

INDIAN POLITY AND INTERNATIONAL RELATIONS

Time Allowed: 3 hrs.

Max. Marks: 250

| Q. | Marks | Instructions to Candidate |
|-----|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | NA | <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. • Answer the questions in NOT MORE THAN 200 words each. Contents of the answer is more important than its length. • Answers must be written within the space provided. <p>Any page or portion of the page left blank in the Question-cum-Answer Booklet must be clearly struck off.</p> |
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| 5. | 5.5 / | |
| 6. | 6 | |
| 7. | 5 | |
| 8. | NA | |
| 9. | 4.5 | |
| 10. | 5 / | |
| 11. | 5.5 | |
| 12. | 4 | |
| 13. | 6 | |
| 14. | 5 | |
| 15. | 6 / | |
| 16. | NA | |
| 17. | NA | |
| 18. | 5.5 | |
| 19. | 5.5 | |
| 20. | 4.5 | |

82.

Good Attempt full next time

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Name CHANDRIMA ATTRI

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REMARKS

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- Q1. Through recent amendments in the Lokpal and Lokayukta Act, 2013, Lokpal has been deprived of the authority of taking suo-moto cognizance of the cases of corruption and maladministration which may lead to political intervention and transform it into a paper tiger. In this context, critically examine the functioning of the Lokpal and suggest measures need to be taken for its effective functioning. (12.5 Marks)

Remarks

Remarks ↓

Q2. Chief Justice of India suggested having as few tribunals as possible. In the context of over tribunalization, highlight the importance of the Finance Act, 2017 in addressing the issue. Evaluate the impact of tribunals on administration of justice in India?

(12.5 Marks)

Tribunalisation of justice has been a current development which has created confusion with overlapping mandate and pendency of cases.



Finance Act, 2017 recognised the problem of over tribunalisation and gave impetus to solving the complex problem and simplification of administration of justice. It called for rationalising the TRIBUNAL LANDSCAPE of the country.

Tribunals were sought after for their fast-track working, less case burden and domain specification. Some of the areas where they have been set up are family courts under 1984 act, child courts under PDCSO, 2005 etc.

Remarks

Though they were (successful) in the beginning, yet over tribulation reversed these gains.

Substantiate with facts

(It created more pendency, confusion and multiplicity of procedures.) Elaborate more on this

(Hence, we should abide by the logic of "LESS IS MORE" and, rationalise and simplify the tribunal organisation for the cause of justice) (good)

Add Finance Act modifications

Add Legatt Committee and L. Chandrakumar judgement

You also need to give instances of previous misuse i. during emergency, ideological impositions

Remarks

Also are useful impositions to curb insurgency etc

Q3. Article 356 is neither a dead letter as envisaged nor a deadly weapon in the hands of Union government. Elucidate. (12.5 Marks)

Article 356 provides for PRESIDENT'S RULE in states in case of breakdown of constitutional machinery. It is one of the most controversial provisions of the constitution as it impinges on federal structure, autonomy of states and rule of law.

In S.R. Bommai vs. Union of India, Supreme court warned against arbitrary application of Art 356 and cautioned against frequent use.

Hence, it is clear by the sheer number of examples that Article 356 is not a dead letter as envisaged in constituent assembly debates.

Its use has always been debatable as seen in J&K, Northeast etc. Though it has some flaws, turning it as a 'deadly weapon' would be too farfetched.

It has to be used very sparingly, only in urgent circumstances where it is felt that government of the state cannot be

Remarks

carried on according to the constitution

Also, president's satisfaction on the
report of the governor should be reasonable.
It should also not be used against
politically different governments in the
states.

Hence, use of article 356 should
remain within the framework of the
'SPIRIT' of the constitution. It should
not act as an anathema to cherished
ideals of democracy and federalism.

