

CONSTITUTION AND INDIAN POLITY

Time Allowed: 3 hrs.

Max. Marks: 250

Q.	Marks	Instructions to Candidate
1.		<ul style="list-style-type: none">• There are 20 questions.• All questions are compulsory.• The number of marks carried by a question is indicated against it.• Answers to questions no. 1 to 10 should be in 150 words, whereas answers to questions no. 11 to 20 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.
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Name S Shivaraman

Roll No. _____

Mobile No. _____

Date 12/06/21

Signature _____

1. Invigilator Signature _____

2. Invigilator Signature _____

97

Word Analysis more content
can be added

Try to conclude the always

Please do not write anything except the question number in this space.
कृपया इस स्थान में प्रश्न संख्या के अतिरिक्त कुछ न लिखें।

UPSC

Answer Questions in NOT MORE THAN the Word Limit specified for each in the Parenthesis.
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(Specimen Answer Booklet - For Practice Purpose Only)

उम्मीदवारों को इस लिखित में को लिखना चाहिए।
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Section A

①

Theory of basic structure is a doctrine evolved by the Supreme Court of India in Kesavananda Bharati Case (1973).

It balances fundamental rights (FR) directive principles by allowing the parliament to amend provisions of FR which fall outside the Basic structure of Indian constitution.

Constraints on the excessive use of executive power :

→ The basic structure doctrine allows SC to declare provisions like secularism, federalism, liberty etc as basic structure. Thus constraining the executive.

→ Declaring the emergency proclaimed as null and void in various conditions.

Rephrase
write what
the basic
feature
add cases

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उम्मीदवारों को इस हार्जिन में कहीं निश्चयना चाहिए।
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Control of legislature

- Primary function of doctrine is the control of legislature.
- Liberal interpretation of due process of law under art 21, as liberty came under Basic structure
- Bringing Judicial review under BSD - Controlling the arbitrary decisions of speaker, tribunals, 9th schedule provisions etc.
- Declaring various constitutional amendments as null and void eg: 38th amendment (2).

substantiate with cases

4

Thus the control of legislation occurs through controlling the constituent powers of the parliament.

Balance of FR & DPSP - foundation of Indian polity - Munim Mills case (1980)



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2) Recent surveys points to 3.8 million dormant cases across all courts in India due to various factors.

✓ The inordinate delay causes lack of faith in judicial system and denial of rights

Issues north Indian Judiciary

① huge pendency of cases :

→ large no. of vacancies
~40% in high courts, 35% in subordinate courts.

→ Procedural delays due to adjournments

→ Multiple appeals, reviews etc.

→ Poor use of technology,

✓ Alternate dispute resolution (ADR)

② Judiciary as elitist institution

→ Opaqueness in decisions

✓ of collegium - causing negotium, corruption etc.

Try to write complete sentences

Briefly discuss your points and make them

self explanatory in context

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→ low accountability, high degree of Independence.

→ low accessibility, complex legal language, sole use of English in higher judiciary

⑤ Judicial overreach - Affecting constitutional separation of power & delay.

Suggested structural changes

→ Increase in transparency of collegium

→ National Judicial Appointments

Council (NJAC) for faster appointments

→ All India Judicial Service for vacancies in subordinate courts

→ Increased focus on ADR and use of Technology.

→ Bringing of office of CJI under action 2(h) of RTI was a step in the right direction.

24/12

Try to combine (2-3 lines)



(Please do not write anything except the question number in this space)

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5

Wider Jurisdiction of Supreme Court (Art 32) and High Courts (226)
Allow judiciary to direct the executive to for establishing Constitutional supremacy.

to defend F.R. of citizens

Wider writ Jurisdiction of High Courts :

Art. 226 allows HC to use writs power to safeguard both the fundamental rights under part III of const. and other constitutional rights along with Natural Justice.

3 1/2

Legal rights too

Art 32 : Itself an FR, it allows SC to use writs solely for enforcing / safeguarding fundamental rights.

