

UPSC MAINS 2021

GS PAPER - 2

Time Allowed: 3 hr.

Max. Marks: 250

1. 'Constitutional Morality' is rooted in the Constitution itself and is founded on its essential facets. Explain the doctrine of 'Constitutional Morality' with the help of relevant judicial decisions. (Answer in 150 words) (10)
2. Discuss the desirability of greater representation to women in the higher judiciary to ensure diversity, equity and inclusiveness. (Answer in 150 words) (10)
3. How have the recommendations of the 14th Finance Commission of India enabled the states to improve their fiscal position? (Answer in 150 words) (10)
4. To what extent, in your view, the Parliament is able to ensure accountability of the executive in India? (Answer in 150 words) (10)
5. Pressure groups play a vital role in influencing public policy making in India." Explain how the business associations contribute to public policies. (Answer in 150 words) (10)
6. "Besides being a moral imperative of Welfare State, primary health structure is a necessary pre-condition for sustainable development." Analyze. (Answer in 150 words) (10)
7. "'Earn while you learn' scheme needs to be strengthened to make vocational education and skill training meaningful." Comment. (Answer in 150 words) (10)
8. Can the vicious cycle of gender inequality, poverty and malnutrition be broken through micro financing of women SHGs? Explain with examples. (Answer in 150 words) (10)
9. "If the last few decades were of Asia's growth story, the next few are expected to be of Africa's." In the light of this statement, examine India's influence in Africa in recent years. (Answer in 150 words) (10)
10. "The USA is facing an existential threat in the form of a China, which is much more challenging than the erstwhile Soviet Union." Explain. (Answer in 150 words) (10)

11. The jurisdiction of the Central Bureau of Investigation (CBI) regarding lodging an FIR and conducting probe within a particular state is being questioned by various States. However, the power of States to withhold consent to the CBI is not absolute. Explain with special reference to the federal character of India.
(Answer in 250 words) (15)
12. Though the Human Rights Commissions have contributed immensely to the protection of human rights in India, yet they have failed to assert themselves against the mighty and powerful. Analyzing their structural and practical limitations, suggest remedial measures.
(Answer in 250 words) (15)
13. Analyze the distinguishing features of the notion of Equality in the Constitutions of the USA and India.
(Answer in 250 words) (15)
14. Explain the constitutional provisions under which Legislative Councils are established. Review the working and current status of Legislative Councils with suitable illustrations.
(Answer in 250 words) (15)
15. Do Department-related Parliamentary Standing Committees keep the administration on its toes and inspire reverence for parliamentary control? Evaluate the working of such committees with suitable examples.
(Answer in 250 words) (15)
16. Has digital illiteracy, particularly in rural areas, couple with lack of Information and Communication Technology (ICT) accessibility hindered socio-economic development? Examine with justification.
(Answer in 250 words) (15)
17. "Though women in post-Independent India have excelled in various fields, the social attitude towards women and feminist movement has been patriarchal." Apart from women education and women empowerment schemes, what interventions can help change this milieu?
(Answer in 250 words) (15)
18. Can Civil Society and Non-Governmental Organizations present an alternative model of public service delivery to benefit the common citizen. Discuss the challenges of this alternative model.
(Answer in 250 words) (15)
19. Critically examine the aims and objectives of SCO. What importance does it hold for India?
(Answer in 250 words) (15)
20. The newly tri-nation partnership AUKUS is aimed at countering China's ambitions in the Indo-Pacific region. Is it going to supersede the existing partnerships in the region? Discuss the strength and impact of AUKUS in the present scenario.
(Answer in 250 words) (15)



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1. 'Constitutional Morality' is rooted in the Constitution itself and is founded on its essential facets. Explain the doctrine of 'Constitutional Morality' with the help of relevant judicial decisions.

Hint:

- Constitutional Morality can be defined as adherence to the core principles of the constitution in a democracy.
- **Various Constitutional facets in which Constitutional Morality is rooted:**
 - ▶ Preamble talks about liberty, equality and the autonomy of the individual.
 - ▶ Part III, IV and IVA of the Indian Constitution
 - ▶ Rule of Law ensure Constitutional Morality
- **Judicial decisions on Constitutional Morality:**
 - ▶ Naz Foundation Case
 - ▶ First Judges Case
 - ▶ Manoj Narula v. Union of India
 - ▶ NCT of Delhi v. Union of India
 - ▶ Sabrimala Judgement
- The principle of Constitutional Morality could be developed into a more holistic doctrine like basic structure doctrine by setting certain standards.