→ Add way forward i.e. use NCRWC,

Sarkaria

Punchi

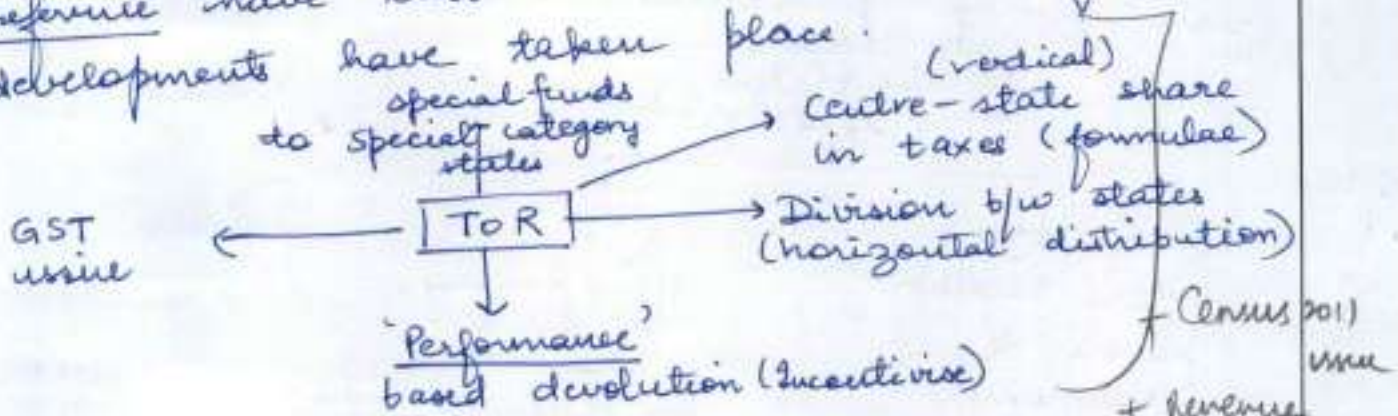
Recommendations

4.5

Q4. Despite several landmark changes brought in the framework for centre-state fiscal relations in recent years, the TOR (terms of reference) of the 15th FC have raised concerns among a group of states. Discuss the various concerns related to 15th FC. Do you think giving permanent status to Finance Commission will solve these problems? Analyse. (12.5 Marks)

Finance Commission is set up under Art 280 of the constitution, every 5 years, by the president. 15th Finance Commission, under N. K SINGH, has been accorded the function of devising rules for Centre - state fiscal relations for the years 2021 - 2025. Good introduction

Under the new government, the 'terms of reference' have been broadened and many new developments have taken place.



Many states have concerns regarding the new terms of reference. With respect to performance based devolution, states are concerned that this will lead to more funds to already developed states. With GST returns declining, states are fund-starved and hence added technicalities have increased their woes.

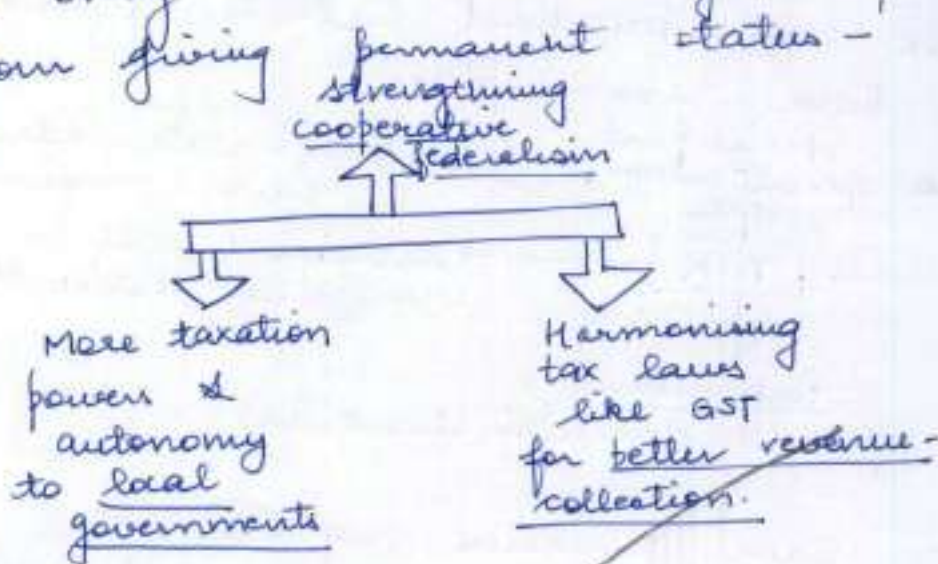
Remarks

Some states like Andhra Pradesh are still demanding special category status.

A panacea to all these concerns has been suggested as giving permanent status to Finance Commission. While this would increase the accountability and bring more expertise, yet the structural problems would remain.

Cite them, give pros, cons and then take ahead.

Hence, a 3 pillared approach is must to bring about real change, apart from giving permanent status -



Q5. Right to religious freedom of conscience can be absolute, but its external form i.e. right to profess, practice and propagate must be restricted. Analyse, this in the context of religious conversion. Is 'right to convert' a fundamental right? (12.5 Marks)

Article 25 of the constitution provides right to freedom of conscience and also right to profess, practice and propagate one's own religion. This right also forms a part of 'Indian Secularism', recognised as BASIC STRUCTURE.

Indian fundamental rights are NOT absolute, reasonable restrictions can be imposed on them if they violate other basic rights of human dignity, equality, right to life etc.

While one is free in his/her conscience, the external actions emanating from it must not be in violation of constitution. For example, recent Salawala ruling upheld the right to equality.

'Right to convert' is not a fundamental right. Only if the convert 'voluntarily' joins another religion/denomination and exercises his/her right to conscience, only then will the conversion be legal and in good faith.

Any forceful/coercive conversion is against the basic fundamental right enshrined in article 25.

Remarks

Hence, the law of fundamental right believes in respect for the rights of others too.

We need to be mindful of rights of others while exercising our own rights. Only then can harmony and peace be attained.

5.5 + Add Stanslars judgement in this context

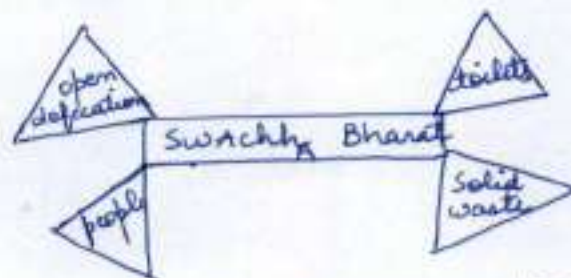
+ Add various anti-conversion laws to give more depth to your argument.