Remedy @ 226 - discretionary
32 - compulsory



Safeguarding FR and Natural Justice:

i) Habeas Corpus : Allowing securing art 21 (FR) and the Natural right to liberty .

ii) Certiorari : Taking upon cases from lower courts to ensure complete Justice through Art 142

iii) Mandamus : Protection of FR - through efficient functioning of executive

iv) Prohibition : Raising the value of FR , natural rights by reserving decisions for higher courts etc

Thus the writ jurisdiction is an important pillar for upholding Indian democracy.

④ The uniqueness of Indian constitution lies in the balance of absolute rigidity (US) & Absolute flexibility (UK), making it a living document.

Constitution as a living document:

- Adequate constituent powers to the parliament through Art 368
 - Allows for amendment of provisions through process more difficult than ordinary legislation.
- Constant guidance to the legislature through DPS P.
- Robust nature - Provision for changes in federal polity under adverse circumstances without amendments.

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→ Evolution of Basic structure doctrine - balancing rigidity with change
dynamic feature (under change)
static/core feature (under rigidity)

Challenges to the 'living legacy'

→ Rise in single party dominance in the centre, across states
- causing easy amendments

4

→ Challenges to the fundamental provisions of division of powers and delegation of powers. Eg: Rise in ordinances, delegated legislations.

Issue due to Basic structure doctrine

Issues due to diverse society & diff interests

→ Misuse of amendment powers to increase the mandated jurisdiction. eg: Amendment of Art 370 etc.

Though the living nature of constitution is strained, it is robust in nature

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5

Art 42 42nd Constitutional amend-
-ment act (1976) is called
a mini-constitution because of
the changes in the entire spectrum
of Indian constitution.

~~42nd amend~~ 42nd amendment

① Judiciary : Reduction in powers
of HC in safeguarding
Fundamental rights.

Article
32A

② Centre state relations : changes in
emergency provisions -
declaration of multiple
emergencies simultaneously.

Article
257A

③ Legislature : Powers to amend
the entire constitution including
FR, special courts to
challenge the elections of
PM, President etc

write anything except the question number in this space)
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- ④ Inclusion of new parts in the constitution eg - IVA - fundamental duties.
- ⑤ Changes in preamble - Inclusion of secular, socialist & Integrity.
- ⑥ Changes in DPSP eg: Art 39A, 43A, 48A etc.
→ Dominance of DPSP over fundamental rights.

⑦ Executive: Inclusion of 'shall' in Art 74 to reduce the discretionary powers of president.

Relevance of Recent Amendments: Discuss in more detail

→ 103rd Amendment: Reservation on economic basis - against the original principle of reservation.

→ 102nd CAA: Art 338 B - focus on Welfare & dev. of OBC.

if you has two parts while writing Ans give adequate weightage to both part

4

Articles 101 & 102
Unified
Language
(GST)



(Please do not write anything except the question number in this space)

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6)

Sch. 7 of the Indian constitution provides for the separation of legislative areas between centre and states - list 1 - Central list, list 2 - State & list 3 - Concurrent.

The separation of executive powers is roughly on similar lines with concurrent list under state executive.

4 Areas of Administration in UT under the central govt:

→ The Parliament central govt enjoys complete executive powers over UTs with no legislative assembly.

All the powers of the centre is exercised through administrators.

→ Ind NCR, Puducherry, J&K - The executive control of centre is parallel to the UT govt.

Question is about UTs

Intro address directly

should give all UT adm structure

Powers of President

state legislature

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→ Limited powers of are directly under the centre - eg land & Police in Delhi.

→ impact of these provisions

Thus provisions 24, 239A, 239AA

provides for parallel legislative and executive powers for the administrator & elected govt.

→ But the primacy is provided to the centre.

→ Recent SC judgment has asked for the limitation of interference of St. gov. in the activities of elected govt in Delhi & Pondicherry.

Conclusion - why diff provisions for VT are required



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स्वादेशीयों को इस स्थान में नहीं लिखना चाहिए।
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7

Though the idea of FR has been borrowed from the US constitution, the focus on community rights along with Individual rights is unique to India.

write in short

Individual rights in Part III :

- Art 14 - Equality before law, equal protection of law.
- Art 19, 20, 21, 22 - Provisions related to individual liberty
- Art 23, 24 - Rights against exploitation
- Art 25 - freedom of an individual to practice any religion.

