Remarks

- Shul Kohli holds that lack of Political will and domination of upper caste landlords in political power had prevented land reforms especially in Hindi heartland.
- Studies by M. Ghatak, Besley in 2002, reveal that although land reforms abolished zamindari, but it did not benefit the landless labourers, neither it ended the rent seeking behaviour.
- Uma Chakravathy had also concluded that there there is only weak correspondence between land reforms and elimination of poverty, enhancement of agricultural productivity.
- Consolidation of land holdings could not succeed as farmers feared their land

Remarks

being taken away and they being given infertile lands.

- Landlords circumvented the leasing laws by breaking joint families and dividing the ownership within the family
- Co-operative farming could not succeed due to absence of mutual trust.
- Daniel Thorner had highlighted the landlord dominated village Panchayats were unable to bring meaningful land reforms.

Around 68% of India's population live in villages with quarter of them living below poverty line. Given the fact that more than half of them are dependent on agriculture land reforms are necessary to ensure inclusive growth.

Remarks  
why were the  
reforms not  
implemented?  
not well dr<sup>2</sup> & developed  
political support by in HII

9

(4) Political democracy in India underwent significant changes between the period of 1967-1990 as can be seen from:

- i) 1967 to 1990 witnessed the era of coalition politics at the level of state governments while largely retaining the Congress dominance at central level.
- ii) It was period of "democratic upsurge" as pointed out by Yogendra Yadav and deepening of democracy raised demands for development at the grass root level.
- iii) This period saw the green revolution, which led to strengthening of the hold of dominant caste and realisation of

Remarks

the Parliament.

- 9) growing role of youth in politics was also evident as in the total revolution led by JP Narayan.
- 10) This phase manifested the nature of federalism transforming from co-operative federalism to that of bargaining federalism, where centre-state bargain was evident.
- 11) Due to democratisation, rise of regional parties demands were made for separate statehood, equitable economic development.

①

You have talked  
a lot about the  
political aspect  
but very  
little about the  
economic development  
→ poor

Remarks

## SECTION B

5. Answer the following questions: (150 Words each) (10 × 5 = 50)

- (a) Marxist perspective on Indian National Movement
- (b) Jammu and Kashmir and Article 35A
- (c) Radical humanist perspective of Freedom struggle by M.N Roy.
- (d) Functional criticism of Indian CAG.
- (e) Issues pertaining to Judicial Accountability and need for reforms. Discuss.

(a) Marxist perspective on Indian national Movement can be discussed as follows:

M.N. Roy in his book "India in transition" states that national movement led by Indian National Congress was a bougeois movement which aimed at protecting the interest of privileged sections.

Sixth communist international asked its cadres to expose the national reformism of Congress and oppose its programme of constructive activities.

Marxists believe that struggle is needed not

Remarks

just to overthrow the imperialist rulers, but movement will continue until the internal class exploitation of workers and peasants ended.

- Marxist historians like Rajni Palme Dutt, and A.R. Desai held that Congress's programmes did not benefited the masses especially workers and peasants much, and were designed to preserve privileges of the propertied class.
- Marxists stood against the "Quit India Movement" and in fact asked people to support British efforts in its fight against fascism. However, Marxist view is only one side of the story, scholars like Bipin Chandra despite being Marxist believes

## Remarks

① Laborate meet we will move in our factors lead to overall import limited or factor struggle

that Indian National Movement was truly secular mass movement involving all the sections of Indian society.

(v) Article 35A in the Constitution was added by the Presidential Order of 1954 in pursuance of powers conferred on him by article 370. \*

Article 35A empowers the state legislature of Jammu and Kashmir to determine who constitutes the "permanent residents" of the state and to extend to them certain benefits and privileges while denying some to others. It has recently been challenged in the Supreme Court of India on grounds of it was not added by procedure of Constitutional Amendment under article 368 hence it is

Remarks

invalid.

- This provision violates the right to equality by discriminating between the permanent residents and others.

But scholars like Amritabhan Mattoo believes that article 35A is necessary to preserve the autonomous states of J&K. He highlights similar provisions also exist for other states like Himachal Pradesh, North Eastern states. Also, its incorporation was well within the ambit of article 370 which is the constitutional bridge between Indian Union and state of Jammu and Kashmir.