Q6. Abolition of untouchability is one of the fundamental objectives mentioned in the Constitution, however, practice like manual scavenging is the biggest hindrance in achieving this objective. In this light, discuss the role of Swachh Bharat Abhiyan in fulfilling various constitutional ideals and aspirations. (12.5 Marks)

Article 17 abolishes untouchability in all its forms. Yet, the irony is that many manual scavengers face social isolation due to their 'dirty' work and related social ills.

Even after passing Prohibition of manual scavenging and rehabilitation Act, 2013, every day, we hear news of sewer deaths around the country. This acts as a hindrance to achieving abolition of untouchability as it perpetuates health disability, poverty, isolation and social marginalisation.

Swachh Bharat Abhiyan started in 2014 has been a landmark cleanliness program in the country.



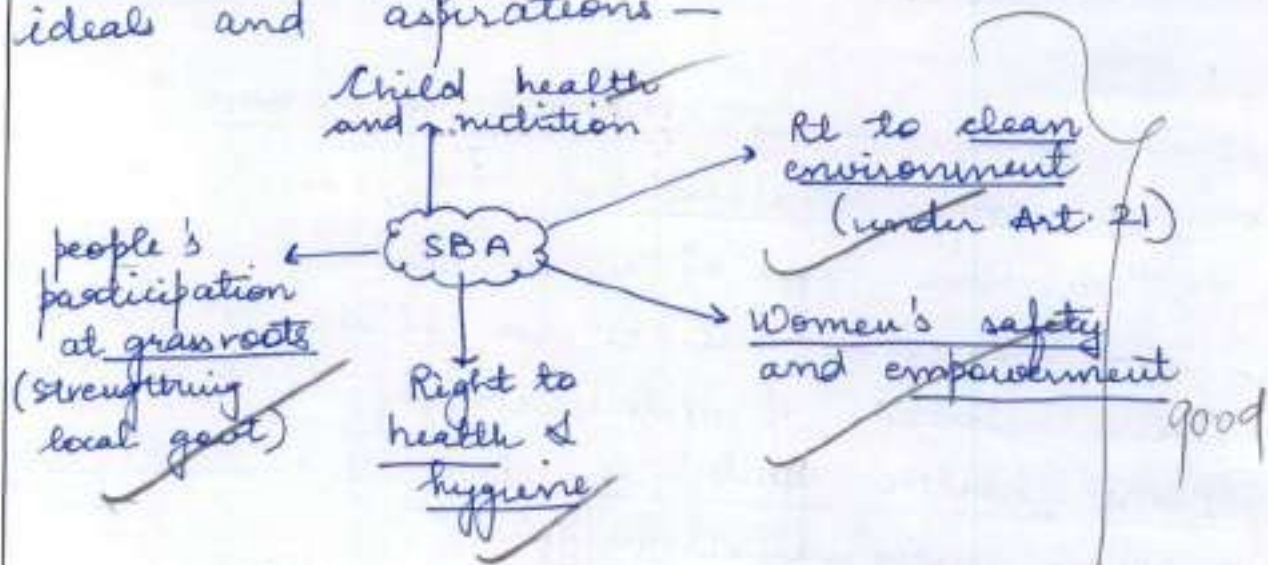
4 PILLARS of SBA

The construction of triple pit toilets and the recent push towards solid waste management has generated hopes for amelioration of these

Remarks

manual scavengers. Even for manhole cleaning, machines are being used in metro cities. The biodegradable tanks attached to toilets dispel the need for manual cleaning.

SBA also fulfills other constitutional ideals and aspirations -



Hence, the plight of marginalised sections is linked to development parameters of the society which SBA addresses holistically.

↳ Can add role of NCSK etc to ameliorate their status

Q7. Moral policing and vigilantism inherently have element of coercion hence curbs individual liberty. What measures have been taken to curb vigilantism in India?

(12.5 Marks)

Moral policing and vigilantism have become widespread acts of coercion throughout the country whether it is BEEF KILLINGS, LYNCHINGS in the name of religion, HONOUR KILLINGS, CASTE VIOLENCE etc.

Better to define the terms

SC in its recent judgements termed these acts as "HORRENDOUS ACTS OF MOB CRACY" and directed states to come with strict measures.

These acts are against right to life and liberty (Art 21). They violate an individual's freedom to live according to his own choice. They are often ugly head of majoritarian and coercive politics, supported by criminals.

To establish India as free and open society, strict actions need to be taken against them. Rajnath Singh, while he was home minister, also constituted a panel to advise on lynchings but the report is yet to be laid.