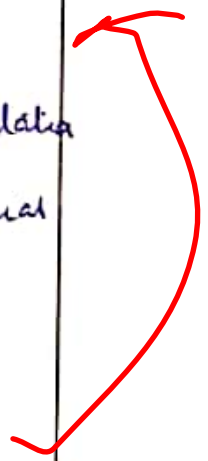
Community Right

Community rights :

[Art 15(4), 16(4) : Positive discrimination for dev. of certain communities

Art 26, 28 : Freedom for religious denominations to manage internal religious affairs.

14-18
14 22



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उम्मीदवारों को
इस हाथिए में
कोई लिखना
नाहिए।
Candidates
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write on this
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write anything except
the question number
in this space)
कृपया इस स्थान
में प्रश्न संख्या के
अतिरिक्त कुछ
न लिखें।

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Art 29, 30 : Rights of minorities
to protect its cultural & educational
rights.

In recent years judiciary in
India has roughly given equal
importance to individual & community
rights.

Eg: ① Sabumata Judgement:

primacy of right to equality
(art 14) over art 26 - freedom
to religious denomination ⇒
primacy to restore individual rights

② Upholding Amo Amendments to
SC/ST (Prevention of atrocities act)
SC - allowed for arrest without
primary enquiry, denied anticipatory

Bail ⇒ Primacy of rights of
communities (Art 17) over individual
liberty (Art 21)

3 1/2

Max
Emphasis
should be
on analysis
part

Author
- Case
- Typed
Table

Denial
of minority
rights

Analyse its implications also

(Please do not write anything except the question number in this space)
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8) Legislative jurisdiction of Parliament (Art 1, 3) is applicable over the entire territory of India - Union of States, UT, acquired territories etc - with certain limitations on territorial Jurisdiction

First comparatively discuss the legislative jurisdiction of Centre and state

i) Discretionary powers of president to make regulations for the good governace of 3 UT - Dadra & Nagar Haveli and Daman & Diu, Andaman & Nicobar Is & Lakshadweep.

3 1/2

ii) States with Scheduled schedule 5 areas:
Discretion of governor to make regulations for the wellbeing of tribes - overruling part. legislation.

Good

(Please do not write anything except the question number in this space)

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iii) States with sch VI areas :

→ Trinamisa, Meghalaya, Mizoram
powers of President to modify
central legislation for application
in tribal areas

→ Assam : Powers of governor to
modify central legislation

Thus the territorial jurisdiction
of central laws don't cover
the entire Indian territory.

(Please do not write anything except the question number in this space)

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9) Urban local bodies - created through 74th amendment act with empowering provisions.

→ But the ~~an~~ bodies are disuniformed in various ways in actual practice.

i) Failure in formation of municipal planning committee (MPC) for local planning.

Thus top-down approach is continued.

ii) Low devolution of legislative powers under Sch. 12.

iii) Lack of avenues for resource generation.

iv) Irregular ward, municipality election.

- continue operation of parastatal agencies
- unelected commissioners
- creation of SPV in urban schemes

(Please do not write anything except the question number in this space)
कृपया इस स्थान में प्रश्न संख्या को अनिवार्य रूप से लिखें।

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vii) Rise in central programs - Eg. Smart city mission, Transit oriented dev etc - Interference in dev. plans of local bodies.

Measures:

- Increase in autonomy, devolution of legislative powers.
- Increased devolution of funds, last remaining areas.
- Limitation in powers of dissolution of local bodies. state legislature.
- Mandatory inclusion of local plans in central, state dev. plans.

conclude

(Please do not write anything except the question number in this space.)
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10) Attorney General plays a major role in governance :

→ Representation of central govt in legal proceedings in various courts - under art 131 or otherwise

supporting the central executive in judicial impact assessment of proposed laws.

→ Answering the legislature, parliamentary committee questions

regarding any govt. bill.