2. Discuss the desirability of greater representation to women in the higher judiciary to ensure diversity, equity and inclusiveness.

Hint:

- As per the data from the Union Ministry of law, out of 1079 judges in the High Courts, we have 82 women judges in our higher judiciary.
- **Status of Women in India Judiciary**
 - ▶ In High Courts, women judges constitute 11.5% whereas in Supreme Court, there are only four women justices.
 - ▶ Of the 1.7 million advocates, only 15% are women.
 - ▶ Lack of infrastructure.

- **Need of greater representation to women in higher judiciary**
 - ▶ Ensuring Judicial Independence and Integrity
 - ▶ Promotion of Gender Equality in key areas
 - ▶ Enhance the legitimacy of courts
 - ▶ Experience of women is vital in decision-making
- **Measures to be taken:**
 - ▶ Gender Inclusivity
 - ▶ Gender Sensitization
 - ▶ Diversity in the Benches
 - ▶ Appointment from the Bar
 - ▶ Promoting female judges from lower judiciary
 - ▶ Promotion of Legal Education

3. How have the recommendations of the 14th Finance Commission of India enabled the states to improve their fiscal position?

Hint:

- The Finance Commission, a constitutional body, is formed every five years to give suggestions on centre-state financial relations.
- **Recommendations of 14th Finance Commission for the states**
 - ▶ Increase in states' share
 - ▶ Tax devolution be primary route of transfer of resources
 - ▶ Division of grants-in-aid to states
 - ▶ De-linking of centrally sponsored schemes
- **Recommendations have helped states to improve their fiscal position by:**
 - ▶ Improvement in quality of fiscal deficit
 - ▶ Revenue autonomy to states
 - ▶ Reduction in centre's control over fiscal powers of states
 - ▶ Increase in central transfers
- Finance Commission acted as an agency to bring about co-ordination and co-operation.

4. To what extent, in your view, the Parliament is able to ensure accountability of the executive in India?

Hint:

- The relationship between the Legislature and the Executive is one that is most intimate and ideally does not admit of any antagonism or dichotomy.
- **Tools available for Parliamentary control over the Executive**
 - ▶ Parliament has the supreme authority to put the seal of approval on the proposals made by the Executive.
 - ▶ Any action of the Ministry can be called in question by any Member.
 - ▶ Examine ex post facto whether the administration has acted in conformity
 - ▶ The procedural devices like the Questions, Calling Attention, Half-an-Hour Discussion, etc. constitute very potent instruments.
 - ▶ Specific matters can be discussed through motions.
- **Difficulty in ensuring accountability of Executive:**
 - ▶ Bypassing discussion over legislation

- ▶ Diminishing role of Parliamentary Committees
- ▶ Lack of in-depth discussion on Budget
- ▶ Absence of strong and competent Opposition

5. Pressure groups play a vital role in influencing public policy making in India.” Explain how the business associations contribute to public policies.

Hint:

- Pressure groups use various forms of advocacy in order to influence public opinion and ultimately policy.
- Pressure groups play a vital role in shaping the policy.
- Business Associations, has a unique place acting as pressure groups to influence the policy in multiple forms like:
 - ▶ Provide Expert body
 - ▶ Further Voice
 - ▶ Highlight issues
 - ▶ Political and mass awareness
 - ▶ Provide research and excellence
 - ▶ Act as agents of accountability
 - ▶ Act as forums for deliberations

6. “Besides being a moral imperative of Welfare State, primary health structure is a necessary pre-condition for sustainable development.” Analyze.