Gauba Committee on mob lynching

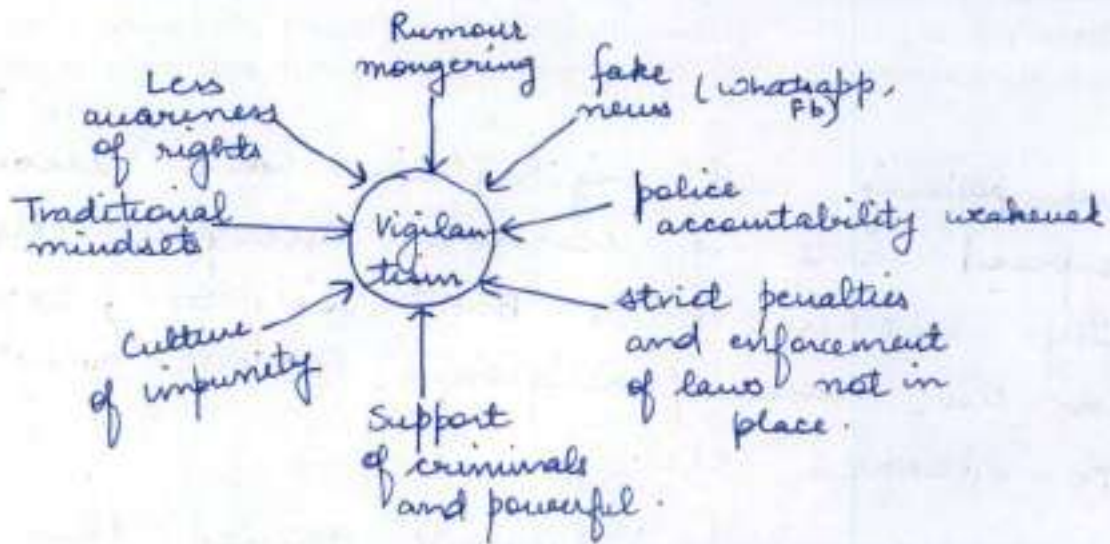
In the meantime, the following things need to be tackled —

Write this on the next page,

Remarks

makes diagram understandable





Hence, the current measures are not adequate to tackle all the above issues at once. Centre should come up with a law specially directed towards these acts.

Also, the major change needs to come at societal level; mindsets, attitudes towards culturally different people need to change; This aspect needs to be expanded

Mention efforts of civil society eg 'Not in my name' movement
- Manuka Kanoo demands

+ T.S. Poonawalla judgement

- Q8. Legal vacuum created after Supreme Court judgement in Shreya Singhal vs. Union of India coupled with increasing role of social media has necessitated for a comprehensive law to deal with hate speech. Examine in context of the recommendations of T.K. Viswanathan committee. (12.5 Marks)

Remarks

Good
Introduction

Explain why
Secularism is a
necessity in a
heterogeneous
diverse society,
that part has
not been
addressed
Read question
carefully

Q9. Secularism is the basic necessity for the democratic life of religiously diverse societies. However, in recent times it has been an issue of debate and political gain rather than a value to be practiced as enshrined in the Constitution. Analyse the statement in context of recent debate on secularism and intolerance. (12.5 Marks)

Secularism, in Indian context, is mutual respect and appreciation for religious diversity of the country. It is a basic necessity for heterogeneous countries like India.

However, it is also an issue of debate and its real meaning remains subjective and vague. Secularism, in India, has been molded into MAJORITY - MINORITY division & is a tool for VOTE BANK POLITICS / APPEASEMENT during elections.

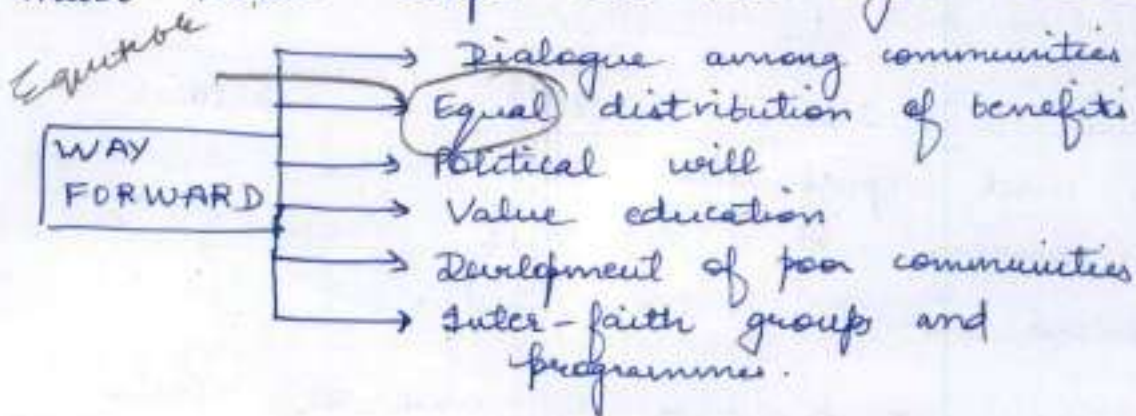
It has created more hostility and animosity between different religious groups as they compete for roles from the government in power.

Secularism is against intolerance and communalism. It is harmonious CO-EXISTENCE between different communities.

It needs to be seen as a 'VALUE' and not just a "POLITICAL CONSTRUCT".

Secularism in India is not a choice, rather a necessity for national integration & peace. → This needs to be expanded

To promote the secular spirit, we must take steps in the right direction.



Only when we recognise the true value of secularism, we can achieve the goals of development and prosperity as a nation.

4.5 Mention role of Indian state in the ongoing debate, i.e. Asymmetric intervention in religions, UCC etc too

Q10. 103rd Constitutional Amendment has transformed the policy of reservation from an affirmative action policy to an anti-poverty measure. Critically examine.