→ Liaison between govt. president and Supreme Court in using the advisory jurisdiction of Supreme Court

Thus the AG supports both the formation & the defence of govt policies

Article 76

Right to speak & take part in Parliament

Enjoy all privileges of MP

2

write key roles - legal duties



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11.)

Dr. B R Ambedkar saw the office of comptroller & auditor general as one of the landmarks of Indian constitution.

Role of CAG in financial accountability

→ Under art ~~148~~ 148 CAG functions as an arm of parliament & state legislatures in financial control of the executive.

→ Auditing of executives for both expenditure & revenue accounts

& freedom to regulate the means of auditing.

→ Involvement in ~~both~~ both the financial and propriety audits.

Audit of
Consolidated
Fund Contingency
Fund

(Please do not write anything except the question number in the space)
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i.e. the principles behind the expenses is analysed.

→ guidelines to the president
- on the format of accounting
(AAT 150).

⇒ Submission of audit reports
to the president to be placed
before the parliament.

→ Support to the Public accounts
Committee in the interpretation
of reports.

→ Suggesting the modes of auditing
in public sector undertakings

Thus CAGs play a central role
in the financial control of
executive by the parliament.

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Independence of CAG (from execution)

Art 148, 149 provide for provisions for the independence of CAG.

→ CAG is formed by the parliament.

→ The terms of service, salary Qualification etc is decided by the parliament through an act (CAG act - 1971)

→ Removal of CAG through process ~~is~~ similar to SC Judge.

→ All the expenses of the office of CAG - charged on the consolidated fund of India.

→ Prohibition of appointments in the govt. post retirement

These provisions ensure the independence of CAG.

For balanced Ans write limitations Post Mortem Procedure Just Banking Disy on Com/In the action

5 1/2

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12

17th lok sabha election - 2019 brought to surface multiple issues with the ECI.

Art 324 provides for ECI but is devoid of necessary powers.

Issues with the role of ECI:

→ Poor enforcement of Model code of conduct.

Eg: Use of communal speeches,
(crime under section 123- RPA 1951)

• claim of personal ownership over the national military by certain parties.

→ Poor divulging of criminal records & assets by candidates under section 125A.

• ECI - no provision to punish for misreporting declaration

(Please do not write anything except the question number in this space)

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→ Bribery in multiple constituencies.

-ies . Eg: The bribes by various political parties in

TN was public knowledge but no actions were taken.

→ Unsidled flow of funds through electoral bonds to the ruling party.

→ Massive expenditure of candidates over the 70 lakh limit for campaigns. (~ 10-15 Crores / candidates)

Thus it could be seen that massive structural and institutional changes have to be provided to ECI for strict enforcement of MCC & RPA - 1951 provisions.



Lack of control over political party in power

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Contentious Surrounding EVMs :

- i) Many parties claimed that EVMs were hacked to support ruling dispensation .
- ii) Discrepancies were observed in VVPATs in certain constituencies.
- iii) Questions were raised on the transport and storage of EVM's post elections .

→ ECI must raise awareness of the safety of EVM through Wider hackathons .

→ Increasing the use of VVPATs

→ Increase in transparency in transport & storage of EVMs in the presence of representatives from multiple parties .

61
52

To conclude write that step ahead taken

↓
NOTA
Electoral Bonds

- Totaliser Mark

(Please do not write anything except the question number in this space)

कृपया इस स्थान में प्रश्न संख्या के अतिरिक्त कुछ न लिखें।

UPSC

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Content of the Question is more important than length.
(Specimen Answer Booklet - For Practice Purpose Only)

उम्मीदवारों
को
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कुछ
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13)

In the recent Maratha Quota case the supreme court denied the inclusion of Marathas as backward classes for the purpose of reservations as it was adequately represented in occupations and was a dominant caste.

→ Powers of National commission of backward classes (under 102nd amend - ment)

i) Looking into the working of constitutional and legal safeguards for Backward classes.

ii) Constitutional status for NCBC - (art 338B)

iii) Receiving complaints from BCs

iv) Advising the centre on the welfare measures for BCs.