Currently, the matter is under adjudication of Supreme Court, which has to take into account the unique and

Remarks

(Observe points or arguments for & against its continuation & abolition)

4

impeccable Constitutional status of Jammu and Kashmir

- (c) Radical Humanist perspective of India's freedom struggle is based upon the following ideas:
- 1) Roy believed that true freedom could be achieved only when it results in radical democracy and actual transfer of power to the people rather than mere change of rulers.
  - 2) Roy was a believer of party less democracy as aim of freedom movement, because as per his radical humanist perspective political parties reel individual autonomy, centralises power.
  - 3) M.N. Roy advocated nationalisation of public

Remarks

utilities, ending the class exploitation, but he wanted Marxism along with respect for personal liberty and freedom, i.e. integration of liberty with equality.

- g) M.N. Roy believed that individual should be treated in its radical sense, free from all collective identities, also he believed in idea of secular morality as opposed to religious morality conception of Mahatma Gandhi.

Despite his appreciable contribution, M.N. Roy did not get enough prominence, hence Sudipto Dasgupta calls him an example of "remarkable failure" ~~(from the point of view of overall cooperation)~~.

- (d) Article 149 of Indian Constitution establishes CAG as independent constitutional office to ensure financial accountability of

Remarks

executive. However it has been criticised on following grounds:

- 1) CAG lacks technical expertise to perform audit on matters like spectrum allocation, coal allocation.
- 2) CAG's intensiveness has led to obstructionism and policy paralysis where administrators fear taking action due to possible CAG scrutiny.
- 3) CAG only performs a post-facto analysis once decision has been taken, however in practise administration works under lot of uncertainty.
- 4) Paul Appleby in his "two reports of Indian administration" held that CAG lacks knowledge of administration, the office should be abolished.
- 5) At times CAG had also been accused of favouritism and selective victimization.

Remarks

Problem of following  
in its reports & capacity mismatch - 150

6

However, such criticisms overlooks importance of CAs in preventing the wastage of scarce and precious resources, which led Dr Ambedkar to proclaim CAs as most important office in the constitution.

### (e) Issues in judicial accountability

- Collegium system which gives judiciary the sole role in judicial appointments.
- Reluctance of judiciary to come under the ambit of Right to Information
- Judiciary usurping the powers of legislature, despite being elitist and least representative of all institutions. ~~If it's not NJAC~~
- Need for reforms:
- To enhance the credibility of judiciary and maintain separation of powers.
- To handle charges of judicial corruption, nepotism in appointments. However, reforms should balance transparency with need of independence of judiciary.

Remarks

3

~~Too short need example  
of project conclusion~~

**6. Attempt all questions:**

- (a) The evolving profile of legislators in Indian parliament offers both opportunities and challenges. Discuss. How has the changing nature of leadership in parliament affected its efficiency? (200 Words) (15 Marks)
- (b) From one party dominance to a multi-party power sharing model, India has seen diverse phases of Coalitional politics. Describe this evolution briefly phase wise. Do you agree that benefits and challenges associated with Coalition governments exist simultaneously? (200 Words) (15 Marks)
- (c) Elaborate with examples the nature of class inequality in India. What role was played by impact of colonial influence in emergence of this? (250 Words) (20 Marks)

done last  
question no. 8

Remarks

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*Remarks*

*Remarks*

### Remarks

*Remarks*

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*Remarks*

*Remarks*

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*Remarks*

**7. Attempt all questions:**

- (a) Discuss evolution of state autonomy movement in India; discuss political and economic factors that shape the federal nature of Indian State.  
(200 Words) (15 Marks)
- (b) Unless there are adequate number of judges, speedy and efficient justice will remain a distant dream.  
(200 Words) (15 Marks)
- (c) Comment on the issue of balance between Fundamental rights and parliamentary privileges with recent examples.  
(250 Words) (20 Marks)

**Remarks**

*Remarks*

**GS SCORE**

Remarks

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*Remarks*

8. Attempt all questions:

- (a) The 'Nehruvian Consensus' was mix of principle and pragmatism. Substantiate with examples. (200 Words) (15 Marks)
- (b) Discuss the constitutional challenges arising out of the issue of Office of Profit with recent examples. (200 Words) (15 Marks)
- (c) Analyse the factors which have led to tussle of power between centrally appointed Lt. Governors and popularly elected Chief Ministers in Union territories. In what ways do Union territories differ from States in executive and legislative process? (250 Words) (20 Marks)

(a) Nehruvian Consensus in post-independent India refers to the Nehru's policies which reflected acceptance over the wide spectrum of political constituencies.