(12.5 Marks)

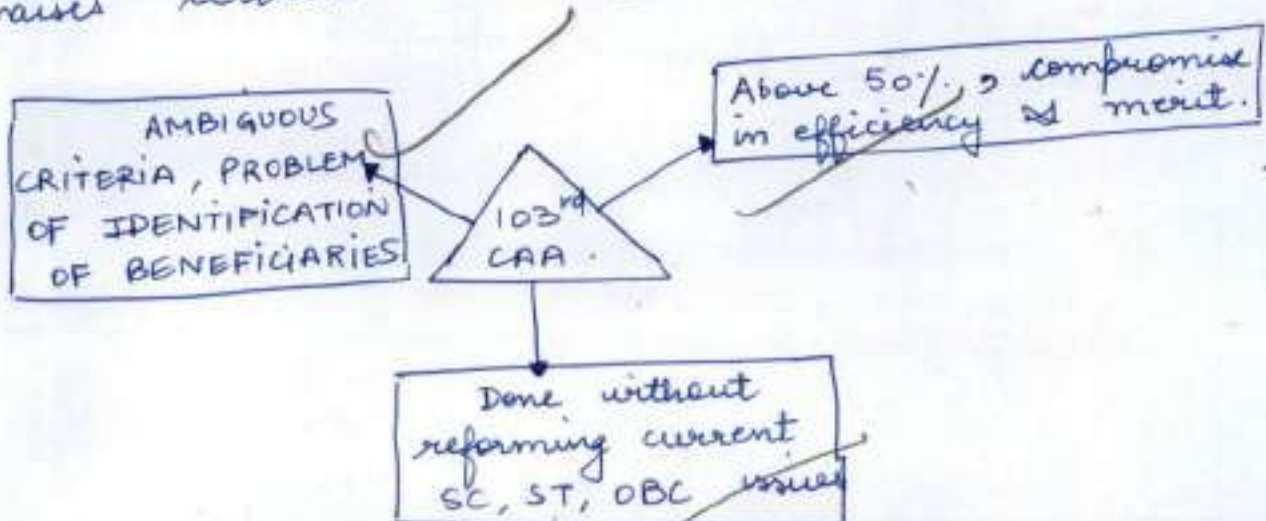
103rd constitutional amendment provides for 10% reservation to economically weaker sections, over and above 50% limit envisaged in Indra Sawhney case of 1992.

AFFIRMATIVE ACTION, as propounded in constitution has 2 conditions -

- ① - HISTORICAL INJUSTICES
- ② - SOCIAL & EDUCATIONALLY BACKWARD

Even, in constituent assembly debate, reservation was seen as a "temporary tool" to correct the historic wrongs. Afterwards also, when OBCs were being given reservation, ECONOMIC CRITERIA was ruled out - (I. Sawhney Judgment)

Though constitution doesn't bar reservation on economic criteria, yet this amendment raises certain concerns -



Remarks

This step can be termed as a "huge mis-step in the right direction" as the intent is right but it complicates the issue of reservation even further.

Firstly, it has to be ensured that only the most deserving get the benefit under this and also reforming the SC, ST, OBC issue on the same lines. (It cannot be seen as an anti-poverty measure in

isolation as it covers a very miniscule actually proportion of poor.) Substantiate, It includes more than 90% of less number population. Apart from these concerns, of jobs in public employment also put a question mark on true utility of this amendment.

Hence, it is time for the government to deal with the entire issue at once leaving the piecemeal approach behind.

→ Add that affirmative action is not a poverty alleviation exercise, Focus on anti poverty alleviation measures

Remarks

Add + Sinho Commission

Q11. Critically examine the importance of complementarity between cooperative and competitive federalism in India, to promote economic growth and development.

(12.5 Marks)

Indian federalism is marked by unique features of COOPERATIVE and COMPETITIVE federalism denoting collaboration on common challenges and competition for efficiency and innovation.

Good

NITI Aayog has given prime importance to this type of federalism and has constituted various working groups on common issues. On issues of water disputes, internal security, diseases, disasters, states have collaborated with each other. Even Centre and states have cooperated on national issues such as terrorism, national security etc.

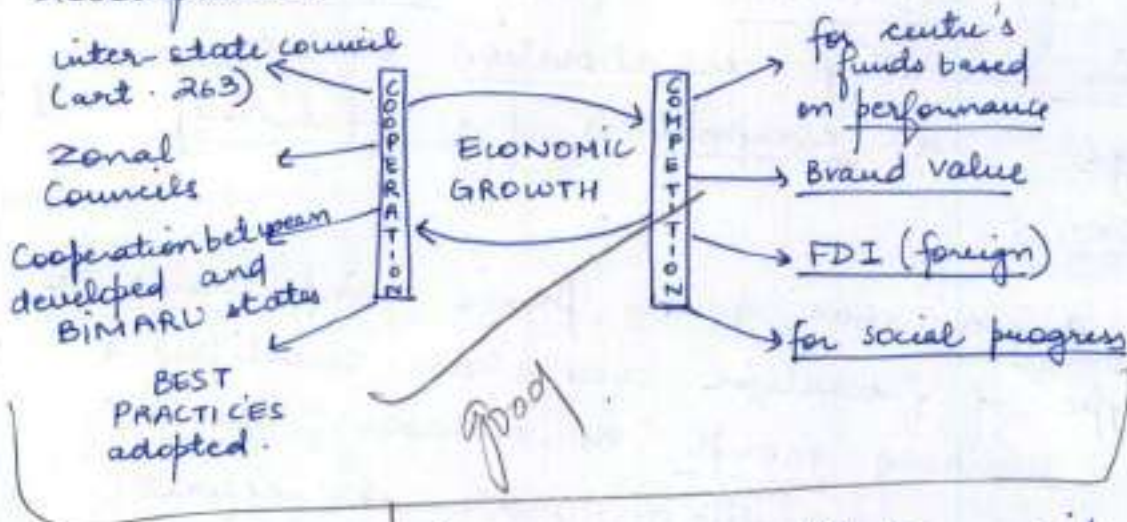
Simultaneously, competitive federalism can be seen in competition for INVESTMENT, HUMAN DEVELOPMENT indicators, social progress, etc.