(Please do not write anything except the question number in this space)

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v) Submitting reports to the president on the status of BC's to be placed before the parliament.

vi) Powers of supreme courts civil court to the commission for enquiry of grievances.

other changes under 102nd Amendment

→ Art 342 A - List of backward classes for various states - notified by the president. Change in the list through parliament Acts.

→ Art 366 - definition of backward classes.

Issues : Common list of backward classes for centre & state.
Thus the states lose the power for declaring BC's for reservations in state govt jobs

(Please do not write anything except the question number in this space)
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Repercussions of the ruling:

- i) Amendment in art 342A to return the powers to state govt. for declaring backward classes
- ii) Possible codification of criteria to determine backward classes.
- iii) Could affect the reservations >50% in certain state govt jobs
Eg & TN, Karnataka.
- iv) Rationalization of reservations to certain classes similar to the Marathas.

Thus it can be seen ~~that~~ that the landmark judgement to lead to the refinement of 102nd amendment act.

(Please do not write anything except the question number in this space)

कृपया इस स्थान में प्रश्न संख्या के अतिरिक्त कुछ न लिखें।

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उम्मीदवारों को इस शीट पर नली लिखना चाहिए।
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14)

Legislature, executive and Judiciary are widely known to be the three pillars of democracy.

Separation of powers, checks and balances result in safeguarding democracy and improving efficiency.

Separation of powers in India:

→ Judiciary is independent from executive, but the removal of judges can occur through legislative resolution.

→ Art 142 allows for judicial legislation for complete justice, Writ jurisdiction - enforcing action by the executive.

Thus Judiciary can enter into the functional jurisdiction of

Article 50

Basic structure doctrine of judicial autonomy

(Please do not write anything except the question number in this space)

कृपया इस स्थान में प्रश्न संख्या के अतिरिक्त कुछ न लिखें।

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Legislature & Executive.

- Legislature and executive are deeply intertwined.
- * The executive is formed out of legislature, collective responsibility (Art 75)
- * Delegated legislation allows executive to attain legislative powers.

→ Leg Powers of speaker, parliamentary privileges allow judicial powers to legislature.

Thus the separation of powers is not very strict in Indian case.

Separation of Powers in USA :

- strict separation of powers
- president independent of congress

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कृपया इस स्थान
में प्रश्न संख्या को
अंकित करें
न लिखें।

UPSC

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उम्मीदवारों को
इस स्थान में
कोई लिखना
नाहिका
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- Lack of responsibility, accountability to the legislature
- Very strong Judiciary, use of due process of law.
But no provision for Judicial activism / legislation

some
inception
are there

↓
Senate approval
for high official
appointment & treaties

Mutual lessons:

- The mutual dependence on legislature and executive results in better quality of execution of laws which are inclusive in Nature.
- The strict separation of power in US allows for rapid and responsive execution of law
- Separation of judiciary results in efficient resolution of cases - Indian judiciary can limit activism and focus on reducing pendency & backlogs.

6½

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कृपया इस स्थान में प्रश्न संख्या के अतिरिक्त कुछ न लिखें।

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15

Directive principles of state policy (DPSP) were included in part IV of Indian Constitution to guide provide policy directions for future governments.

It is non justiciable as the constituent assembly was not sure about the availability of resources to implement them in near future

DPSP and government policies:

→ The first amendment to the Constitution - for implementation of land reforms. For providing Economic justice.

→ Right to free education act of 2002 to give effect to art 45 of DPSP

(Please do not write anything except the question number in this space)

कृपया इस स्थान में प्रश्न संख्या के अतिरिक्त कुछ न लिखें।

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उम्मीदवारों को इस स्थान में कोई लिखना नहीं है।
Candidates must not write on this margin

→ Provision of Reservation for SC / ST communities for the implementation of article 46.

→ Art 51 has been the foundation for all of Indias foreign relations.
- Basis of Panchsheel doctrine.

→ Separation of executive and judiciary through CrPC - 1973.

→ All of Indias environmental Policies - WPA - 1972, ~~HEA~~ FCA - 1980 etc have been guided by Art - 48 A.

→ Recent rationalization of Labour codes can be seen as giving effect to Art 43 A.

→ The policy for poverty reduction, Public distribution etc give effect to articles 38, 39 etc.