Hint:

- Healthcare makes an imperative public good to be ensured by any state claiming to have welfare orientation.
- Within health sector, the primary healthcare acts as the first line of defense.
- The ethos of sustainable development makes it analogous to the idea of welfare state, but this idea cannot thrive in an unhealthy society.
- **Relation between Primary Healthcare and sustainable development:**
 - ▶ Ensures wide coverage and accessibility
 - ▶ Prevents crowding of infrastructure
 - ▶ Improve key indicators
 - ▶ Awareness
 - ▶ Mitigation measures
 - ▶ Access to vulnerable section

7. “‘Earn while you learn’ scheme needs to be strengthened to make vocational education and skill training meaningful.” Comment.

Hint:

- Vocational education and skill training is significant for overall development in the fast changing economic landscape.
- The Ministry of Tourism has launched a Scheme titled ‘Earn While You Learn’ with a view to inculcate appropriate tourism travel traits and knowledge amongst trainees to enable them to work as ‘student volunteers’.
- The salient features of the Scheme are:
 - ▶ College going students are eligible

- ▶ 21 working days duration
- ▶ Content is finalized by ministry
- The Indian Institute of Tourism & Travel Management (IITTM), had been authorized to conduct the training programmes.

8. Can the vicious cycle of gender inequality, poverty and malnutrition be broken through micro financing of women SHGs? Explain with examples.

Hint:

- Self-help groups are informal groups of people who come together to address their common problems.
- Self-help groups have been used as an effective strategy for poverty alleviation, human development and social empowerment.
- Majority of microfinance programmes focus women with a view to empower them.
- Explicitly perceive microfinance as a tool in the fight for the women's rights and independence.
- Self-help groups intermediated by microcredit have been shown to have positive effects on women.
- **Examples:**
 - ▶ SEWA works in Gujarat for providing nutritional security.
 - ▶ Jay Ambe SHG helps its affiliates acquire micro credit.

9. "If the last few decades were of Asia's growth story, the next few are expected to be of Africa's." In the light of this statement, examine India's influence in Africa in recent years.

Hint:

- Africa's population is expected to increase from about 1.2 billion people today to over 1.8 billion in 2035.
- Africa's economy will continue to expand.
- Africa needs a substantial support from every other nation to reap the benefits of its positive demographic and strategic situations.
- **India's Influence in Africa in recent years:**
 - ▶ "10 guiding principles for India-Africa engagement".
 - ▶ India Africa Forum Summit (IAFS)
 - ▶ Development Partnership Administration (DPA) to govern India's outgoing development assistance
 - ▶ Focus Africa (2002)
 - ▶ AAGC (Asia Africa Growth Corridor), with Africa being an equal partner
- India has an intrinsic interest in helping Africa achieve progress. The spirit of "developing together as equals" defines this bilateral partnership.

10. "The USA is facing an existential threat in the form of a China, which is much more challenging than the erstwhile Soviet Union." Explain.

Hint:

- The global system has recently entered a new transitional period with the formation of two centres of power, the US and China.
- US have predominantly shaped international relations since the end of the Cold War.
- **US-Soviet during cold war:**
 - ▶ Complex interplay of ideological, political, and economic factors.
 - ▶ The Soviet Union and the United States stayed far apart during the arms race.
- **Existential Threat before US**

- ▶ Globalisation created highly interconnected networks. The unintended outcome has led to China challenging US dominance.
- ▶ China's Belt and Road Initiative (BRI).
- ▶ Cooperation between China and Central and Eastern European Countries' (or the '17+1') initiative.
- ▶ "String of pearls" approach.
- ▶ "weaponise interdependence" by leveraging global networks for strategic advantages.
- ▶ Authoritarian regimes and ideas have established a stronghold in Southeast Asia.
- ▶ diminished role of the UN Security Council (UNSC)

11. The jurisdiction of the Central Bureau of Investigation (CBI) regarding lodging an FIR and conducting probe within a particular state is being questioned by various States. However, the power of States to withhold consent to the CBI is not absolute. Explain with special reference to the federal character of India.