NITI Aayog also pushes states for healthy competition by coming out with rankings for water efficiency index, health index, cleanliness rankings etc. which nudges states for efficiency and targeted time-bound completion of goals.

Remarks

Too much focus on NITI Aayog, diversify

Hence, both cooperation and competition are complementary while striving for good governance, economic growth & development.



Hence, cooperation reduces roadblocks while competition enhances opportunities to development.

You have understood the cues I suppose :-
i) competitive federalism alone would not solve all problems, it also has its

Explain the significance and currency in separate sub headings and preferably in pointwise format.

Remarks

issues, which can be better managed / mitigated with cooperative federalism

Explain this part

Q12. Critically evaluate the significance and criticisms of fundamental rights. Have excessive limitations on the fundamental rights diluted their importance? (12.5 Marks)

Fundamental rights are enshrined in Articles 12-32 of Indian constitution. They are significant as they lead to attainment of highest potential of oneself. They are needed for development of personality & for living a good life. Good and apt

Fundamental rights, in our constitution are not absolute, rather limited by reasonable restrictions as incorporated in article 19(2) such as public order, national security, defamation, contempt of court etc. These limitations do not abrogate fundamental rights rather makes their application more balanced. Absolute rights can often conflict other equally important goals.

For example, the goal of land reforms, abolition of zamindari as provided in DPSP violated right to property.

Even, Uniform Civil Code provided in Art 44 if implemented would violate art. 25.

Yet, the limitations on fundamental rights, if any, cannot disturb the BASIC STRUCTURE of the constitution as said in KESHAVNANDA BHARTI case.

Thus, arbitrary and excessive restrictions have no place in the constitutional framework. The reasonable ones, if imposed, have achieved the

Remarks

goals of socio-economic development instead of diluting the importance of fundamental rights.

Judiciary has expanded the scope of fundamental rights in multiple ways, often termed as JUDICIAL ACTIVISM. The recent examples being right to privacy, etc. This has promoted 'RIGHTS LITIGATION' in the form of PILs.

Though a ^{good} positive trend, yet ~~to~~ a balance always needs to be maintained between rights and duties, between freedom and development.

Significance

↳ protect individual & society

↳ minority rights

↳ protection against state

Criticism

↳ preventive detention

↳ lack of socio-economic rights hollows out the purpose

↳ Textual and many rights

still not realisable eg. untouchability

Remarks

↳ Too much judicial pendency hollows out the purpose of Art 32

Q13. Do you think setting up of Kartarpur corridor can lead to aggrandisement of Pro-Khalistan activists? What measures can be taken to curtail such movements?

(12.5 Marks)

India - Pakistan relations have been stuck since 2016 US attacks with no hope of thawing of relations. In this scenario, Kartarpur Corridor has been one positive development due to the presence of Sikh pilgrims on both sides of the border.

↳ Give the significance of the corridor and the timing

Kartarpur Corridor has generated concerns on Indian side with respect to terrorist activities, especially pro-Khalistan activities springing up again. Any new development has to be seen from 'National Security' perspective as well as peace and stability in the neighbouring states.

At the same time, cooperation between people can give us other benefits too. Visiting the Guru Nanak's last abode has been a sentimental aspiration for many Sikh pilgrims and hence, this corridor would help fulfill it.

We need to ensure that the logistics and safety of travellers is given high importance. To control any dubious activities, BORDER SECURITY needs to be improved with proper checks and surveillance.

Remarks

While we cannot ignore the Khalistani threat, yet going ahead with Kartarpur gives us many soft benefits.

Hence, we need to increase the vigilance and arrangements on either side of the border.

As ^{it is} said that "we can change our friends but not our neighbours", we have to deal with Pakistan in a constructive way, minimising threats and maximising gains.

Good Answer.

Q14. What is FATF "greylist" and when does a country gets listed into it? Do you think keeping Pakistan in this list will have any impact on Terror financing activities from there? (12.5 Marks)

FATF is a financial ^{add intergovernmental body} watchdog which keeps a tab over international terror financing and money laundering activities. It has a 'greylist' as well as a 'blacklist'.

A country gets listed into greylist when it supports terror financing or harbours terror groups. Pakistan was listed on greylist due to its deep state's support to terror groups such as Jammat-ud-dawa, Lashkar-e-Taiba.

Pakistan has been termed as a MILITARY-BEAURACRATIC OLIGARCHY by many scholars. Its civilian government has often failed to control entrenched interests of Pakistan's army, often called the DEEP STATE. This has even affect lives of Pakistani people and even economic growth and development.