(Please do not write anything except the question number in this space)

कृपया इस स्थान में प्रश्न संख्या के अतिरिक्त कुछ न लिखें।

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उम्मीदवारों को इस हाशिए में नहीं लिखना चाहिए।
Candidates must not write on this margin

Thus from the start of Independence DPSPs have played major role in policy developments ✓

The conflicts between DPSP & FR also resulted in the Judicial doctrine of basic structure ✓

conclude with how DPSP has increased accountability of Govt. & worked as parameter to assess during elections

6/1
good D→

(Please do not write anything except the question number in this space)
कृपया इस स्थान में प्रश्न संख्या के अतिरिक्त कुछ न लिखें।

UPSC

उम्मीदवारों को इस शीट पर नही लिखना चाहिए।
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16) Fundamental duties were introduced during the 42nd constitutional (1976) amendment act on the recommendation of Swaran Singh committee (Art 51A).
Though some of the duties are mere guidelines, some duties of legal backing.

Duties remaining as mere guidelines:

- Development of scientific temper.
- Developing fraternity / feeling of brotherhood & harmony.

Mention about Justice Verma Committee

Duties having legal backing

- Respecting national flag symbols etc - Prevention of Insult to national honour - Act.

- For balanced Ans write how w/o legal backing
ineffective
harm to public property
- Sand mining
- Degrading harmony

(Please do not write anything except the question number in this space)
कृपया इस स्थान में प्रश्न संख्या के अतिरिक्त कुछ न लिखें।

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उम्मीदवारों को इस हाथिए में नहीं लिखना चाहिए
Candidates must not write on this margin

- Protection of Nature and wildlife - WPA - 1972.
- Protection of Public property - provision against arson - CrPC 1973.
- Compulsory education of children under 14 - RTE - 2002.
- etc.

Thus it can be seen that fundamental duties are not mere guidelines.

Recent additions to Art 51A on payment of taxes, voting are being proposed.

- add different dimension to Ans otherwise its good in content & analysis

5

(Please do not write anything except the question number in this space)

कृपया इस स्थान में प्रश्न संख्या के अतिरिक्त कुछ न लिखें।

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उम्मीदवारों को इस मार्ग में नहीं लिखना चाहिए।
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17)

In a parliamentary democracy like India, collective responsibility of the executive to the legislature is a foundational principle.

✓ It is provided through Art 75 of the constitution.

Collective Responsibility:

→ The cabinet provides a uniform front to the parliament regarding any policy decision.

→ No council of minister should openly disagree with the decision

Thus every minister is responsible for an executive act / decision.
i.e. the council of ministers ~~swings~~ swings together, ~~strikes~~ strikes together.

stand by decision
if disagree - resign

UPSC

(Please do not write anything except the question number in this space)

कृपया इस स्थान में प्रश्न संख्या के अतिरिक्त कुछ न लिखें।

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इस हाशिये में नहीं लिखना चाहिए।
Candidates must not write on this margin

Individual Responsibility

→ It can be observed in the British cabinet ~~system~~.

→ Individual ministers countersign the orders passed by the monarch and claim responsibility.

Individual responsibility In Indian Parliamentary System :

→ The functioning of executive is impossible without collective responsibility.

→ Hence PM has the power, responsibility to ensure collective resp. by advising the president to remove an opposing minister.

→ Thus it can be said that the only individual responsibility lies with the PM - which is to ensure collective responsibility.

4 1/2

More precise and detailed analysis required (Ref. limit)

Article 74

Minister hold office with pleasure of President on advice of PM



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कृपया इस स्थान
में प्रश्न संख्या के
अतिरिक्त कुछ
न लिखें।

UPSC

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उम्मीदवारों को
इस स्थान में
सही संख्या
में प्रश्न
संख्या
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18)

Citizenship amendment act 2019 provides for the granting of citizenship to non muslim immigrants who came to India before 31st december 2014, irrespective of the availability of valid documents. (immigrants from Pak, Afg, Bangladesh).

CAA 2019 and Art 14

→ Art 14 - Equality before law & equal protection of law is applicable to both Indian citizens and aliens.