Hint:

- A "general consent" is normally given by states to help the CBI in seamless investigation of cases of corruption against central government employees in their states.
- The withdrawal of general consent means that the CBI will not be able to register any fresh case.
- **CBI and federal character of India:**
 - ▶ Policing is state subject.
 - ▶ Law allows the CBI to function only with the consent of the States.
 - ▶ The Supreme Court has made it clear that when it or a High Court directs that a particular investigation be handed over to the CBI, there is no need for any consent under the Delhi Special Police Establishment (DSPE) Act.
 - ▶ In 2018, the government made amendments to Section 17A of the DSPE Act
- **Why States are withdrawing general consent to CBI?**
 - ▶ Diminish faith in the institution
 - ▶ Opposition parties are being targeted
 - ▶ Lack of transparency in the working of CBI

12. Though the Human Rights Commissions have contributed immensely to the protection of human rights in India, yet they have failed to assert themselves against the mighty and powerful. Analyzing their structural and practical limitations, suggest remedial measures.

Hint:

- India being a democracy keeps Human Rights at the core of its governing philosophy.
- All of the Human rights bodies have been constituted under the Protection of Human Rights Act, 1993.
- The commission has taken various actions through sou-motu cognizance.
- **Limitations:**
 - ▶ Too many cases and failure to address them timely.
 - ▶ Accused of having fear of political class.
 - ▶ Non-binding nature of recommendations
 - ▶ limited jurisdiction
 - ▶ Time limit of 1 year
 - ▶ Lack of manpower

- ▶ Conflict of interest
- **Measures to improve the scenario:**
 - ▶ Capacity building.
 - ▶ Recommendations must be made mandatory.
 - ▶ Giving real quasi judicial powers.
 - ▶ Diversifying memberships
 - ▶ Correcting grey areas in the laws

13. Analyze the distinguishing features of the notion of Equality in the Constitutions of the USA and India.

Hint:

- Equality is not about treating everyone the same but it is treating people in such a way that the outcome for each person can be the same.
- **Difference between notion of Equality in US and Indian Constitution:**
- Source
- Intention differs among the nations
- Social Justice
- Upliftment of Minorities
- Right to Education
- Gender Equality
- Dual Citizenship
- Representation in the Assembly
- India's system recognizes the value of achieving substantive equality while also protecting individual freedoms and rights.

14. Explain the constitutional provisions under which Legislative Councils are established. Review the working and current status of Legislative Councils with suitable illustrations.

Hint:

- India follows a bicameral system at both the centre and state level.
- The Legislative Council is the upper house of the state.
- **Constitutional Provisions regarding Legislative Council**
 - ▶ Can be formed or abolished when the Legislative Assembly passes a special resolution.
 - ▶ Resolution has to be passed by two-thirds of the Assembly members.
 - ▶ Establishment has been outline under Article 169.
 - ▶ Establishment is not mandated in states.
 - ▶ The total number of members in the Council of a shall not exceed one-third of the total number of members in Assembly of that State.
- **Challenges faced by Legislative Council:**
 - ▶ Burden on the Exchequer
 - ▶ Delaying chamber
 - ▶ Parking chamber
 - ▶ Avenues for Political Parties
- **States are demanding Legislative Council:**
 - ▶ Presence of Scholars and Intellectuals

- ▶ Check and Balance on Assembly
- ▶ Check on Despotic Tendencies of Lower Chamber
- ▶ Initiation of Non- Controversial Bills in Upper Chambers

15. Do Department-related Parliamentary Standing Committees keep the administration on its toes and inspire reverence for parliamentary control? Evaluate the working of such committees with suitable examples.

Hint:

- Rules 268 to 277 of the Rules of Procedure and Conduct of Business in the Conduct of States govern the functioning of Department-related Parliamentary Standing Committees.
- **Functions:**
 - ▶ To consider the Demands for Grants
 - ▶ To examine Bills
 - ▶ To consider the annual reports
- **Department-related Parliamentary Standing Committees' control over Administration:**
 - ▶ Prevent the misuse of power by executives
 - ▶ Assist in the parliamentary procedure
 - ▶ Provide technical expertise to Parliament
 - ▶ Forum for building consensus across political parties
- **Issues:**
 - ▶ Lack of attention from MPs
 - ▶ Absence of regular performance framework
 - ▶ Over strategising by the principal stakeholders in parliament

16. Has digital illiteracy, particularly in rural areas, couple with lack of Information and Communication Technology (ICT) accessibility hindered socio-economic development? Examine with justification.