Its support to Taliban across Afghanistan and militants in J&K region has dented its international standing and ^{been} accused of sponsoring of terrorism.

Keeping Pakistan in grey list, in this scenario, will be of little avail. The vested interests don't want to lose their grip

Remarks

even if it means harming the country itself.

FATF has given time period to Pakistan for action taken report. It remains to be seen how much is changed on the ground. Recently Hafiz Saeed was arrested from Lahore. Though a major step, its long term consequence remains to be seen.

If it moves into blacklist, it would face further sanctions and embargo, further harming the health of the economy.

Thus, Pakistan needs to put its own house in order to save its very existence.

5. → Regarding the efficacy of FATF's action, start with the effects of FATF action on Pakistan, mention them. Then evaluate their efficacy.

† Also Pakistan was added in 2012-15 with not much effects.

Q15. The negotiations on the India-EU Free Trade Agreement have been stuck for years. Briefly discuss the underlying reasons for the same and analyse what Brexit can do in re-aligning India-EU Trade relations. (12.5 Marks)

India - EU FTA negotiations started way back in 2007 ~~to~~ with no ~~clear~~ conclusion reached yet. India and EU have many synergies and areas of convergence, yet the few concerns have been acting as roadblocks -



The above reasons have prolonged the discussions on free trade agreement between India & EU.

EU is itself undergoing transformative alignments and realignments with BREXIT being one of the most challenging problem. Post-Brexit, India can leverage its bargaining position to a greater extent.

Now when Britain and India will go for separate discussions, EU will be ready to make max concessions in order to benefit from India's large market and compensate

Remarks

any losses incurred due to Brexit-

This can lead to fast-tracking of FTA negotiations and hence more free trade in goods and services benefitting both, EU and India.

Good Answer

6.

Remarks

Q16. Turkey plans to de-hyphenate its Indo-Pak ties. In this context, discuss the possibilities and challenges in relations between Turkey and its emerging ally India, as opposed to its traditional ally Pakistan. (12.5 Marks)

Remarks

Remarks

Q17. What is Asia Reassurance Initiative Act? Also, discuss the highs and lows in Indo-US relations under Trump administration. (12.5 Marks)

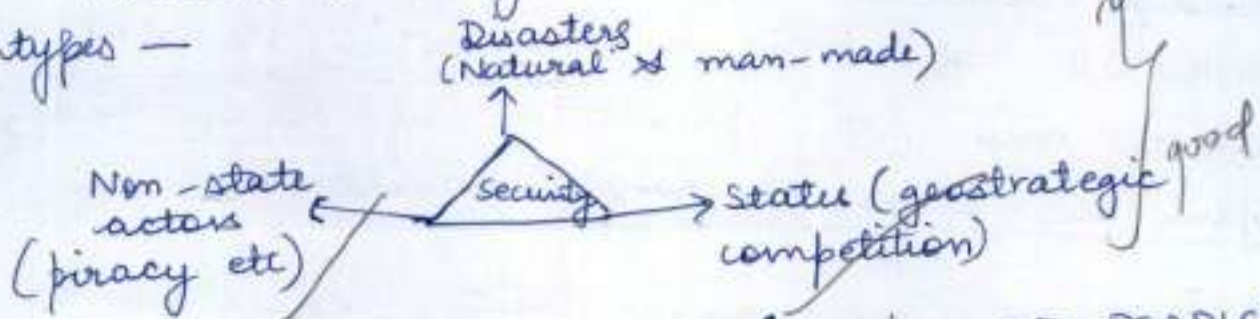
Remarks

Remarks

Q18. Maritime security is freedom from threats that arise in the sea, from the sea and through the sea. There is a great deal in convergence of India's and Africa's geostrategic and geo-economic interests in the maritime domain. How does government intend to actively pursue a collaborative security apparatus? (12.5 Marks)

Indian Ocean circles India and also connects it to African continent. Thus, for India's security, maritime domain is of crucial importance.

Maritime security involves threats of 3 types —



→ In this context, China's 'STRING OF PEARLS' policy challenges India's security. It has recently acquired a naval base in Djibouti.

→ In the disaster area also, post-2004 tsunami, India created platforms such as Indian Ocean Rim Association (IORA) and IONS (Naval Symposium) to create a joint response system and early warning platform.

→ India and African countries like Somalia have also entered into various anti-piracy agreements and also checking drugs/arms/human smuggling through the sea.

India's Africa policy includes cooperation on drug supply (generic medicines) and development (ITEC, India-Japan corridor, rural development)

Though India is fast losing ground to China, yet China's checkbox diplomacy cannot compete with India's developmental and growth building activities. India needs to leverage its credentials of being a democratic, pluralist nation and its promotion of rules-based, open sea lanes of communication.

In maritime sphere, joint exploration of mineral resources, joint naval patrolling and exercises, naval ports such as one acquired in Agalega (Mauritius), and free, secure, open trade routes are some of the collaboration areas between India & Africa.