→ ~~Art~~ Equal protection of law provides for equal treatment of individuals under similar conditions.

→ The act does not consider the application of on rohingya muslims, Sri lankan tamils who are

Key Feature
→ Urgent migrant of 3 countries
- from last 14 year 11 year in India

Religion based citizenship
→ Hindu, Sikh, Parsi, Jain, Budd, Christ, Jains



(Please do not write anything except the question number in this space)
कृपया इस स्थान पर प्रश्न संख्या को अतिरिक्त कुछ न लिखें।

UPSC

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Candidates must not write on this margin

similarly persecuted as the minorities of Pak, Afghanistan etc.

Thus Art 14 of Indian constitution is violated.

CAA 2019 & Secularism

→ Art 25 - freedom of individuals to practice, propagate any religion

→ It is applicable to both indian citizens and aliens.

→ granting of citizenship on the basis of religion may affect the open practice of religion

by illegal immigrants from Pak, Afg & Bang, under fear of deportation.

→ This ~~is~~ Indian secularism implies equal respect to all religions but CAA 2019 actively

(Please do not write anything except the question number in this space)
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UPSC

उम्मीदवारों को इस मार्ग में नहीं लिखना चाहिए।
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discriminates against a particular religion in granting of citizenship.
- Affecting the secular nature of Indian state.

6

Burden of State 4m

conclude in positive note

→ The argument of govt. about religious persecution is not satisfactory as many Islamic immigrants belong to sects which are persecuted in Islamic nations

(7)

The president's rule is implemented within a state according to Art 356, on the basis of breakdown of constitutional machinery in the state (Art 355, 365) :

Presidents rule and the functioning of state :

- Dispersion of council of ministers - executive powers rests upon the president.
- suspension, dissolution of legislative assembly - legislative powers to the parliament / parliament appoint-ted officials - usually president.
- Rule of President through the governor of the state.
- Distinction in implementation of govt. policy.

→ loss of majority
→ emergency



(Please do not write anything except the question number in this space)

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→ Passage of bills under discussion in the parliament.

→ Passing of unpopular regulations due to poor understanding of native cultures.

→ Additional expenditure for re elections in case of dissolution of legislature.

Effect on People :

→ Rule by non representative entity - breakdown of the spirit of democracy.

→ ~~Most~~ No effect on individual and community rights.

→ Possible disruption in social infrastructure dev. like schools, hospitals etc. which are under state govt.

Separating use of Art 356 should be made to avoid such effects as suggested by Sarkaria Commission

5 1/2

- Recent work of J & K. Mahajan

- Spirit of cooperative federalism preserved

(Please do not write anything except the question number in this space)
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20)

The statement by Dr Ambedkar reflects his personal experiences and comple understanding of social structure in Indian villages.

The traditional social structure leads to the oppression of depressed classes in the absence of protective rights, legal provisions.

Local self govt and depressed classes

→ Act 73rd & 74th amendment acts provide for the reservation of SC, ST according to their population at various levels.

→ This leads to the voicing of demands by the depressed classes helping in socio economic mobility.



UPSC

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उम्मीदवारों को
इस स्थान में
कोई लिखना
नाहिए।
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- Representation also leads to rise in political awareness about various protective and welfare measures for the depressed classes causing faster socio-economic growth.
- Provides avenue for social equality along with political equality as representative discuss with dominant castes for common welfare.

Issues:

- Lack of recognition of social & political equality by other castes.
Eg: Female SC representative in gram panchayat forced to sit on the floor in TN.
- SC representatives work as proxies for dominant castes - resulting in no welfare, development & representation for depressed classes.

(Please do not write anything except the question number in this space)

कृपया इस स्थान में प्रश्न संख्या के अतिरिक्त कुछ न लिखें।

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Thus it can be seen that though 73rd & 74th amendments are steps in the right direction - they are not effective enough way forward :

- Raising political awareness of SC population in villages.
- Educational & social welfare initiatives for depressed classes
- Popularity of representative among the depressed classes have to be scrutinized by SEC for effectiveness of PRIS.

Prong issues

6½

Good attempt