This ideas and elements of "Nehruvian consensus" indicate mix of principle and pragmatism as can be seen from:

Nehru's economic policy was driven by centralised planned economy, with state playing the role of "commanding heights of the economy", hence rather than adopting a

Remarks

Mainian socialism, he adopted 'democratic socialism' and mixed economy where public and private sector co-exist with former playing dominant role.

- In area of foreign policy, Nehru advocated a policy of Non-alignment, which was refraining from getting aligned with any of super powers, yet at the same time it was not neutrality, rather it was active participation in world affairs on its own merits.
- Pandit Nehru emphasised upon the need to protect civil liberties, accommodating opposition as can also be seen from his cabinet composition. At same time he was strictly against violent opposition to state and preservation of territorial integrity.

Remarks

Talk about role of science & technology  
in our society  
long term  
more points missed

be seen from his strict action towards communist insurgency as well as rightist communal forces.

Nehruvian consenses did led to some setbacks in form of defeat by China in 1962, suspension of Nekal government under article 356. However on the whole Nehruvian consenses led the foundations of democracy and economic development in India.

- (ii) Office of Profit is one of the grounds for disqualification of legislators and Parliamentarians. Supreme Court in Pratyal Bordoloi case had defined office of Profit as:
- 1) where appointment and removal is in the hands of the government
  - 2) where there is issue of pecuniary gain and

Remarks

privileges.

- 3) whether office attaches to itself the executive functions.

However, growing recourse of legislatures of states and Parliament to exempt certain offices from ambit of office of profit has led to following controversies:

- 4) It leads to the violation of separation of power as legislators are appointed to executive roles, hence they will not be able to perform their primary role of keeping the government accountable.

For example: In Delhi government appointed close to 30% of MLAs as Parliamentary secretary which is likely to impact their legislative responsibilities.

- 4) Appointment of legislators to positions of

Remarks

Parliamentary Secretaries, Chairpersons of various boards is seen as attempt to circumvent the constitutional limit of 15% of total strength as Council of Ministers, under the 91<sup>st</sup> Constitutional Amendment Act.

Such offices leads to wastage of public resources as they come with various allowances, perks and privileges.

Position of such offices have been misused to engineer political defections and manufacture legislative majority which has led to erosion of values of democracy and enhanced corruption. Hence, it is important to clearly redefine office of Profit, in this context second ARC had suggested that purely advisory offices alone should be kept out

Remarks

You need to elaborate on the matter to do what are the exceptions to this rule (why)

of definition of office of profit, while all other offices being included.

(i) Factors responsible for creating power struggle between centrally appointed Lt. governors and popularly elected Ministers are:

1) Sometimes it becomes an extension of larger political battle when different Political parties are in power at centre and legislatures of UTs. It is compounded by non-neutral roles of Lt. Governors and blame game by elected governments e.g. in case of NCT of Delhi.

2) Constitutional ambiguities and omissions lead to differing interpretations and

Remarks

unclear demarcation of responsibilities.

for example: 6<sup>th</sup> constitutional amendment act lays down that in case of difference of opinion matter will be referred to President, but Lt. Governor can take ~~any~~ action in the interim period.

- 3) In some cases, it is the over-bearing attitude of Lt. Governor overstepping its jurisdiction creates tussle for example in Puducherry, Lt. Governor made a controversial remark of having power to nullify the decisions of elected government and also she directly ordered government officers, bypassing the official hierarchy.
- UTs differ from the states in following manners

Legislative process: Legislative Assembly of Delhi is not empowered to make laws on subjects of Police, Land and public order, which are normally the state subjects.

Apart from this, Parliament is competent to legislate on state subjects for UTs of both Delhi and Puducherry even under the normal circumstances.

Executive: In executive sphere, in states Governor is only nominal head, but in case of UTs, the Lt. Governor appointed by central government wields substantial executive powers for example: Lt. Governor of Delhi has control over the Police. However, as ruled out by

Supreme Court in NCT of Delhi Vesus Union of India Case - usurpation of authority by Lt. Governor amounts to negation of Parliamentary democracy and principle of collective responsibility of the elected government.

Talk about  
several judgments  
analyze how the legislative  
process or rules of  
source of confusion  
& power transfer

(8)

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*Remarks*