Hint:

- Digital literacy refers to an individual's ability to find, evaluate, and clearly communicate information through typing and other media on various digital platforms.
- Urban-rural divide has given rise to the "Digital Divide.
- Inadequate technical means are major block in overcoming the digital divide in India.
- Digital resources are unevenly distributed.
- The availability of broadband is almost negligible in rural areas.
- cost of digital technology unmanageable
- absence of a social support network
- Socioeconomic status within rural society also plays an essential role in the ability to access ICT resources.
- Negligible trickle-down effects of technological development across India.
- Literacy is a significant barrier to accessing technology.

17. "Though women in post-Independent India have excelled in various fields, the social attitude towards women and feminist movement has been patriarchal." Apart from women education and women empowerment schemes, what interventions can help change this milieu?

Hint:

- Development and empowerment of women in the overall progress of a nation.

- Women have proved their mettle in various walks of life, from being a prime minister (Indira Gandhi), scientists (Tessy Thomous), fighter pilots, educationists etc.
- The story of women empowerment has largely been looked at with a myopic point of view of education and tokenism and has failed to gain a substantive character.
- **course-correct the discourse and actions in the feminist movement:**
 - ▶ Placing women in leadership and decision making roles
 - ▶ Gender sensitive orientation
 - ▶ Incentivizing gender
 - ▶ Taking cognizance and recognizing the unpaid labour of women
 - ▶ Broad based reservation
 - ▶ Gender audit
 - ▶ Fostering attitudinal changes

18. Can Civil Society and Non-Governmental Organizations present an alternative model of public service delivery to benefit the common citizen. Discuss the challenges of this alternative model.

Hint:

- NGOs are non-state, non-profit, public-oriented organizations which work for the welfare of the society.
- The functions of the NGOs and CS are multi-domain and multi-functional spreading across the various issues present in the society.
- Aim is to offer quality and timely delivery of services for the overall development of all the sections of society.
- To provide the services, government has taken various initiatives as:
 - ▶ E-governance
 - ▶ Direct Cash Transfer (DTC)
 - ▶ Jandhan Adhar Mobile (JAM trinity)
 - ▶ Bharat Net
 - ▶ Common Service Centres
- There has been policy implementation paralysis. Thus, NGOs and CS can play a significant role as:
 - ▶ increase mass awareness
 - ▶ speak for the poor
 - ▶ agenda about a particular cause
- **Challenges:**
 - ▶ Embezzlement of funds
 - ▶ Gateway for black money and money laundering.

19. Critically examine the aims and objectives of SCO. What importance does it hold for India?

Hint:

- The Shanghai Cooperation Organization (SCO) is an intergovernmental organization founded in Shanghai in 2001.
- SCO has mainly focused on regional security issues, its fight against regional terrorism, ethnic separatism and religious extremism.
- SCO's priorities also include regional development and its stability.
- **Importance of SCO for India:**

- ▶ provides strategic convergence with Russia and China
- ▶ progress on enhancing cooperation within its socio-economic space
- ▶ effectiveness in countering transnational terrorism
- ▶ India's call for "reformed multilateralism"
- ▶ strengthening equal and indivisible security in Eurasia based on the rule of international law, non-interference in domestic affairs

20. The newly tri-nation partnership AUKUS is aimed at countering China's ambitions in the Indo-Pacific region. Is it going to supersede the existing partnerships in the region? Discuss the strength and impact of AUKUS in the present scenario.

Hint:

- AUKUS is a trilateral security pact between Australia, the United Kingdom and the United States to help Australia to acquire nuclear-powered submarines.
- **Significance:**
 - ▶ The pact will focus on military capability, which will separate it from the Five Eyes intelligence-sharing alliance.
 - ▶ US is sharing its submarine technology which it had previously only shared with the UK.
 - ▶ Australia will become the seventh nation in the world to operate nuclear-powered submarines
- **Change in dynamics of Indo-Pacific Region:**
 - ▶ AUKUS aims to protect the strategic interests of the partner in the region
 - ▶ Sharing military and critical skills such as cyber, artificial intelligence and computing.
 - ▶ AUKUS is a security group, unlike QUAD
 - ▶ China called the new AUKUS alliance "extremely damaging to the peace and stability of the region"