GS

Good Answer

Identify different areas / avenues for geo strategic and geo economic global institutions cooperation

Remarks

→ Mention AAGC

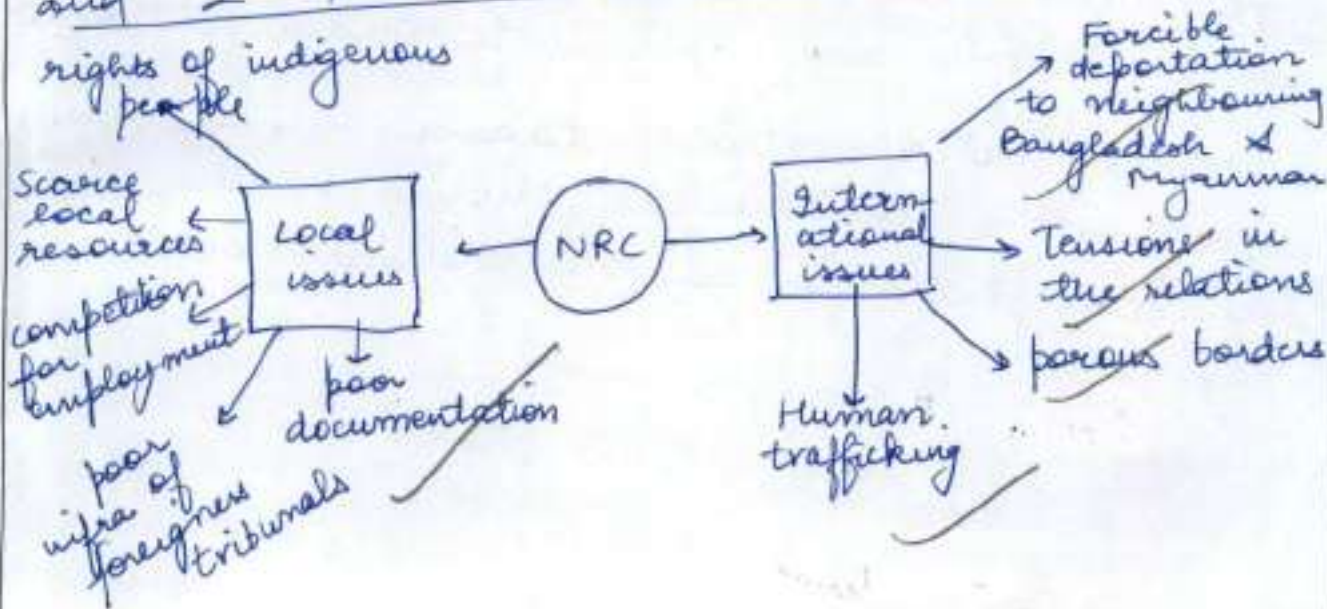
Q19. Will forming of an NRC based on Assam model for checking illegal migration from Bangladesh help? How can it affect India's relationship with Bangladesh?

(12.5 Marks)

The current ongoing NRC (National register of citizens) updation is a 2015, Supreme Court mandated exercise to recognise illegal migrants and possibly deport them to their home countries. *mention about Accord!!*

The citizenship act (amendment) bill, already created furor as being discriminatory against a particular region as it bars muslim immigrants from neighbouring countries.

The NRC exercise has several issues meshed up and has resulted in huge chaos with first list excluding 4 million and 2nd list, around 0.7 million people.



Remarks

Thus, given the substandard border infra-structure, an NRC exercise alone would not suffice to check illegal migration from Bangladesh. Illegal migration is a result of many factors like religious persecution in home country, etc and thus to tackle it holistically, bilateral agreements and improvement of border infrastructure is the way forward.

India's relations with Bangladesh have been on upward trajectory due to pro-India government. Yet, some thorny issues like water sharing, trafficking and illegal migration are present. Unilateral mass deportation is bound to create resentment in Bangladesh and fan anti-India sentiments.

Hence, collaboration taking humanitarian aspect into consideration should be the way. BIMSTEC platform can be utilised for this.

5.5
Add Bangladesh's view on this issue
+ No refugee law / deportation law
Good Answer

Q20. Does OIC recent invite to India marks India's growing global stature? How can deeper engagements with OIC be beneficial for India? (12.5 Marks)

OIC has traditionally been a supporter of Pakistan and has even released statements on J&K region in favour of Pakistan.

In this background, the recent invite to foreign ^{ministers} ministerial meeting post Balakot and Pulwama attack, marks a huge departure from the past.

This reflects two things :-

- 1) Growing global stature of India and its economy alongside democratic credentials
- 2) India's successful diplomacy and success of efforts ~~is~~ to isolate Pakistan on the issue of terrorism.

Government of India has used every meeting and international platform to put pressure on Pakistan against terrorist activities and harbouring of terrorist organisations.

This has led to listing of Masood Aghar as a global terrorist with even China withholding its "technical hold". OIC invite is also a recognition of India's fight against global terrorism and its sponsors.

Describe OIC grouping

Add more points

Remarks

Add the evolution from 1st OIC invite to second invite now

OIC forms the largest group of islamic
 countries in the world. India also is
 home to 2nd largest muslim population
 in the world. Hence, there are cultural
linkages. There is also scope for energy
security / cooperation and connectivity
 projects in the region. Even Indian companies
 can benefit by investing in profitable
 regions.

Hence, India should capitalise on growing
 convergence and goodwill in the said region.

4.5